FILED
DEC 28 2011
DEPARTMENT OF REAL ESTATE
By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of	)	
	)	No. H-37376 LA
VLADISLAV PHILIP VOSS,	)	
	)	
Respondent	)	

DEFAULT DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on November 14, 2011, and the findings of fact set forth herein are based on one or more of the following: (1) Respondents' express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

1.

On or about July 5, 2011, Maria Suarez made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California.

a) On July 7, 2011, the Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent VLADISLAV PHILIP VOSS ("Respondent") at his last known mailing addresses on file with the Department of Real Estate ("Department") at 7250 Franklin Ave. #905, Los Angeles, CA 90046. This mailing was signed for on July 8, 2011.

b) On August 12, 2011, the Accusation, Statement to Respondent, and Notice of Defense were mailed, certified mail, return receipt requested, to Respondent at an additional address on file, at 14225 Ventura Blvd., Suite 200, Sherman Oaks, CA 91423. This mailing was signed for on August 13, 2011.

c) No Notice of Defense has been received from Respondent. Respondent's Default was entered on November 14, 2011.

2.

VLADISLAV PHILIP VOSS, aka Steve Voss, aka Philip Voss Vladislav, aka Philip Vladislav Voss ("Respondent") has license rights as a restricted real estate salesperson.

a) Respondent first applied for a real estate salesperson license in 2005. His application was denied, but he was granted rights to, and did obtain, a restricted salesperson license in 2005 in Department Case No. H-31622 LA. In 2003, Respondent was convicted in federal court of conspiracy to commit unauthorized reception of cable services, a felony. This resulted in his application for a plenary license being denied pursuant to Business and Professions Code Sections 480 and 10177(b).

b) Respondent's restricted license expired on or about August 16, 2009, and he retains renewal rights pursuant to Business and Professions Code ("Code") Section 10201. The Department retains jurisdiction pursuant to Code Section 10103.

3.

As a salesperson, Respondent was only authorized to perform real estate activities under the supervision of an employing broker. Respondent was last employed by a supervising broker on January 14, 2009, and has not been broker affiliated since that time.

4.

Home Savers Group Corp. ("Home Savers") is a California corporation, established on or about January 2, 2009. Respondent VOSS is the CEO and sole officer and director for Home Savers. Home Savers is not now and has never been licensed by the Department in any capacity.

5.

Home Defense Group Inc. ("HDG") is a California corporation. Ismael Moyers is the CEO and John P. Gonzalez is the agent for service of process. Home Defense is not currently and never has been licensed by the Department in any capacity.

6.

Sergio Santibanez ("Santibanez") is not now and has never been licensed by the Department in any capacity.

7.

ZAP Group Inc. and Zap USA ("Zap") are not licensed by the Department in any capacity.

8.

During a period of time beginning on or before January 6, 2009, and continuing through on or after May 30, 2009, Respondent engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California, within the meaning of Business and Professions Code ("Code") Sections 10131(d) and 10131.2, for or in expectation of compensation. Respondent, in concert with affiliated unlicensed businesses and individuals, advertised and solicited borrowers on loans secured by real property and offered to negotiate and modify terms of loans and prevent foreclosure. Respondent also collected advance fees within the meaning of Code Sections 10026 and 10131.2.

9.

On or about February 4, 2009, Respondent, representing "HDG-Home Defense Group," solicited the owner of property located at 1919 E. Hillcrest Dr., Thousand Oaks, CA ("1919 E. Hillcrest"), and offered, along with affiliated entities and individuals, to provide loan restructuring and foreclosure prevention services in exchange for the payment of up front and monthly fees. In this and subsequent correspondence, Respondent solicited an initial payment of $2,600.00 and monthly payments of $1,900.00, payable to Home Savers and/or HDG.

10.

Shortly after the initial payments were received, VOSS sent correspondence to the owner of 1919 E. Hillcrest indicating that Home Defense Group and an affiliated lawyer would be representing her in "Joint Venture Litigation" against lenders to prevent foreclosure on the property. The correspondence included an unsigned copy of a Joint Venture Litigation Agreement purporting to be between the owner of 1919 E. Hillcrest and Home Defense Group. VOSS identified himself as a "Certified Independent Foreclosure Consultant."

11.

On or about March 10, 2009, Home Savers sent the owner of 1919 E. Hillcrest an invoice demanding payment of fees in relation to the restructuring of loans on the property. On March 15, 2009, Home Savers received $1,900.00 by check, which check was deposited into Home Savers' account at Wells Fargo Bank. On April 1, 2009, Home Savers received an additional $700.00 by check, which also was deposited into Home Savers' account at Wells Fargo.

12.

On April 20, 2009, VOSS wrote the owner of 1919 E. Hillcrest a letter on Home Savers letterhead indicating that Home Savers was assigning the loan restructuring case to an attorney. The attorney, Ollie P. Manago, purportedly had an office in the same building as Home Savers' office at 1010 Wilshire Blvd., Suite 114, Los Angeles, CA 90017. VOSS enclosed a "Legal Retainer Agreement" to be signed. The owner of 1919 E. Hillcrest subsequently received an invoice dated May 1, 2009 billing for an initial "retainer" of $1,900.00 for the legal services of Ollie P. Manago & Associates.

13.

Respondent and/or his associates and business affiliates, received in excess of $6,300.00 in advance fees for loan services relating to 1919 E. Hillcrest.

14.

No loan modification, loss mitigation or foreclosure avoidance services were ever provided to the owner of 1919 E. Hillcrest at that time by Respondent and/or any of his associates and business affiliates, or by any lawyers or agents affiliated with those individuals or entities.

15.

The advance fees for loan restructuring and foreclosure prevention services collected from consumers described above, were not collected pursuant to a written agreement submitted to or reviewed by the Department prior to use.

16.

At the time he collected advance fees from consumers, including the advance fees collected from the consumer set forth in Paragraphs 9-13 above, Respondent was not employed by a supervising employing broker, and his restricted salesperson license was therefore inactive. As such, Respondent was not authorized to conduct activities requiring a real estate broker license independently, or as an employee or agent of any other broker or company, licensed or unlicensed. Respondent was not authorized to conduct licensed activities as an agent of Home Savers nor of HDG, unlicensed entities, and he was not authorized to receive compensation for acting as their agent.

DETERMINATION OF ISSUES

1.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

2.

The conduct, acts and/or omissions of Respondent VLADISLAV PHILIP VOSS in soliciting borrowers and collecting advance fees from borrowers to perform acts requiring a real estate license constitutes grounds to discipline the license and license rights of Respondent VLADISLAV PHILIP VOSS pursuant to Code Sections 10130, 10137, 10177(d) and 10177(j).

ORDER

All licenses and license rights of Respondent VLADISLAV PHILIP VOSS under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on January 17, 2012.

DATED: 12/7/11.

BARBARA J. BIGBY
Acting Real Estate Commissioner

Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, California 90013-1105

FILED
NOV 14 2011
DEPARTMENT OF REAL ESTATE
By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of VLADISLAV PHILIP VOSS, Respondent.	NO. H-37376 LA DEFAULT ORDER

Respondent, VLADISLAV PHILIP VOSS, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED NOVEMBER 14, 2011.

BARBARA J. BIGBY
Acting Real Estate Commissioner

By: PHILLIP IHDE
Regional Manager

SAC.

MARTHA J. ROSETT, Counsel (SBN 142072)
Department of Real Estate
320 West Fourth St. #350
Los Angeles, CA 90013

(213) 576-6982
(213) 620-6430

FILED
JUL 7 2011
DEPARTMENT OF REAL ESTATE
By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of VLADISLAV PHILIP VOSS, Respondent.	No. H-37376 LA ACCUSATION

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner, for the Department of Real Estate of the State of California ("Department") for cause of Accusation against VLADISLAV PHILIP VOSS, is informed and alleges as follows:

1.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner makes this Accusation in her official capacity.

2.

VLADISLAV PHILIP VOSS, aka Steve Voss, aka Philip Voss Vladislav, aka Philip Vladislav Voss ("Respondent") has license rights as a restricted real estate salesperson. Respondent first applied for a real estate salesperson license in 2005. His application was

denied, but he was granted rights to, and did obtain, a restricted salesperson license in Department Case No. H-31622 LA.[1] Respondent's restricted license expired on or about August 16, 2009, and he retains renewal rights pursuant to Business and Professions Code ("Code") Section 10201. The Department retains jurisdiction pursuant to Code Section 10103. Respondent was issued a restricted real estate salesperson license in 2005.

3.

As a salesperson, Respondent was only authorized to perform real estate activities under the supervision of an employing broker. Respondent was last employed by a supervising broker on January 14, 2009, and has not been broker affiliated since that time.

4.

Home Savers Group Corp. ("Home Savers") is a California corporation, established on or about January 2, 2009. Respondent VOSS is the CEO and sole officer and director of record for Home Savers. Home Savers is not now and has never been licensed by the Department in any capacity.

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[1] In 2003, Respondent was convicted in federal court of conspiracy to commit unauthorized reception of cable services, a felony. This resulted in his application for a plenary license being denied pursuant to Business and Professions Code Sections 480 and 10177(b).

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17.

The conduct, acts and/or omissions of Respondent VLADISLAV PHILIP VOSS in soliciting borrowers and collecting advance fees from borrowers to perform acts requiring a real estate license constitutes grounds to discipline the license and license rights of Respondent VLADISLAV PHILIP VOSS pursuant to Code Sections 10130, 10137, 10177(d), 10177(g), 10176(i) and/or 10177(j).

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 Respondent VLADISLAV PHILIP VOSS under the Real Estate Law and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 5th day of July, 2011.

Maria Suarez
Deputy Real Estate Commissioner

cc: Vladislav Philip Voss
Maria Suarez
Sacto.