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DEPARTMENT OF REAL ESTATE
BY: Guadalupe Valencia

Department of Real Estate
320 West Fourth St. #350
Los Angeles, CA 90013

(213) 576-6982

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

To:	No. H-37676 LA
SOCORRO ORTEGA.	ORDER TO DESIST AND REFRAIN
	(B&P Code Section 10086)

The Real Estate Commissioner of the State of California ("Commissioner") has caused an investigation to be made of the activities of SOCORRO ORTEGA. Based on that investigation, the Commissioner has determined that SOCORRO ORTEGA has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the California Business and Professions Code ("Code"), including acting in the capacity of, advertising and/or assuming to act as a real estate broker in the State of California within the meaning of Code Sections 10131(d) (advertising, soliciting borrowers for, and offering to perform loan modification services for distressed homeowners) and 10131.2 (collecting advance fees in connection with those services). Based on that investigation, 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. SOCORRO ORTEGA ("ORTEGA") is licensed by the Department of Real Estate ("Department") as a real estate salesperson. ORTEGA was first licensed by the Department as a real estate salesperson on or about September 9, 2010. ORTEGA has never been licensed by the Department as a broker. Prior to September 9, 2010, ORTEGA was never licensed by the Department in any capacity.

2. During a period of time beginning on or before February 26, 2010, ORTEGA 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 Code Sections 10131(d) and 10131.2. Her activities included soliciting borrowers or lenders for and/or negotiating loans, collecting payments and/or performing services for borrowers or lenders in connection with loans secured by liens on real property. Her activities also included claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee within the meaning of Code Sections 10026 and 10085.

3. Specifically, in February of 2010, ORTEGA met with Fernando and Maria Dolores F. ("Borrowers"), who wanted to obtain a modification of their home loans. Respondent represented herself to be a licensed real estate agent, and offered to assist the Borrowers by working with their lender to lower their monthly payments, in exchange for Borrowers paying upfront fees to ORTEGA.

4. Between February 26, 2010 and May 11, 2010, ORTEGA collected approximately $5,500.00 from Borrowers as advance fees for loan modification services.

5. ORTEGA failed to provide any services for Borrowers, and did not obtain any

relief for them. Respondent also refused to refund Borrowers' money, and failed to provide any accounting for the fees collected.

6. As set forth above, ORTEGA solicited and entered into loan modification agreements, and collected advance fees from Borrowers when she was not licensed by the Department as a broker or as a salesperson employed by a broker. ORTEGA unlawfully engaged in activities requiring a real estate license prior to September 9, 2010.

7. ORTEGA also collected fees from distressed borrowers in advance of providing any services, and without a written advance fee agreement.

CONCLUSIONS OF LAW

The conduct, acts and/or omissions of SOCORRO ORTEGA, as set forth in the Findings of Fact above, when not licensed by the Department as a real estate broker or as a salesperson employed by real estate brokers licensed by the Department, were in violation of Code Section 10130.

DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, SOCORRO ORTEGA, whether doing business under your own names, or any other names, or fictitious names, ARE HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required, including:

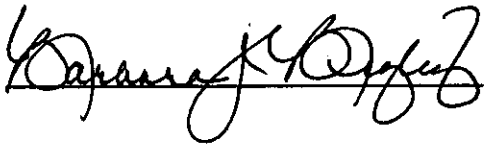
(i) soliciting borrowers and/or performing services for borrowers or lenders in connection with loans secured directly or collaterally by one or more liens on real property, and

(ii) charging, demanding, or collecting a fee for any of the services you offer to others, unless and until you obtain a real estate broker license issued by the Department, and

until you demonstrate and provide evidence satisfactory to the Commissioner that you are in full compliance with all of the requirements of the Code and Commissioner's Regulations relating to charging, collecting, and accounting for fees.

DATED: 11/10, 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: Socorro Ortega
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