

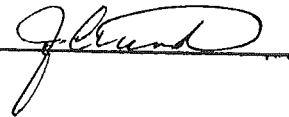
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FILED

APR 07 2014

BUREAU OF REAL ESTATE

By 

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7
8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 To:) CalBRE No. H-2880 FR
12)
12 MINDED.) ORDER TO DESIST
13) AND REFRAIN
14) (B&P Code Section 10086)
15)

16 The Commissioner ("Commissioner") of the California Bureau of Real Estate ("Bureau")
17 caused an investigation to be made of the activities of Shane Gabriel Hernandez ("Hernandez"),
18 doing business as MINDED. Based on that investigation the Commissioner has determined that
19 MINDED has engaged in or is engaging in acts or attempting to engage in the business of, acting
20 in the capacity of, and/or advertising or assuming to act as a real estate broker in the State of
21 California within the meaning of Business and Professions Code ("Code") Section 10131(b)
22 (offer to lease or rent, or place for rent, or solicit listings of places for rent, or solicit for
23 prospective tenants, or negotiate the sale, purchase, or exchanges of leases on real property, or
24 collect rents from real property), Section 10131(d) (solicit borrowers for or negotiate loans or

1 perform services for borrowers in connection with loans secured by liens on real property), and
2 Section 10131.2 (engage in the business of claiming, demanding, charging, receiving, collecting
3 or contracting for the collection of an advance fee in connection with offering to obtain a loan on
4 real property).

5 In addition, based on that investigation, the Commissioner has determined that
6 MINDED has engaged in or is engaging in acts or are attempting to engage practices constituting
7 violations of the Code. Based on the findings of that investigation, set forth below, the
8 Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and
9 Refrain Order under the authority of Section 10086 of the Code.

10 FINDINGS OF FACT

11 1. At no time mentioned herein has MINDED ever been licensed by the Bureau in any
12 capacity.

13 2. From June 1, 2004, through the present, Hernandez has been licensed and/or has
14 license rights by the Bureau as a real estate broker, License ID 01431837. At all times relevant,
15 Hernandez was not licensed to do business under the fictitious business name "MINDED."

16 3. On or about November 10, 2011, Hernandez, while doing business as MINDED,
17 solicited and offered to perform loan modification, negotiation, and/or foreclosure forbearance
18 services in connection with loans secured directly or collaterally by liens on real property for
19 borrower, Nicolette W. Hernandez induced Nicolette W. to sign an agreement entitled "Retainer
20 Agreement" wherein MINDED promised to provide services in connection with loan
21 modification, debt reduction, or a short sale of a property located at 185 Seventh St., Shandon,
22 California ("subject property").

