

FILED

FEB 24 2014

BUREAU OF REAL ESTATE

By *R. Jones*

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8 STATE OF CALIFORNIA
9 BUREAU OF REAL ESTATE

10 * * *

11 To:

12 LYDIA I. CANDILA
13

No. H-11657 SF

ORDER TO DESIST AND REFRAIN
(B&P Code Section 10086)

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15 The Commissioner (Commissioner) of the California Bureau of Real Estate
16 (Bureau) caused an investigation to be made of the activities of LYDIA I. CANDILA
17 (CANDILA). Based on that investigation, the Commissioner has determined that CANDILA
18 has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting
19 violations of the California Business and Professions Code (Code) and/or Title 10, Chapter 6,
20 California Code of Regulations (Regulations), including the business of, acting in the capacity
21 of, and/or advertising or assuming to act as, a real estate broker in the State of California within
22 the meaning of Sections 10131(d) (performing services for borrowers and/or lenders in
23 connection with loans secured by real property) and 10131.2 (real estate broker license required
24 to charge and collect an advance fee) of the Code. Furthermore, based on the investigation, the
25 Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist
26 and Refrain Order under the authority of Section 10086 of the Code.

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1 FINDINGS OF FACT

2 1. At no time since November 8, 2007, has CANDILA been licensed by the
3 Bureau in any capacity. Effective November 8, 2007, CANDILA's real estate salesperson
4 license was revoked in case H-9722 SF.

5 2. During the period of time set forth below, CANDILA solicited borrowers
6 and negotiated to do one or more of the following acts for another or others, for or in expectation
7 of compensation: negotiated one or more loans for, or performed services for, borrowers and/or
8 lenders in connection with loans secured directly or collaterally by one or more liens on real
9 property; and charged, demanded or collected an advance fee for any of the services offered.

10 3. Beginning on or about March, 2011, CANDILA solicited Maribel E.
11 (Maribel) in order to provide a loan modification and negotiation services on behalf of Maribel in
12 connection with a loan secured by real property located at 2140 Oakwood Drive, East Palo Alto,
13 California.

14 4. On or about March 2011, CANDILA demanded and received an advance
15 fee of \$3,000 from Maribel for the activities described in Paragraph 3.

16 CONCLUSIONS OF LAW

17 5. Based on the findings of fact contained in paragraphs 1 through 4,
18 CANDILA solicited one or more borrowers to perform services for those borrowers and/or those
19 borrowers' lenders in connection with loans secured directly or collaterally by one or more liens
20 on real property located within the State of California, and charged, demanded or collected
21 advance fees for the services to be provided, which acts require a real estate broker license under
22 Sections 10131(d) (real estate license required for enumerated acts) and 10131.2 (real estate
23 broker license required to charge or collect an advance fee) of the Code, in violation of Section
24 10130 of the Code.

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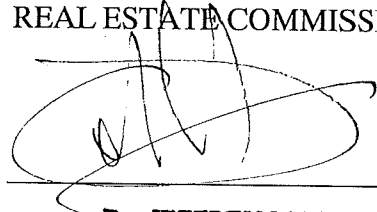
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1 mortgage loan forbearance services related to commercial loans and loans for residential
2 properties containing five or more dwelling units.

3 3. Immediately desist and refrain from demanding, claiming, collecting and/or
4 receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and
5 under any conditions, with respect to the performance of loan modification or any other form of
6 mortgage loan forbearance services in connection with loans on residential property containing
7 four or fewer dwelling units.

8 DATED: FEB 18 2014

11 REAL ESTATE COMMISSIONER

12
13 By 
14 By: JEFFREY MASON
15 Chief Deputy Commissione

16 - NOTICE -

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