

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982

FILED
MAR - 9 2009
DEPARTMENT OF REAL ESTATE

By Laura B. Chan

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 To:)	NO. H-35758 LA
)	
12 HOMEOWNER'S ASSISTANCE SERVICES LLC,)	<u>ORDER TO DESIST</u>
13 DAN THANH NGUYEN,)	<u>AND REFRAIN</u>
14 MARIBEL MEJIVAR, and)	
15 MIGUEL ROJANO)	

16 The Real Estate Commissioner of the State of
17 California ("Commissioner") has caused an investigation to be
18 made of your activities requiring a real estate license and,
19 based on the findings of that investigation, as set forth
20 below, is of the opinion that you, HOMEOWNER'S ASSISTANCE
21 SERVICES LLC, you, DAN THANH NGUYEN, you, MARIBEL MEJIVAR, and
22 you, MIGUEL ROJANO, have violated Sections 10130 and 10085 of
23 the Business and Professions Code ("Code"), and Regulation
24 2970, Title 10, California Code of Regulations ("Regulations").
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1.

You, HOMEOWNER'S ASSISTANCE SERVICES LLC, are not now and have never been licensed by the Department of Real Estate of the State of California ("Department") as a real estate broker.

2.

You, MARIBEL MEJIVAR, are not now and have never been licensed by the Department as a real estate broker.

3.

You, MIGUEL ROJANO, are not now and have never been licensed by the Department as a real estate broker.

4.

You, DAN THANH NGUYEN, are licensed by the Department as a real estate broker. At all times relevant herein, you were and are also doing business as the principal of HOMEOWNER'S ASSISTANCE SERVICES LLC, an unlicensed business entity.

5.

During a period of time from approximately July 2, 2008 and continuing to the present time, you, HOMEOWNER'S ASSISTANCE SERVICES LLC, you, MARIBEL MEJIVAR, you, MIGUEL ROJANO, and you, DAN THANH NGUYEN, engaged in the business of, acted in the capacity of, advertised or assumed to act as real estate brokers in the State of California, within the meaning

1 of Code Sections 10131(d) and 10131.2, for or in expectation of
2 compensation. Your activities included the operation of or
3 conduct of a real property sales business with the public
4 wherein you engaged in the negotiation and solicitation of
5 borrowers and lenders for loans secured by residential real
6 property. Said activities included representing borrowers in
7 negotiating and modifying terms and obtaining loans secured by
8 real property, and claiming, demanding, charging, receiving,
9 collecting or contracting for an advance fee in connection
10 therewith.
11

12 6.

13 Your acts as described in Paragraph 5, above, are
14 acts requiring a real estate broker license under the
15 provisions of Code Sections 10131(d) and 10131.2.
16

17 7.

18 You, HOMEOWNER'S ASSISTANCE SERVICES LLC, you,
19 MARIBEL MEJIVAR, and you, MIGUEL ROJANO, violated Code Section
20 10130 by engaging in the activities described in Paragraphs 5
21 and 6, above, without first obtaining a real estate broker
22 license from the Department.
23

24 8.

25 At all times mentioned herein, in the State of
26 California, you, DAN THANH NGUYEN, engaged in the business of
27 claiming, demanding, charging and receiving, collecting or

1 contracting for the collection of advance fees within the
2 meaning of Code Sections 10026 and 10131.2, including but not
3 limited to advance fees collected from borrowers for loan
4 modification services relating to loans secured by real
5 property.

6 9.

7 Said advance fees were collected pursuant to written
8 agreements which constituted advance fee agreements within the
9 meaning of Code Section 10085.
10

11 10.

12 You, DAN THANH NGUYEN, failed to submit the
13 agreements referred to in Paragraph 9 to the Commissioner ten
14 days before use, in violation of Code Section 10085 and
15 Regulation 2970.

16 NOW, THEREFORE, YOU, HOMEOWNER'S ASSISTANCE SERVICES
17 LLC, YOU, MARIBEL MEJIVAR, and YOU, MIGUEL ROJANO, ARE ORDERED
18 TO DESIST AND REFRAIN from performing any and all acts within
19 the State of California for which a real estate broker license
20 is required, within the meaning of Code Section 10131, unless
21 and until you obtain a real estate broker license or a real
22 estate salesperson license and are employed by a real estate
23 broker.
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1 NOW, THEREFORE, YOU, DAN THANH NGUYEN, ARE ORDERED TO
2 DESIST AND REFRAIN from collecting advance fees within the
3 meaning of Code Section 10026 unless and until you are in
4 compliance with Code Section 10185 and Regulation 2970.

5 DATED: _____

3/3/09.

6 JEFF DAVI
7 Real Estate Commissioner

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18 cc: HOMEOWNER'S ASSISTANCE SERVICES LLC
19 2160 S. Durfee Ave.
20 El Monte, CA 91733

21 157 N. Glendora Ave., Ste. 202
22 Glendora, CA 91741

23 157 N. Glendora Ave., Ste. 219
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