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FILED
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DEPARTMENT OF REAL ESTATE
By C.2

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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To:	No. H-37299 LA
PARK PLACE SERVICES; NORTHPARK FINANCIAL SERVICES GROUP, INC.; TINA M. LATHAM; MEAGAN RAE BEETS; ANDY ESPINEIRA; LOAN MODIFICATION SERVICE; ESP LENDING, INC.; MICHAEL JAY KNIEBERG; JEANNE HARRIS; DENISE ESPINEIRA; JARED PERSONIUS; HELEN YI; and ALAN KAVETSKY.	ORDER TO DESIST AND REFRAIN (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 PARK PLACE SERVICES; NORTHPARK FINANCIAL SERVICES GROUP, INC.; TINA M. LATHAM; MEAGAN RAE BEETS; ANDY ESPINEIRA; LOAN MODIFICATION SERVICE; ESP LENDING, INC.; MICHAEL JAY KNIEBERG; JEANNE HARRIS; DENISE ESPINEIRA; JARED PERSONIUS; HELEN YI; and ALAN KAVETSKY. Based on that investigation the

Commissioner has determined that PARK PLACE SERVICES; NORTHPARK FINANCIAL SERVICES GROUP, INC.; TINA M. LATHAM; MEAGAN RAE BEETS; ANDY ESPINEIRA; LOAN MODIFICATION SERVICE; ESP LENDING, INC.; MICHAEL JAY KNIEBERG; JEANNE HARRIS; DENISE ESPINEIRA; JARED PERSONIUS; HELEN YI; and ALAN KAVETSKY have engaged in or are engaging in acts or attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming to act as real estate brokers in the State of California within the meaning of Business and Professions Code Sections 10131 (a) (solicit prospective sellers or purchasers or negotiate the purchase, sale or exchange of real property) and 10131(d) (solicit borrowers for or negotiate loans or perform services for borrowers in connection with loans secured by liens on real property).

In addition, based on that investigation, the Commissioner has determined that PARK PLACE SERVICES; NORTHPARK FINANCIAL SERVICES GROUP, INC.; TINA M. LATHAM; MEAGAN RAE BEETS; ANDY ESPINEIRA; LOAN MODIFICATION SERVICE; ESP LENDING, INC.; MICHAEL JAY KNIEBERG; JEANNE HARRIS; DENISE ESPINEIRA; JARED PERSONIUS; HELEN YI; and ALAN KAVETSKY have engaged in or are engaging in acts or are attempting to engage practices constituting violations of the California Business and Professions Code ("Code") and/or Title 10, California Code of Regulations ("Regulations"). 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.

FINDINGS OF FACT

1. From June 6, 2008, through the present, PARK PLACE SERVICES ("PPS") has been licensed by the Department of Real Estate ("Department") as a real estate corporation, Department License No. 01845421. PPS was licensed to do business as "FamilyHomeLoans.Net" and "FamilyHomeLoans.Net, Inc."

2. From May 11, 2006, through the present, TINA M. LATHAM ("LATHAM") has been licensed by the Department as a real estate broker, Department License No. 01719774.

At all times herein mentioned, LATHAM was licensed as a real estate broker and as the broker-officer of PPS.

3. From December 11, 2007, through the present, NORTHPARK FINANCIAL SERVICES GROUP, INC. ("NFSGI") has been licensed by the Department as a real estate corporation, Department License No. 01837330.

4. From May 19, 2001, through the present, MEAGAN RAE BEETS ("BEETS") has been licensed by the Department as a real estate broker, Department License No. 01230545. At all times herein mentioned, BEETS was licensed as a real estate broker and as the broker-officer of NFSGI.

5. From August 3, 2007, through the present, ANDY ESPINEIRA has been licensed by the Department as a real estate salesperson, Department License No. 01258936. From August 14, 2007, through May 8, 2010, ANDY ESPINEIRA was licensed under the employment of real estate broker, Mortgage Sense, Inc. ANDY ESPINEIRA has been licensed under the employment of real estate broker, VIP Independent Mortgage, Inc., from July 19, 2010, through the present.

6. At no time mentioned herein have LOAN MODIFICATION SERVICE; ESP LENDING, INC.; MICHAEL JAY KNIEBERG; JEANNE HARRIS; DENISE ESPINEIRA; JARED PERSONIUS; and ALAN KAVETSKY ever been licensed by the Department in any capacity.

7. On July 11, 2007, LATHAM formed Family Homeloans.Net, Inc., a California corporation. LATHAM is the President, CEO, and Secretary and owns or controls 10 percent or more of the corporation's stock.

8. On October 17, 2007, MICHAEL JAY KNIEBERG and JEANNE HARRIS formed NFSGI, a California corporation. MICHAEL JAY KNIEBERG is the President and CEO of NFSGI. JEANNE HARRIS is the Secretary and CFO of NSFGI. MICHAEL JAY KNIEBERG and JEANNE HARRIS own or control 10 percent or more of the NFSGI's stock.

9. On or about May 2, 2008, NFSGI filed a fictitious business name statement in Orange County, California, to do business as "LOAN MODIFICATION SERVICE" at 5440 Trabuco Road, Suite 100, Irvine, California 92620.

10. On June 18, 2007, ANDY ESPINEIRA and DENISE ESPINEIRA formed ESP LENDING, INC., a California corporation. ANDY ESPINEIRA is the President and CFO of ESP Lending, Inc. DENISE ESPINEIRA is the Secretary of ESP Lending, Inc. ANDY ESPINEIRA and DENISE ESPINEIRA own or control 10 percent or more of the corporation's stock.

11. For an unknown period of time beginning no later than May 27, 2008, while using the unlicensed fictitious business names "LOAN MODIFICATION SERVICE" and "ESP LENDING, INC.," PARK PLACE SERVICES; NORTHPARK FINANCIAL SERVICES GROUP, INC.; TINA M. LATHAM; MEAGAN RAE BEETS; ANDY ESPINEIRA; LOAN MODIFICATION SERVICE; ESP LENDING, INC.; MICHAEL JAY KNIEBERG; JEANNE HARRIS; DENISE ESPINEIRA; JARED PERSONIUS; HELEN YI; and ALAN KAVETSKY, severally or jointly, engaged in the business of soliciting to modify or negotiate loans secured by real property, and claimed, demanded, charged, received, collected or contracted for the collection of advance fees, within the meaning of Code Section l0026, for including, but not limited to, the following borrowers:

12. Fernnelia and Edward Payne

(a) In or around May 27, 2008, Fernnelia P. contacted PPS (formerly doing business as Familyhomeloans.Net) after hearing a radio advertisement for loan modification services. JARED PERSONIUS visited the home of Fernnelia and Edward P. and solicited loan modification and negotiation services on behalf of Familyhomeloans.Net. On May 28, 2008, Fernnelia and Edward P. paid an advance fee of $4,000 to Familyhomeloans.Net pursuant to an advance fee agreement for loan modification and negotiation services in connection with a loan secured by real property. Familyhomeloans.Net failed to perform the loan modification and negotiation services that had been promised to Fernnelia and Edward P.

(b) On or about May 28, 2008, PPS (formerly doing business as Familyhomeloans.Net) referred Fernnelia and Edward P.'s loan modification file to NFSGI (doing business as LOAN MODIFICATION SERVICE) to perform services for borrowers Fernnelia and Edward P. including, but not limited to, negotiating with Fernnelia and Edward P.'s lender. Familyhomeloans.Net told Fernnelia and Edward P. that their loan modification would be handled by an attorney. Fernnelia and Edward P. later discovered that HELEN YI, the person assigned to handle their file on behalf of LOAN MODIFICATION SERVICE, was not a licensed California attorney. NFSGI failed to perform the loan modification and negotiation services that had been promised to Fernnelia and Edward P.

13. Wilma Y.

(a) On or about October 18, 2008, ANDY ESPINEIRA solicited or offered to provide loan modification and negotiation services to borrower, Wilma Y. in connection with her mortgage loan secured by real property. Wilma Y. entered into a loan modification agreement with ESP LENDING, INC. for the performance of the same. ANDY ESPINEIRA, while doing business as ESP LENDING, INC., demanded and collected an advance fee of $3,000 from Wilma Y. and her daughter, Charlotte Y.

(b) In connection with Wilma Y.'s loan modification file, ANDY ESPINEIRA referred Wilma Y.'s file to NFSGI (doing business as LOAN MODIFICATION SERVICE) for performance of loan modification services for borrower Wilma Y., including, but not limited to, negotiating with the Wilma Y.'s lender. ALAN KAVETSKY was the individual assigned to handle Wilma Y.'s loan modification file on behalf of ESP LENDING, INC. and/or LOAN MODIFICATION SERVICE.

14. The materials and advance fee agreements used by PPS (while doing business as Familyhomeloans.Net) and ESP LENDING, INC. had not been approved by the Department prior to use as is required under Code Section 10085 and Section 2970, Title 10, Chapter 6, California Code of Regulations (hereinafter "Regulations").

15. The advance fees collected by PPS (while doing business as Familyhomeloans.Net) were not deposited in a trust account as required under Code Section 10146.

CONCLUSIONS OF LAW

16. Based on the information contained in Paragraphs 1 through 15, above, MICHAEL JAY KNIEBERG; and JEANNE HARRIS (while doing business as LOAN MODIFICATION SERVICE); ANDY ESPINEIRA and DENISE ESPINEIRA (while doing business as ESP LENDING, INC.); JARED PERSONIUS; HELEN YI; and ALAN KAVETSKY, violated Section 10130 of the Code by engaging in the activities without first obtaining a broker license from the Department or being under the employ of a licensed real estate broker.

17. Based on the information contained in Paragraphs 1 through 15, above, PARK PLACE SERVICES; NORTHPARK FINANCIAL SERVICES GROUP, INC.; TINA M. LATHAM; and MEAGAN RAE BEETS; violated Section 10137 of the Code by accepting compensating, directly or indirectly, any person for performing activities that require a real estate license.

18. Based on the information contained in Paragraphs 1 through 15, above, NORTHPARK FINANCIAL SERVICES GROUP, INC. and MEAGAN RAE BEETS; violated Section 10159.5 of the Code and Section 2731 of the Regulations by using an unlicensed fictitious business name to conduct activities that require a real estate license.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS HEREBY ORDERED THAT, ANDY ESPINEIRA; LOAN MODIFICATION SERVICE; ESP LENDING, INC.; MICHAEL JAY KNIEBERG; JEANNE HARRIS; DENISE ESPINEIRA; JARED PERSONIUS; HELEN YI; and ALAN KAVETSKY, immediately desist and refrain from: engaging in the activities requiring a real estate license, under their name or

any fictitious business name, without first obtaining a broker license or being licensed as a salesperson under the employ of a licensed real estate broker.

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS HEREBY ORDERED THAT PARK PLACE SERVICES (while doing business as Familyhomeloans.Net, Inc. Or Familyhomeloans.Net); NORTHPARK FINANCIAL SERVICES GROUP, INC.; TINA M. LATHAM and MEAGAN RAE BEETS immediately desist and refrain from employing or compensating, directly or indirectly, any unlicensed persons for engaging in the activities requiring a real estate license.

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS HEREBY ORDERED THAT NORTHPARK FINANCIAL SERVICES GROUP, INC.; MICHAEL JAY KNIEBERG; and JEANNE HARRIS; MEAGAN RAE BEETS; ANDY ESPINEIRA and DENISE ESPINEIRA immediately desist and refrain from using an unlicensed fictitious business name while engaging in activities that require a real estate license including, but not limited to, the following unlicensed fictitious business names: LOAN MODIFICATION SERVICE and ESP LENDING, INC.

DATED: 5/20, 2011.

BARBARA J. BIGBY
Acting Real Estate Commissioner

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: Park Place Services, Tina M. Latham, and Jared Personius
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