

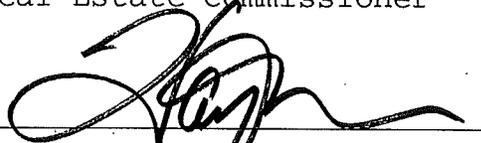
1 as set forth below, based upon the understanding and agreement
2 expressed in Respondent's Declaration dated April 27, 2012
3 (attached as Exhibit "A" hereto). Respondent's license
4 certificate and pocket card shall be sent to the below listed
5 address so that they reach the Department on or before the
6 effective date of this Order:

7 Department of Real Estate
8 Attn: Licensing Flag Section
9 P.O. Box 187000
Sacramento, CA 95818-7000

10 This Order shall become effective at 12 o'clock noon
11 on July 11, 2012.

12 DATED: June 6, 2012

14 Real Estate Commissioner

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17 By WAYNE S. BELL
18 Chief Counsel

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EXHIBIT "A"

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-37337 LA
DANIEL J. MOLETZ,)
Respondent.)

DECLARATION

My name is DANIEL J. MOLETZ, and I am currently licensed as a real estate broker and/or have license rights with respect to said license. I am representing myself in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to voluntarily surrender my real estate license issued by the Department of

1 Real Estate ("Department"), pursuant to Business and Professions
2 Code Section 10100.2.

3 I understand that by so voluntarily surrendering my
4 license, I may be relicensed as a broker or as a salesperson, or
5 issued a new mortgage loan originator endorsement, only by
6 petitioning for reinstatement pursuant to Section 11522 of the
7 Government Code. I also understand that by so voluntarily
8 surrendering my license, I agree to the following:

9 1. The filing of this Declaration shall be deemed as
10 my petition for voluntary surrender.

11 2. It shall also be deemed to be an understanding and
12 agreement by me that I waive all rights I have to require the
13 Commissioner to prove the allegations contained in the Accusation
14 filed in this matter at a hearing held in accordance with the
15 provisions of the Administrative Procedure Act (Government Code
16 Sections 11400 et seq.), and that I also waive other rights
17 afforded to me in connection with the hearing such as the right
18 to discovery, the right to present evidence in defense of the
19 allegations in the Accusation and the right to cross-examine
20 witnesses.

21 3. I further agree that upon acceptance by the
22 Commissioner, as evidenced by an appropriate order, all
23 affidavits and all relevant evidence obtained by the Department
24 in this matter prior to the Commissioner's acceptance, and all
25 allegations contained in the Accusation filed in the Department
26 Case No. H-37337 LA, may be considered by the Department to be
27 true and correct for the purpose of deciding whether to grant

1 relicensure or reinstatement pursuant to Government Code Section
2 11522.

3 4. I freely and voluntarily surrender all my licenses
4 and license rights under the Real Estate Law.

5 I declare under penalty of perjury under the laws of
6 the State of California that the above is true and correct and
7 that this declaration was executed April 27, 2012,
8 at Corona, California.

9 Daniel J. Moletz 4-27-12
10 DANIEL J. MOLETZ
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1 effective date of this Order as set forth below, based upon the
2 understanding and agreement expressed in Respondent's Declaration
3 dated April 24, 2012 (attached as Exhibit "A" hereto).

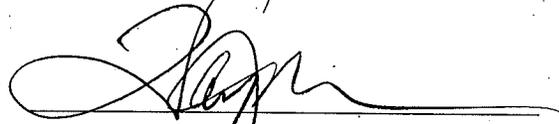
4 Respondent's license certificate and pocket card shall be sent to
5 the below listed address so that they reach the Department on or
6 before the effective date of this Order:

7 Department of Real Estate
8 Attn: Licensing Flag Section
9 P.O. Box 187000
Sacramento, CA 95818-7000

10 This Order shall become effective at 12 o'clock noon
11 on June 14, 2012.

12 DATED: May 21, 2012

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14 Real Estate Commissioner

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17 By WAYNE S. BELL
18 Chief Counsel

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	
)	DRE No. H-37337 LA
<u>FIRENZO REAL ESTATE GROUP, INC.,</u>)	
doing business as)	OAH No. 2011101044
QuickModCenter.com, Assent and)	
Loan Rx, and DANIEL J. MOLETZ,)	
individually and as former)	
designated officer of)	
Firenzo Real Estate Group, Inc.,)	
)	
Respondents.)	
)	

DECLARATION

My name is Mahyar Kazemi and I am the designated officer of FIRENZO REAL ESTATE GROUP, INC. which is licensed as a corporate real estate broker and/or has license rights with respect to said license. I am authorized to sign this Declaration on behalf of FIRENZO REAL ESTATE GROUP, INC.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedures Act (Sections

1 11400 et seq., of the Government Code) FIRENZO REAL ESTATE GROUP,
2 INC. wishes to voluntarily surrender its real estate license
3 issued by the Department of Real Estate ("Department"), pursuant
4 to Business and Professions Code Section 10100.2.

5 I understand that FIRENZO REAL ESTATE GROUP, INC., by
6 so voluntarily surrendering said license, can only have it
7 reinstated in accordance with the provisions of Section 11522 of
8 the Government Code. I also understand that by so voluntarily
9 surrendering said license rights, FIRENZO REAL ESTATE GROUP, INC.
10 agrees to the following:

11 The filing of this Declaration shall be deemed as
12 FIRENZO REAL ESTATE GROUP, INC.'s petition for voluntary
13 surrender. It shall also be deemed to be an understanding and
14 agreement by FIRENZO REAL ESTATE GROUP, INC. that, it waives all
15 rights it has to require the Commissioner to prove the
16 allegations contained in the Accusation filed in this matter at
17 a hearing held in accordance with the provisions of the
18 Administrative Procedures Act (Government Code Sections 11400 et
19 seq.), and that FIRENZO REAL ESTATE GROUP, INC. also waives other
20 rights afforded to it in connection with the hearing such as the
21 right to discovery, the right to present evidence in defense of
22 the allegations in the Accusation and the right to cross examine
23 witnesses.
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1 I further agree on behalf of FIRENZO REAL ESTATE GROUP,
2 INC. that upon acceptance by the Commissioner, as evidenced by an
3 appropriate order, all affidavits and all relevant evidence
4 obtained by the Department in this matter prior to the
5 Commissioner's acceptance, and all allegations contained in the
6 Accusation filed in the Department Case No. H-37337 LA, may be
7 considered by the Department to be true and correct for the
8 purpose of deciding whether or not to grant reinstatement of
9 FIRENZO REAL ESTATE GROUP INC.'s license pursuant to Government
10 Code Section 11522.
11

12 A copy of the Commissioner's Criteria of Rehabilitation
13 is attached hereto. If and when a petition application is made
14 for reinstatement of a surrendered license or endorsement, the
15 Real Estate Commissioner will consider as one of the criteria of
16 rehabilitation, whether or not restitution has been made to any
17 person who has suffered monetary losses through "substantially
18 related" acts or omissions of Respondent FIRENZO REAL ESTATE
19 GROUP, INC., whether or not such persons are named in the
20 investigation file in this case.
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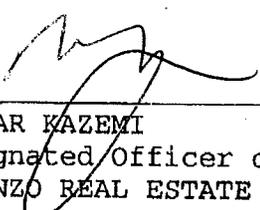
22 I further agree on behalf of FIRENZO REAL ESTATE GROUP,
23 INC. to pay the Commissioner's reasonable cost for the audit
24 which led to this action. In calculating the amount of the
25 Commissioner's reasonable cost, the Commissioner may use the
26 estimated average hourly salary for all persons performing audits
27 of real estate brokers, and shall include an allocation for

1 travel time to and from the auditor's place of work. I will pay
2 such cost within 60 days of receiving an invoice from the
3 Commissioner detailing the activities performed during the audit
4 and the amount of time spent performing those activities.

5 I am aware that if FIRENZO REAL ESTATE GROUP, INC.
6 petitions for reinstatement in the future, that payment of the
7 audit costs will be a condition of reinstatement.

8 I declare under penalty of perjury under the laws of
9 the State of California that the above is true and correct and
10 that I am acting freely and voluntarily on behalf of FIRENZO REAL
11 ESTATE GROUP, INC. to surrender its license and all license
12 rights attached thereto.

13 Dated this 24 day of April, 2012 at
14 Irving, California.

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18 By: 
19 Designated Officer of
20 FIRENZO REAL ESTATE GROUP, INC.
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1 LISSETE GARCIA, SBN 211522
2 Department of Real Estate
3 320 West 4th Street, Ste. 350
4 Los Angeles, California 90013-1105
5
6
7
8 Telephone: (213) 576-6914 (direct)
9 -or- (213) 576-6982 (office)

FILED
JUN 16 2011
DEPARTMENT OF REAL ESTATE

By C. R.

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

11 In the Matter of the Accusation of)
12 FIRENZO REAL ESTATE GROUP, INC.,) No. H-37337 LA
13 doing business as) A C C U S A T I O N
14 QuickModCenter.com, Assent and)
15 Loan Rx. and DANIEL J. MOLETZ,)
16 individually and as designated)
17 officer of Firenzo Real Estate)
18 Group, Inc.,)
19 Respondents.)

18 The Complainant, Maria Suarez, a Deputy Real Estate
19 Commissioner of the State of California, for cause of Accusation
20 against FIRENZO REAL ESTATE GROUP, INC., doing business as
21 QuickModCenter.com, Assent and Loan Rx and DANIEL J. MOLETZ,
22 individually and as designated officer of Firenzo Real Estate,
23 Group Inc., alleges as follows:

24 1.

25 The Complainant, Maria Suarez, acting in her official
26 capacity as a Deputy Real Estate Commissioner of the State of
27

1 California, makes this Accusation against FIRENZO REAL ESTATE
2 GROUP, INC. and DANIEL J. MOLETZ.

3 2.

4 All references to the "Code" are to the California
5 Business and Professions Code and all references to
6 "Regulations" are to Title 10, Chapter 6, California Code of
7 Regulations.

8 3.

9 From October 21, 2008 through the present, Respondent
10 FIRENZO REAL ESTATE GROUP, INC. ("FIRENZO") has been licensed by
11 the Department of Real Estate ("Department") as a real estate
12 corporation. At all times relevant herein, Respondent FIRENZO
13 was doing business as QuickModCenter.com, Assent and Loan Rx.

14 4.

15 From April 14, 2006 through the present, Respondent
16 DANIEL J. MOLETZ ("MOLETZ") has been licensed by the Department
17 as a real estate broker. From October 21, 2008 through March
18 29, 2010, FIRENZO was acting by and through Respondent MOLETZ as
19 its designated officer pursuant to Code Section 10159.2 to be
20 responsible for ensuring compliance with the Real Estate Law.

21 5.

22 At all times mentioned, in the State of California,
23 Respondent FIRENZO engaged in the business of a real estate
24 broker conducting licensed activities within the meaning of Code
25 Sections 10131(a), 10131(d), and 10131.2. Respondent FIRENZO
26 engaged in operating a residential resale, mortgage loan,
27 advance fee and loan modification service brokerage, for

1 compensation or in expectation of compensation and for fees
2 often collected in advance. Respondent FIRENZO contacted
3 lenders on behalf of distressed homeowners seeking modification
4 or forbearance of the terms of their home loans.

5 Audit

6 6.

7 On May 3, 2010, the Department completed an audit
8 examination of the books and records of Respondent FIRENZO
9 pertaining to the mortgage loan, advance fee and loan
10 negotiation and modification service activities described in
11 Paragraph 5, which require a real estate license. The audit
12 examination covered a period of time beginning on December 1,
13 2006 to December 31, 2009. The audit examination revealed
14 violations of the Code and the Regulations as set forth in the
15 following paragraphs, and more fully discussed in Audit Report
16 LA 090092 and the exhibits and work papers attached to said
17 Audit Report.

18 7.

19 Violations

20 In the course of activities described in Paragraph 5,
21 above, and during the examination period described in
22 Paragraph 6, Respondents FIRENZO and MOLETZ acted in violation
23 of the Code and the Regulations as follows:

24 (A) Failed to maintain a control record in the form
25 of a columnar record in chronological order of all trust funds
26 including advance fees received, deposited and disbursed, in
27 violation of Code Section 10145 and Regulation 2831.

1 (B) Failed to maintain a separate record for each
2 beneficiary or transaction, thereby failing to account for all
3 advance fees collected, in violation of Code Section 10145 and
4 Regulation 2831.1.

5 (C) Failed to maintain a written monthly
6 reconciliation of the receipts and disbursements record and the
7 total balance of separate beneficiary records for bank account
8 used to handle advance fees, in violation of Code Section 10145
9 and Regulation 2831.2.

10 (D) Failed to establish and/or maintain a trust
11 account at a bank or other recognized financial institution in
12 the name of the broker for deposit of advance fees collected by
13 FIRENZO, thereby depositing trust funds in FIRENZO's general
14 account and thus commingling trust funds with FIRENZO's funds,
15 in violation of Code Sections 10145, 10176(e) and Regulation
16 2832.

17 (E) Advance fees that were collected from borrowers
18 in connection with loan modification transactions were deposited
19 into Respondent FIRENZO's general business account and used for
20 FIRENZO's general operating expenses. The balance of FIRENZO's
21 general business account was reduced to an amount that was less
22 than the amount of trust funds deposited, thus, conversion of
23 trust funds, in violation of Code Sections 10145 and 10177(j).

24 (F) Failed to establish and maintain a trust account
25 at a bank or other recognized financial institution in the name
26 of the broker for deposit of advance fees collected by
27 Respondent FIRENZO, in violation of Code Section 10146.

1 (G) FIRENZO failed to have in its possession the
2 license certificate for real estate salesperson Tammy L. Petri
3 (DRE License No. 01803014) at FIRENZO's main office and failed
4 to make the license available during the audit, in violation of
5 Code Section 10160 and Regulation 2753.

6 (H) Failed to provide and/or maintain an approved
7 Mortgage Loan Disclosure Statement containing all the
8 information required by Code Section 10240 before borrowers Joel
9 Tate, Havey H. Mcfadyen, Roland Sanchez, Laurelle W. Perry,
10 Robert Rice, Marcus V. Lotto, and David Mak became obligated to
11 perform under the terms of their respective loans, in violation
12 of Code Section 10240 and Regulation 2840.

13 (I) MOLETZ failed to exercise reasonable control and
14 supervision over the activities conducted on behalf of FIRENZO
15 and its licensees and employees as necessary to secure full
16 compliance with the Real Estate Law, in violation of Code
17 Section 10159.2 and Regulation 2725.

18 Disciplinary Statutes

19 8.

20 The conduct of Respondents FIRENZO and MOLETZ
21 described in Paragraph 7, above, violated the Code and the
22 Regulations as set forth below:

23

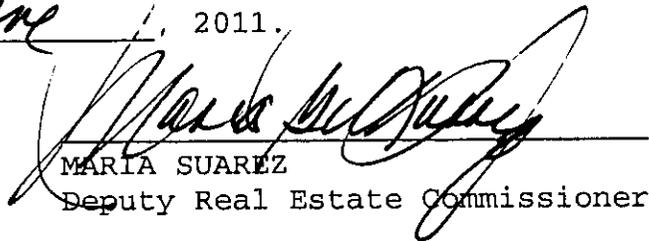
24 PARAGRAPH	PROVISIONS VIOLATED
25 7 (A)	Code Sections 10145 and Regulations 2831
26 7 (B)	Code Section 10145 and Regulation 2831.1
27 7 (C)	Code Section 10145 and Regulation 2831.2

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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and/or license rights of Respondents FIRENZO REAL ESTATE, INC., doing business as QuickModCenter.com and Assent and Loan Rx and DANIEL J. MOLETZ, individually and as designated officer of Firenzo Real Estate, Inc., under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 6th day of June, 2011.



MARIA SUAREZ
Deputy Real Estate Commissioner

cc: Firenzo Real Estate Group, Inc.
Daniel J. Moletz
Maria Suarez
Sacto
Audits - Darryl Thomas