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FILED

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DEPARTMENT OF REAL ESTATE

By: K. Contreas

8 STATE OF CALIFORNIA
9 DEPARTMENT OF REAL ESTATE

10 To:) NO. H- 2423 FR
11 CTS INVESTMENTS & CONSULTING LLC,)
12 KAMALA FELDER,) ORDER TO
13 JOSE H. RIVERA, and) DESIST AND REFRAIN
14 NORMA RIVERA.) (B&P Code Section 10086)

15 The Real Estate Commissioner ("Commissioner") of the California Department
16 of Real Estate ("Department") caused an investigation to be made of the activities of KAMALA
17 FELDER ("FELDER"), JOSE H. RIVERA ("JOSE RIVERA"), NORMA RIVERA ("NORMA
18 RIVERA"), and CTS INVESTMENTS & CONSULTING LLC ("CTS") (collectively,
19 "RESPONDENTS"). Based on that investigation, the Commissioner has determined that
20 RESPONDENTS have engaged in, are engaging in, or are attempting to engage in, acts or
21 practices constituting violations of the California Business and Professions Code (the "Code")
22 and/or Title 10, Chapter 6, California Code of Regulations (the "Regulations"), including the
23 business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate
24 broker in the State of California within the meaning of Section 10131(d) (performing services for
25 borrowers and/or lenders in connection with loans secured by real property) of the Code and
26 Section 10085 (collecting unauthorized advanced fees) of the Code. Furthermore, based on the
27 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.

1 Whenever acts referred to below are attributed to Respondent FELDER, those
2 acts are alleged to have been done by FELDER, acting by herself, or by and/or through one or
3 more agents, associates, affiliates, and/or co-conspirators, and using the names "CTS
4 Investments & Consulting", "CTS", or other names or fictitious names unknown at this time
5 (collectively referred to as "CTS").

6 Whenever acts referred to below are attributed to Respondent JOSE RIVERA or
7 Respondent NORMA RIVERA, those acts are alleged to have been done by JOSE RIVERA,
8 acting by himself, or by NORMA RIVERA, acting by herself, or by and/or through one or more
9 agents, associates, affiliates, and/or co-conspirators, and using the name CTS, or other names or
10 fictitious names unknown at this time.

11 FINDINGS OF FACT

12 1.

13 At no time herein mentioned has FELDER been licensed by the Department in
14 any capacity.

15 2.

16 At no time herein mentioned has JOSE RIVERA been licensed by the
17 Department in any capacity.

18 3.

19 At no time herein mentioned has NORMA RIVERA been licensed by the
20 Department in any capacity.

21 4.

22 During the period of time set out below, FELDER has been the owner of CTS
23 and JOSE RIVERA and NORMA RIVERA have been in the employ of CTS and FELDER.

24 5.

25 During the period of time set out below, Respondent JOSE RIVERA, and
26 Respondent NORMA RIVERA, while employed by or acting on behalf of FELDER, or CTS,
27 solicited borrowers and negotiated to do one or more of the following acts for another or others,

1 for or in expectation of compensation: negotiate one or more loans for, or perform services for,
2 borrowers and/or lenders in connection with loans secured directly or collaterally by one or more
3 liens on real property; and charge, demand or collect an advance fee for any of the services
4 offered.

5 6.

6 On or about January 30, 2008, Respondents JOSE RIVERA and NORMA
7 RIVERA solicited Fidel and Maria Bucio (Bucio) in order to provide loan modification services
8 to Bucio.

9 7.

10 In furtherance of RESPONDENT's plan and scheme to provide loan modification
11 services to Bucio, JOSE RIVERA and NORMA RIVERA requested an advance fee of \$7,000
12 from Bucio. In reliance on JOSE RIVERA and NORMA RIVERA's representations, Bucio paid
13 JOSE RIVERA and NORMA RIVERA that amount, payable to CTS.

14 8.

15 After Bucio made the payment mentioned above to JOSE RIVERA and NORMA
16 RIVERA, Bucio did not obtain a successful and sustainable loan modification, obtain any other
17 benefit from JOSE RIVERA and NORMA RIVERA, or from anyone connected in any way with
18 JOSE RIVERA, NORMA RIVERA, or CTS, or receive a refund of the amount Bucio paid to
19 CTS.

20 9.

21 On or about January 30, 2008, JOSE RIVERA and NORMA RIVERA solicited
22 Adrian Sanchez (Sanchez) in order to provide loan modification services to Sanchez.

23 10.

24 In furtherance of RESPONDENTS' plan and scheme to provide loan modification
25 services to Sanchez, JOSE RIVERA and NORMA RIVERA requested an advance fee of
26 \$10,500 from Sanchez. In reliance on JOSE RIVERA and NORMA RIVERA's representations,
27 Sanchez paid JOSE RIVERA and NORMA RIVERA that amount, payable to CTS.

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11.

After Sanchez made the payment mentioned above to JOSE RIVERA and NORMA RIVERA, Sanchez did not obtain a successful and sustainable loan modification, obtain any other benefit from JOSE RIVERA and NORMA RIVERA, or from anyone connected in any way with JOSE RIVERA, NORMA RIVERA, CTS, or receive a refund of the amount Sanchez paid to CTS.

12.

On or about February 15, 2008, JOSE RIVERA and NORMA RIVERA solicited Juan Alvarez (Alvarez) in order to provide loan modification services to Alvarez.

13.

In furtherance of RESPONDENTS' plan and scheme to provide loan modification services to Alvarez, JOSE RIVERA and NORMA RIVERA requested an advance fee of \$3,500 from Alvarez. In reliance on JOSE RIVERA and NORMA RIVERA's representations, Alvarez paid JOSE RIVERA and NORMA RIVERA that amount, payable to CTS.

14.

After Alvarez made the payment mentioned above to JOSE RIVERA and NORMA RIVERA, Alvarez did not obtain a successful and sustainable loan modification, obtain any other benefit from JOSE RIVERA and NORMA RIVERA, or from anyone connected in any way with JOSE RIVERA, NORMA RIVERA, CTS, or receive a refund of the amount Alvarez paid to CTS.

15.

On or about February 25, 2008, JOSE RIVERA and NORMA RIVERA solicited Javier Lozano (Lozano) in order to provide loan modification services to Lozano.

16.

In furtherance of RESPONDENTS' plan and scheme to provide loan modification services to Lozano, JOSE RIVERA and NORMA RIVERA requested an advance fee of \$3,500

1 from Lozano. In reliance on JOSE RIVERA and NORMA RIVERA's representations, Lozano
2 paid JOSE RIVERA and NORMA RIVERA that amount, payable to CTS.

3 17.

4 After Lozano made the payment mentioned above to JOSE RIVERA and NORMA
5 RIVERA, Lozano did not obtain a successful and sustainable loan modification, obtain any other
6 benefit from JOSE RIVERA and NORMA RIVERA, or from anyone connected in any way with
7 JOSE RIVERA, NORMA RIVERA, CTS, or receive a refund of the amount Lozano paid to CTS.

8 18.

9 On or about March 19, 2008, JOSE RIVERA and NORMA RIVERA solicited
10 Jaime Enrique Ventura (Ventura) in order to provide loan modification services to Ventura.

11 19.

12 In furtherance of RESPONDENTS' plan and scheme to provide loan modification
13 services to Ventura, JOSE RIVERA and NORMA RIVERA requested an advance fee of \$3,500
14 from Ventura. In reliance on JOSE RIVERA and NORMA RIVERA's representations, Ventura
15 paid JOSE RIVERA and NORMA RIVERA that amount, payable to CTS.

16 20.

17 After Ventura made the payment mentioned above to JOSE RIVERA and
18 NORMA RIVERA, Ventura did not obtain a successful and sustainable loan modification, obtain
19 any other benefit from JOSE RIVERA and NORMA RIVERA, or from anyone connected in any
20 way with JOSE RIVERA, NORMA RIVERA, CTS, or receive a refund of the amount Ventura
21 paid to CTS.

22 CONCLUSIONS OF LAW

23 21.

24 Based on the Findings of Fact contained in Paragraphs 1 through 20, JOSE
25 RIVERA, acting by himself, and through FELDER, and NORMA RIVERA, acting by herself,
26 and through FELDER, or by and/or through CTS, or other names or fictitious names unknown at
27 this time, solicited borrowers and represented that they would perform services for those

1 borrowers and/or the borrowers' lender in connection with one or more loans secured directly or
2 collaterally by one or more liens on real property; and charged, demanded or collected an
3 advance fee for the services to be provided, which acts require a real estate broker license under
4 Sections 10131(d) and 10131.2 of the Code, and prior submission by the broker of an advance
5 fee agreement to the Department for its review.

6 22.

7 JOSE RIVERA, acting by himself, and through FELDER, and NORMA
8 RIVERA, acting by herself, and through FELDER, or by and/or through CTS, or other names or
9 fictitious names unknown at this time failed to provide Bucio, Sanchez, Alvarez, Lozano, and
10 Ventura with the services JOSE RIVERA and NORMA RIVERA represented to Bucio, Sanchez,
11 Alvarez, Lozano, and Ventura that RESPONDENTS would perform.

12 DESIST AND REFRAIN ORDER

13
14 Based on the Findings of Fact and Conclusions of Law stated herein, you,
15 KAMALA FELDER, JOSE H. RIVERA, NORMA RIVERA, and CTS INVESTMENTS &
16 CONSULTING LLC whether doing business under your own name, or any other name or
17 fictitious name, ARE HEREBY ORDERED to immediately desist and refrain from:


- 18 1. Performing acts that require a real estate license unless and until you are properly
19 licensed by the Department as a real estate broker, and,
- 20 2. Charging, demanding, or collecting advance fees, as that term is defined in Section
21 10026 of the Code, for any of the services you offer to others, in any form, and
22 particularly with respect to loan modification, loan refinance, principal reduction,
23 foreclosure abatement or short sale services, unless and until you demonstrate and
24 provide evidence satisfactory to the Commissioner that you are properly licensed by
25 the Department as a real estate broker, and that you have:
 - 26 (i) an advance fee agreement which has been submitted to the Department and
27 which is in compliance with Sections 2970 and 2972 of the Regulations;

- 1 (ii) placed all previously collected advance fees into a trust account for that
2 purpose and are in compliance with Section 10146 of the Code; and
3 (iii) provided an accounting to trust fund owner-beneficiaries pursuant to
4 Section 2972 of the Regulations.

5
6 DATED: 10/5, 2009

7 JEFF DAVI
8 Real Estate Commissioner

9 By


10 BARBARA J. BIGBY
11 Chief Deputy Commissioner

12 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a
13 real estate broker or real estate salesperson without a license or who advertises using words
14 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
15 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
16 imprisonment in the county jail for a term not to exceed six months, or by both fine and
17 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
18 (\$60,000)."

19 cc: CTS INVESTMENTS & CONSULTING LLC
20 Attn: Kamala Felder
21 557 West Clover Road
22 Tracy, CA 95376

23 CTS INVESTMENTS & CONSULTING LLC
24 Attn: Kamala Felder
25 4190 Cherry Blossom Lane
26 Tracy, CA 95377

27 KAMALA FELDER
28 4190 Cherry Blossom Lane
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30 JOSE H. RIVERA
31 713 Dream Court
32 Modesto, CA 95356

33 NORMA RIVERA
34 713 Dream Court
35 Modesto, CA 95356

ATTY DEK/kc 27