DEPARTMENT OF REAL ESTATE
320 West Fourth Street, Ste. 350
Los Angeles, California 90013

(213) 576-6982

FILED

FEB 08 2011

DEPARTMENT OF REAL ESTATE
BY: _____

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

| | |
|---|---|
| To: | |
| MASON CAPITAL GROUP, LLC, dba Gretchen Fox and Associates, LLC or any other fictitious names used by Mason Capital Group, LLC; and REVIV KARPMAN | NO. H- 37062 LA<br><br>ORDER TO DESIST AND REFRAIN<br>(B&P Code Section 10086) |

The Commissioner ("Commissioner") of the California Department of Real Estate ("Department") caused an investigation to be made of the activities of MASON CAPITAL GROUP, LLC ("MCG") doing business as Gretchen Fox and Associates, LLC ("GFA") and REVIV KARPMAN ("KARPMAN"). Based on that investigation, the Commissioner has determined that MCG, doing business as GFA and KARPMAN have engaged in, are engaging in, or are attempting to engage in, acts or practices constituting violations of the California Business and Professions Code ("Code") and/or Title 10, California Code of Regulations ("Regulations"), including the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of Code

Section 10131(d) (performing services for borrowers in connection with loans secured by real property) and 10131.2 (advance fee handling) of the Code. Based on the findings of that investigation, set forth below, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

Whenever acts referred to below are attributed to MCG, those acts are alleged to have been done by GFA, acting by itself or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to KARPMAN and using the names "Gretchen Fox and Associates" or other names or fictitious names unknown at this time.

FINDINGS OF FACT

1. MCG is not now, and has never been, licensed by the Department in any capacity. MCG is not a registered corporation incorporated under the laws of the State of California. MCG has no Fictitious Business Name Statements filed with the County of Los Angeles. At the time set forth below, KARPMAN solicited borrowers to negotiate loans secured by real property for compensation or in expectation of compensation to MCG.

2. GFA is not now, and has never been, licensed by the Department in any capacity. GFA is not a registered corporation incorporated under the laws of the State of California. GFA has no Fictitious Business Name Statements filed with the County of Los Angeles. At the time set forth below, KARPMAN olicited borrowers to negotiate loans secured by real property for compensation or in expectation of compensation to GFA.

3. KARPMAN has been licensed by the Department as a real estate salesperson since February 9, 1994 and his license expired on May 5, 2010. KARPMAN has renewal rights under Code Section 10201. At the time of the transactions, KARPMAN listed no employing broker.

4. On or about April 9, 2008, Robert A. ("R.A.") paid to Steve Byrne of MCG and GFA an advance fee of $3,000.00 by credit card, pursuant to an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by MCG and GFA with respect to a loan secured by real property located at 7666 Summerfield Hills Drive, Warrenton, Virginia 20186. After seven months, Robert A. learned that MCG and GFA had not worked on negotiating or modifying the terms of his loan on the Summerfield hills property.

5. On or about October 2, 2008, Zelda T. submitted a credit card payment in the amount $600.00 to Kandace Marshall of MCG and GFA for advance fees pursuant to an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by MCG and GFA with respect to a loan secured by real property located at 922 Highpearl Street, Petersburg, Virginia 23803.

6. On or about November 12, 2008, Zelda T. submitted a bank deposit in the amount $400.00 to Kandace Marshall of MCG and GFA for advance fees pursuant to an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by MCG and GFA with respect to a loan secured by real property located at 922 Highpearl Street, Petersburg, Virginia 23803. By December 4, 2008, Zelda T. received a letter of foreclosure from her mortgage lender and was unable to speak with anyone from American Financial Group, MCG, or GFA. When Zelda T. tried to call MCG and GFA again on December 26, 2008, she learned that the telephone number had been disconnected.

7. On or about December 17, 2008 MCG and GFA distributed advertising materials and solicited consumer Nicole A..

8. On or about June 11, 2008 MCG and GFA distributed advertising materials and solicited consumer Lorna F..

## CONCLUSIONS OF LAW

9. Based on the findings of fact contained in paragraphs 1 through 8, MCG, acting by itself, or by and/or through agents, associates, representatives, and/or co-conspirators, including, but not limited to KARPMAN, and using the name "Gretchen Fox and Associates" or other names or fictitious names unknown at this time, solicited borrowers and performed services for those borrowers and/or those borrowers' lenders in connection with loans secured directly or collaterally by one or more liens on real property, and charged, demanded or collected advance fees for the services to be provided, which acts require a real estate broker license under Sections 10131(d) and 10131.2 of the Code, during a period of time when MCG and KARPMAN were not licensed by the Department as real estate brokers, in violation of Section 10130 of the Code.

## DESIST AND REFRAIN ORDER

Based upon the Findings of Fact and Conclusions of Law stated herein, it is hereby ordered that MASON CAPITAL GROUP, LLC, whether doing business under your own name or as Gretchen Fox and Associates, or any other name(s) or fictitious name(s), and REVIV KARPMAN, whether doing business under his own name(s) or any other fictitious name(s), ARE HEREBYORDRED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required, unless you are so licensed. In particular each of them is ORDERED TO DESIST AND REFRAIN from:

1. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modifications or any other form of mortgage loan forbearance service in connection with loans on residential property containing four or fewer dwelling units; and

2. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any other real estate related services offered by them to others.

DATED: 2/1 2011

JEFF DAVI
Real Estate Commissioner

By _____

**Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars ($20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars ($60,000)."

cc: MASON CAPITAL GROUP, LLC
18375 Ventura Blvd., Suite 354
Tarzana, CA 91356

GRETCHEN FOX & ASSOCIATES, LLC
8236 Remmet St., #101
Canoga Park, CA 91304

REVIV KARPMAN
18375 Ventura Blvd, #152
Tarzana, CA 91356