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Bureau of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982

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BUREAU OF REAL ESTATE
By

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

To: DEBT TRUST SOLUTIONS, JOSE HERNANDEZ, MARTHA HERNANDEZ, and ROLANDO ROSALES.	No. H-39073 LA ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner ("Commissioner") of the California Bureau (formerly Department) of Real Estate ("Bureau") caused an investigation to be made of the activities of DEBT TRUST SOLUTIONS, JOSE HERNANDEZ, MARTHA HERNANDEZ, and ROLANDO ROSALES (collectively "Respondents"). Based on that investigation the Commissioner has determined that Respondents 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 ("Code") Sections 10131(a) (solicit prospective sellers or purchasers of or negotiate the purchase, sale or exchange of real property), 10131(d) (solicit borrowers for or negotiate loans or perform services for borrowers in connection with loans secured by liens on real property), and 10131.2 (engage in

the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee in connection with offering to obtain a loan on real property).

In addition, based on that investigation, the Commissioner has determined that Respondents have engaged in or are engaging in acts or are attempting to engage practices constituting violations of the 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. MARTHA HERNANDEZ is currently licensed by the Bureau as a real estate salesperson, License ID 01783324. MARTHA HERNANDEZ was originally licensed as a real estate salesperson on December 11, 2006. From December 27, 2007, through September 19, 2010, MARTHA HERNANDEZ was licensed under the employment of broker Omega National Funding & Realty, Inc. From September 20, 2010, through February 20, 2011, MARTHA HERNANDEZ was licensed under the employment of broker Rokitto Enterprises, Inc. From August 15, 2011, through January 15, 2012, MARTHA HERNANDEZ was licensed under the employment of broker Omega National Funding & Realty, Inc.

2. At no time mentioned herein have DEBT TRUST SOLUTIONS, JOSE HERNANDEZ, or ROLANDO ROSALES been licensed by the Bureau in any capacity.

3. MARTHA HERNANDEZ is married to JOSE HERNANDEZ.

4. Bursatil Home Finance, Inc. ("Bursatil") is a California corporation that was formed on or about December 29, 2008. MARTHA HERNANDEZ and JOSE HERNANDEZ are officers and directors of Bursatil. Bursatil was licensed by the Bureau as a corporate real estate

broker from January 27, 2009, through January 26, 2013. Bursatil's license expired on January 27, 2013.

5. On August 19, 2010, MARTHA HERNANDEZ and JOSE HERNANDEZ caused a fictitious business name statement to be filed with the County Clerk's Office for the County of San Bernardino for use of the fictitious business name: DEBT TRUST SOLUTIONS.

6. On or about February 1, 2011, MARTHA HERNANDEZ and JOSE HERNANDEZ solicited foreclosure forbearance, loan modification and negotiation and/or short sale services to Cipriano A. Cipriano A. owned a residential property located on Sastre Avenue in the City of El Monte, California, that was facing foreclosure. Cipriano A. also needed assistance with loan modification and/or short sale services for two properties located on Woodville Drive, in the City of El Monte, California.

7. On February 1, 2011, MARTHA HERNANDEZ charged and collected an advance fee payment of $3,000 from Cipriano A. for foreclosure forbearance services on the Sastre Avenue property.

8. On February 2, 2011, MARTHA HERNANDEZ charged and collected an advance fee payment in the amount of $5,000 from Cipriano A. for foreclosure forbearance and/or loan modification services.

9. On February 14, 2011, MARTHA HERNANDEZ collected $20,000 from Cipriano A. MARTHA HERNANDEZ was supposed to place the $20,000 in escrow on behalf of Cipriano A. for the purchase of a property by Cipriano A. MARTHA HERNANDEZ never provided Cipriano A. with proof that she had placed the funds in escrow.

10. On February 28, 2011, MARTHA HERNANDEZ collected another advance fee payment of $2,500 from Cipriano A. for foreclosure forbearance, loan modification and/or short sale services. On March 24, 2011, MARTHA HERNANDEZ instructed Cipriano A. to make a payment of $1,000 to Carlos Robles in connection with the foreclosure forbearance, loan modification and/or short sale services for Cipriano A.'s properties. MARTHA HERNANDEZ charged or collected a total of $31,500 from Cipriano A.

11. MARTHA HERNANDEZ and JOSE HERNANDEZ never provided the foreclosure forbearance, loan modification and negotiation and/or short sale services that were promised to Cipriano A. MARTHA HERNANDEZ failed to provide any accounting of how they handled the advance fee payments or earnest money deposit that were collected from Cipriano A. MARTHA HERNANDEZ failed to refund any amount of the $31,500 that was charged or collected from Cipriano A. for activities that require a real estate license.

12. ROLANDO ROSALES and JOSE HERNANDEZ, both unlicensed persons, solicited and offered to perform loan modification and negotiation services and resale services to Jose M. in connection with a property located on Park Avenue in the City of Pomona, California. ROLANDO ROSALES and JOSE HERNANDEZ claimed to be acting as agents on behalf of Bursatil and DEBT TRUST SOLUTIONS. On November 11, 2010, Jose M. executed an agreement with Bursatil for $7,000 for services in connection with a loan secured by a lien on real property.

13. On November 11, 2010, DEBT TRUST SOLUTIONS charged and collected two advance fee payments totaling $1,480 from Jose M. On November 16, 2010, DEBT TRUST SOLUTIONS charged and collected two advance fee payments totaling $1,020 from Jose M. On December 06, 2010, DEBT TRUST SOLUTIONS charged and collected an advance fee payment

of $1,000 from Jose M. On December 30, 2010, DEBT TRUST SOLUTIONS charged and collected an advance fee payment of $500 from Jose M. DEBT TRUST SOLUTIONS charged and collected a total of $4,000 from Jose M.

14. Jose M. was instructed by JOSE HERNANDEZ and ROLANDO ROSALES to sign a quitclaim deed on his Park Avenue property to Juan Jose Gomez and Javier Hernandez.

15. MARTHA HERNANDEZ and JOSE HERNANDEZ' companies, Bursatil and/or DEBT TRUST SOLUTIONS, never provided the services that were promised to Jose M. DEBT TRUST SOLUTIONS failed to provide any accounting of how it handled the advance fee payments collected from Jose M. Jose M. requested a refund of his advance fee payments from DEBT TRUST SOLUTIONS. On April 4, 2011, Jose M. received a check from DEBT TRUST SOLUTIONS for $4,000. The check was drawn from an account with insufficient funds. On December 27, 2011, a Notice of Entry of Judgment was filed before the Superior Court of California, County of San Bernardino, Small Claims No. SMC RS1102172, in favor of Jose M. and against JOSE HERNANDEZ and DEBT TRUST SOLUTIONS for $4,015.24.

CONCLUSIONS OF LAW

Based on the information contained in Paragraphs 1 through 15, above, DEBT TRUST SOLUTIONS, JOSE HERNANDEZ, MARTHA HERNANDEZ, and ROLANDO ROSALES violated Code Section 10130 by engaging in activities requiring a real estate license without first obtaining a broker license from the Bureau.

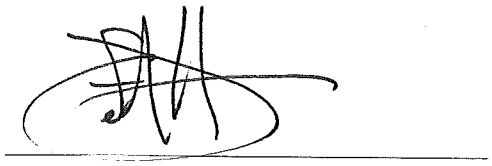
DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS HEREBY ORDERED THAT DEBT TRUST SOLUTIONS, JOSE HERNANDEZ, MARTHA HERNANDEZ, and ROLANDO ROSALES, whether doing business in their own

name or any other fictitious business name, 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.

DATED: SEPTEMBER 19, 2013.

REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy 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: Debt Trust Solutions
Jose Hernandez
Martha Hernandez
Rolando Rosales