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Bureau of Real Estate 320 West Fourth Street, Ste. 350 Los Angeles, California 90013

Telephone: (213) 576-6982

## FILED

MAR 1 6 2017 BUREAU OF REAL ESTATE

By Jon Jan

# BUREAU OF REAL ESTATE STATE OF CALIFORNIA

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The Commissioner ("Commissioner") of the Bureau of Real Estate for the State of California ("Bureau") caused an investigation to be made of the activities of BRISA LEGAL, MKTG, ADV. INC. doing business using the fictitious business names "Brisa Legal" and "Brisa Group" ("BLMAI"), FELIPE BARRON ("BARRON"), and ELAINE ROSEMARIA QUEZADA aka Elaine Quezada aka Elaine Rosemarie Quezada aka Rosemarie Quezada aka Rosemaria Quezada (collectively "Respondents") and has determined that Respondents have engaged in or are engaging in acts or practices constituting violations of the California Business and Professions Code ("Code"). Those violations include engaging in the business of, acting in the capacity of, advertising, or assuming to act, as a real estate broker in the State of California within the meaning of Code Section 10131(d) (soliciting borrowers or lenders or negotiating loans secured by real property) and Code Sections 10085.6 and 10131.2 (demanding and/or collecting advance fees in connection with a loan or loan modification), without being licensed

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by the Bureau as real estate brokers. Based on the findings of that investigation, as set forth below, the Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order pursuant to Section 10086 of the Code.

Whenever acts referred to below are attributed to BLMAI, those acts are alleged to have been done by BLMAI, acting by and/or through one or more agents, associates, affiliates, and/or co-conspirators including, but not limited to, FELIPE BARRON, ELAINE ROSEMARIA QUEZADA, and any other persons unknown at this time.

#### **FINDINGS OF FACT**

- 1. Respondent BARRON is presently licensed or has license rights under the Real Estate Law as a real estate salesperson. Respondent BARRON was originally licensed as a real estate salesperson by the Bureau on or about March 25, 2008, and that license will expire on March 24, 2020. At no time has BARRON been licensed by the Bureau as a real estate broker. BARRON is an officer and the sole corporate director of BLMAI.
- 2. At no time herein mentioned has BLMAI, ELAINE ROSEMARIA QUEZADA, , Brisa Group, or Brisa Legal been licensed by the Bureau in any capacity.
- 3. At the time set forth below, and continuing to the present, Respondents have engaged in the business of, acted in the capacity of, or advertised through others, a mortgage loan modification service and advance fee brokerage offering to perform mortgage loan modification services with respect to loans secured by liens on real property for compensation or in expectation of compensation and for fees collected in advance as well as at the conclusion of the transaction.
- 4. For an unknown period of time after the incorporation of BLMAI in May, 2015, and continuing through the present, Respondents advertised loan modification services on the website URL address: http://www.brisaservices.com and operated out of the same main office address located at 4740 Green River Road, Suite 307 and Suite 316, Corona, California 92880.

5. At all times herein mentioned, Respondents engaged in the business of claiming, demanding, charging receiving, collecting or contracting for the collection of advance fees, within the meaning of Section 10026 of the Code including, but not limited to, the following loan activities with respect to loans which were secured by liens on real property:

a. As of February 17, 2016, Baltazar C. had paid a total advance fee of \$5,000.00 to Respondents. The advance fee paid by Baltazar C. was collected pursuant to the provisions of an agreement pertaining to loan modification services to be provided with respect to a loan secured by real property located in the city of Riverside, California.

b. As of March 15, 2016, Nestor N. had paid a total advance fee of \$4,500.00 to Respondents. The advance fee paid by Nestor N. was collected pursuant to the provisions of an agreement pertaining to loan modification services to be provided with respect to a loan secured by real property located in the city of Pomona, California.

6. Respondents' activities constitute a course of conduct which includes the homeowners-borrowers stated above by way of example, but is by no means limited to those named consumers and their real property.

#### **CONCLUSIONS OF LAW**

7. Based on the information contained in Paragraphs 1, 2, 3, 4, and 5, above, Respondents participated in mortgage loan modification activities which require a real estate broker license pursuant to the provisions of Code Sections 10131(d) and 10131.2 during a period of time when no Respondent nor any of their fictitious businesses were licensed by the Bureau as real estate brokers in violation of Section 10130 of the Code and collected advance fees for loan modification services in violation of Code Section 10085.6.

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### DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that BRISA LEGAL, MKTG, ADV. INC. doing business using the fictitious business names "Brisa Legal" and "Brisa Group", FELIPE BARRON, and ELAINE

ROSEMARIA QUEZADA aka Elaine Quezada aka Elaine Rosemarie Quezada aka Rosemarie Quezada aka Rosamaria Quezada, whether doing business under their own names, or any other 2 names, or any fictitious name, ARE HEREBY ORDERED to immediately desist and refrain 3 from performing any acts within the State of California for which a real estate broker license is 4 required. In particular, they are ORDERED TO DESIST AND REFRAIN from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any real estate related services offered by any Respondent to others. DATED: <u>3/13/17</u> WAYNE S. BELL Real Estate Commissioner 1. Sant By: DANIEL J. SANDRI 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: Brisa Legal, Mktg, Adv. Inc. 4740 Green River Road, Suite 307 Corona, California 92880 Felipe Barron 10651 Monte Vista Street Rancho Cucamonga, California 91701 Elaine Rosemaria Quezada 4740 Green River Road, Suite 307

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