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FILED

APR 14 2014

BUREAU OF REAL ESTATE

By *L. Frost*

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8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 To:

12 VIRENDER N. PURI, individually and
13 doing business as NATIONAL HOME
14 RESOURCES, FRANKLIN REAL ESTATE
and FRANKLIN FINANCIAL SERVICES.

No. H-11675 SF

ORDER TO DESIST
AND REFRAIN

15 The Commissioner ("Commissioner") of the California Bureau of Real Estate
16 ("Bureau") caused an investigation to be made of the activities of VIRENDER N. PURI
17 ("PURI"), individually and dba NATIONAL HOME RESOURCES ("NATIONAL"),
18 FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES. Based on that
19 investigation the Commissioner has determined that PURI, individually and dba NATIONAL,
20 FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES have engaged in or are
21 engaging in acts or are attempting to engage in the business of, acting in the capacity of, and/or
22 advertising or assuming to act as real estate brokers and mortgage loan originators in the State of
23 California within the meaning of Sections 10131(d) (soliciting, negotiating and performing
24 services for borrowers in connection with loans secured by real property) and 10131.2 (advance
25 fee handling), 10166.01 (activities requiring a mortgage loan originator endorsement) of the
26 Business and Professions Code ("Code"), and acts involving the collection of advance fees for

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1 loan modification services after October 10, 2009, in violation of Sections 10085.5 and 10085.6
2 of the Code and Sections 2944.7 and 2945.4 of the Civil Code.

3 Whenever acts referred to below are attributed to PURI, individually and dba
4 NATIONAL, FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES acting
5 alone, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, or
6 other names or fictitious names unknown at this time.

7 FINDINGS OF FACT

8 1. NATIONAL is not now, and has never been, licensed by the Bureau in any
9 capacity.

10 2. FRANKLIN REAL ESTATE is not now, and has never been licensed by the
11 Bureau in any capacity.

12 3. FRANKLIN FINANCIAL SERVICES is not now, and has never been,
13 licensed by the Bureau in any capacity.

14 4. PURI is not now, and since June 14, 2010, has not been licensed by the
15 Bureau in any capacity. PURI voluntarily surrendered his real estate broker license effective
16 June 14, 2010 pursuant to Bureau Case No. H-10624 SF.

17 5. At the times set forth below PURI, dba NATIONAL, FRANKLIN REAL
18 ESTATE and FRANKLIN FINANCIAL SERVICES, solicited borrowers and negotiated to do
19 one or more of the following acts for another or others, for or in expectation of compensation:
20 engaged in the business of, acted in the capacity of, or advertised a loan modification and
21 negotiation service and advance fee brokerage using their individual names and/or any other
22 names, soliciting, offering to negotiate or perform loan modification services with respect to
23 loans which were secured by liens on real property for compensation or in expectation of
24 compensation and for fees collected in advance of the transaction.

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1 Pampes Ave. Transaction

2 6. On or about March 26, 2012, NATIONAL entered into an agreement with
3 Elizabeth B. for loan modification and negotiation services regarding Elizabeth B.'s existing
4 mortgage on her property located on Pampes Avenue, in Oakland, California.

5 7. On or about March 26, 2012, NATIONAL, demanded and received an
6 advance fee of \$400.00 from Elizabeth B. for the activities described in paragraph 5, above.

7 8. Elizabeth B. obtained a permanent modification in January, 2013,
8 approximately 10 months after paying the initial advanced fee described above in Paragraph 7.

9 Cisco Gardens Rd. Transaction

10 9. On or about August 28, 2012, Pam Wilson, as a representative of PURI and
11 FRANKLIN REAL ESTATE, entered into an agreement with Sandra E. for loan modification
12 and negotiation services regarding Sandra E.'s existing mortgage on her property located on
13 Cisco Gardens Road in Jacksonville, Florida.

14 10. On or after October 1, 2012, Maria, as a representative of PURI and
15 FRANKLIN FINANCIAL SERVICES, demanded and received advance fees of \$1,725.00 from
16 Sandra E. for the activities described in paragraph 5, above.

17 11. PURI, FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL
18 SERVICES failed to obtain a loan modification for Sandra E., and have not returned the total
19 \$1,725.00 advance fees paid by Sandra E..

20 CONCLUSIONS OF LAW

21 Based on the Findings of Fact contained above in Paragraphs 1 through 11, PURI,
22 NATIONAL, FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES solicited
23 borrowers and/or performed services for those borrowers with respect to the collection of
24 advance fees and loan modification, loan refinance, principal reduction, foreclosure abatement or
25 short sale services and/or those borrowers' lenders in connection with loans secured directly or
26 collaterally by one or more liens on real property; and charged, demanded or collected advance
27 fees for the services to be provided, which acts require a real estate broker license and a

1 mortgage loan originator endorsement, all in violation of Sections 10085.5, 10085.6, 10130,
2 10131(d), 10131.2, and 10166.01 of the Code, and Sections 2944.7 and 2945.4 of the Civil Code.

3 DESIST AND REFRAIN ORDER

4 Based upon the Findings of Fact and Conclusions of Law stated herein, you,
5 VIRENDER N. PURI, dba NATIONAL HOME RESOURCES, FRANKLIN REAL ESTATE
6 and FRANKLIN FINANCIAL SERVICES, whether doing business under your own name or
7 any other name or fictitious business name, ARE HEREBY ORDERED to immediately desist
8 and refrain from:

9 1. Performing any acts within the State of California that require a real estate
10 license and mortgage loan originator endorsement unless and until you are properly licensed by
11 the Bureau;

12 2. Charging, demanding, claiming, collecting and/or receiving advance fees, as
13 that term is defined in Section 10026 of the Code, in any form, and under any conditions, with
14 respect to the performance of loan modifications or any other form of mortgage loan forbearance
15 service in connection with loans on residential property containing four or fewer dwelling units;

16 3. Charging, demanding, claiming, collecting and/or receiving advance fees, as
17 that term is defined in Section 10026 of the Code, for any of the services you offer to others,
18 unless and until you demonstrate and provide evidence satisfactory to the Commissioner that you
19 are properly licensed by the Bureau and that you:

20 (a) Have an advance fee agreement which has been submitted to the Bureau
21 and which is in compliance with Sections 2970 and 2972 of the
22 Regulations;


23 (b) Have placed all previously collected advance fees into a trust account for
24 that purpose and are in compliance with Section 10146 (deposit of
25 advance fees into trust account) of the Code;

26 (c) Have provided an accounting to trust fund owner-beneficiaries pursuant to
27 Section 2972 of the Regulations;

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- (d) Are in compliance with California law, as amended effective October 11, 2009, with respect to loan modification and/or forbearance services. Under the amended law, you can only collect advance fees for loan modification or other mortgage loan forbearance services related to commercial loans and loans for residential properties containing five or more dwelling units;
- (e) Have refunded to Elizabeth B. the advance fees paid to you by her in this matter in the amount of \$400.00; and
- (f) Have refunded to Sandra E. the advance fees paid to you by her in this matter in the amount of \$1,725.00,

DATED: MAR 25 2014

REAL ESTATE COMMISSIONER

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)."