

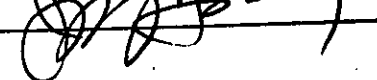
1 DEPARTMENT OF REAL ESTATE  
2 320 West Fourth Street, Ste. 350  
3 Los Angeles, California 90013

4 (213) 576-6982

**FILED**

JUL 08 2009

DEPARTMENT OF REAL ESTATE

BY: 

8 STATE OF CALIFORNIA

9 DEPARTMENT OF REAL ESTATE

11 To:	)	
12 LANDMART FINANCIAL SERVICES, INC.,	)	NO. H-36097 LA
13 RAUL MARTINEZ,	)	
14 dba LAND MART FINANCIAL SERVICES,	)	ORDER TO DESIST AND
15 and/or any other names or fictitious names	)	REFRAIN
16 used by RAUL MARTINEZ; and to	)	(B&P Code Section 10086)
ADRIANNA AGUIRRE, ALMA RAMIREZ,	)	
SARA GUATEMALA, & FRANCISCO VALENCIA.)	)	

17 The Commissioner (Commissioner) of the California Department of Real Estate  
18 (Department) caused an investigation to be made of the activities of LANDMART FINANCIAL  
19 SERVICES, INC. (LANDMART), RAUL MARTINEZ (MARTINEZ), ADRIANNA AGUIRRE  
20 (AGUIRRE), ALMA RAMIREZ (RAMIREZ), SARA GUATEMALA (GUATEMALA), and  
21 FRANCISCO VALENCIA (VALENCIA). Based on that investigation, the Commissioner has  
22 determined that LANDMART, MARTINEZ, AGUIRRE, RAMIREZ, GUATEMALA, and  
23 VALENCIA have engaged in, are engaging in, or are attempting to engage in, acts or practices  
24 constituting violations of the California Business and Professions Code (Code), including  
25 violating Code Section 10130 by engaging in the business of, acting in the capacity of, and/or  
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1 advertising or assuming to act as, a real estate broker in the State of California within the  
2 meaning of Code Section 10131(d) (performing services for borrowers in connection with loans  
3 secured by real property) and Code Section 10131.2 (advance fee handling).. Furthermore, based  
4 on the investigation, the Commissioner hereby issues the following Findings of Fact,  
5 Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the  
6 Code.

7  
8 Whenever acts referred to below are attributed to MARTINEZ, those acts are alleged to  
9 have been done by MARTINEZ, acting by himself, or by and/or through one or more agents,  
10 associates, affiliates, and/or co-conspirators, including, but not limited to LANDMART,  
11 AGUIRRE, RAMIREZ, GUATEMALA, and VALENCIA and using the name "Land Mart  
12 Financial Services", or other names or fictitious names unknown at this time.

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14 FINDINGS OF FACT

- 15 1. LANDMART is not now, and has never been, licensed by the Department in any capacity.  
16 LANDMART is an active California Corporation with Articles of Incorporation on file with the  
17 California Secretary of State.
- 18 2. MARTINEZ is not now, and has never been, licensed by the Department in any capacity.  
19 MARTINEZ is registered under the business name "Land Mart Financial Services" in the County  
20 of Riverside, California.
- 21 3. AGUIRRE is not now, and has never been, licensed by the Department in any capacity.
- 22 4. RAMIREZ is not now, and has never been, licensed by the Department in any capacity.
- 23 5. GUATEMALA is not now, and has never been, licensed by the Department in any capacity.
- 24 6. VALENCIA is not now, and has never been, licensed by the Department in any capacity.
- 25 7. LANDMART, MARTINEZ, AGUIRRE, RAMIREZ, GUATEMALA, and/or VALENCIA  
26 solicited borrowers and negotiated to do one or more of the following acts for another or others,  
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1 for or in expectation of compensation: negotiate one or more loans for, or perform services for,  
2 borrowers and/or lenders in connection with loans secured directly or collaterally by one or more  
3 liens on real property; and charge, demand or collect an advance fee for any of the services  
4 offered.

5 8. LANDMART, MARTINEZ, AGUIRRE, RAMIREZ, GUATEMALA, and/or VALENCIA  
6 advertised, and continue(s) to advertise, services under one or more business names including, but  
7 not limited to, "Land Mart Financial Services" in various print and electronic media, including  
8 websites located at <http://landmartfinancial.com> and <http://landmart.webs.com>. Those  
9 advertisements solicited, and continue to solicit, borrowers, offering loan modification services.

#### 10 CONCLUSIONS OF LAW

11 9. Based on the findings of fact contained in paragraphs 1 through 8, LANDMART, acting by  
12 itself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,  
13 including, but not limited to MARTINEZ, AGUIRRE, RAMIREZ, GUATEMALA, and/or  
14 VALENCIA, and using the name "Land Mart Financial Services", or other names or fictitious  
15 names unknown at this time, solicited borrowers to negotiate loans or perform services, in  
16 connection with loans secured directly or collaterally by one or more liens on real property.

17 These acts, which require a real estate broker license under Sections 10131(d) and 10131.2 of  
18 the Code, were performed during a period of time when LANDMART was not licensed by the  
19 Department as a real estate broker, a violation of Code Section 10130.

20 10. Based on the findings of fact contained in paragraphs 1 through 8, MARTINEZ, acting by  
21 himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,  
22 including, but not limited to LANDMART, AGUIRRE, RAMIREZ, GUATEMALA, and/or  
23 VALENCIA, and using the name "Land Mart Financial Services", or other names or fictitious  
24 names unknown at this time, solicited borrowers to negotiate loans or perform services, in  
25 connection with loans secured directly or collaterally by one or more liens on real property.

26 These acts, which require a real estate broker license under Sections 10131(d) and 10131.2 of  
27

1 the Code, were performed during a period of time when MARTINEZ was not licensed by the  
2 Department as a real estate broker, a violation of Code Section 10130.

3 11. Based on the findings of fact contained in paragraphs 1 through 8, AGUIRRE, acting by  
4 herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,  
5 including, but not limited to LANDMART, MARTINEZ, RAMIREZ, GUATEMALA, and/or  
6 VALENCIA, and using the name "Land Mart Financial Services", or other names or fictitious  
7 names unknown at this time, solicited borrowers to negotiate loans or perform services, in  
8 connection with loans secured directly or collaterally by one or more liens on real property.

9 These acts, which acts require a real estate broker license under Sections 10131(d) and 10131.2  
10 of the Code, were performed during a period of time when AGUIRRE was not licensed by the  
11 Department as a real estate broker, a violation of Code Section 10130.

12 12. Based on the findings of fact contained in paragraphs 1 through 8, RAMIREZ, acting by  
13 herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,  
14 including, but not limited to LANDMART, MARTINEZ, AGUIRRE, GUATEMALA, and/or  
15 VALENCIA, and using the name "Land Mart Financial Services", or other names or fictitious  
16 names unknown at this time, solicited borrowers to negotiate loans or perform services, in  
17 connection with loans secured directly or collaterally by one or more liens on real property.

18 These acts, which acts require a real estate broker license under Section 10131(d) and 10131.2 of  
19 the Code, were performed during a period of time when RAMIREZ was not licensed by the  
20 Department as a real estate broker, a violation of Code Section 10130.

21 13. Based on the findings of fact contained in paragraphs 1 through 8, GUATEMALA, acting  
22 by herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,  
23 including, but not limited to LANDMART, MARTINEZ, AGUIRRE, RAMIREZ, and/or  
24 VALENCIA, and using the name "Land Mart Financial Services", or other names or fictitious  
25 names unknown at this time, solicited borrowers to negotiate loans or perform services, in  
26 connection with loans secured directly or collaterally by one or more liens on real property.

27 These acts, which acts require a real estate broker license under Sections 10131(d) and 10131.2

1 of the Code, were performed during a period of time when GUATEMALA was not licensed by  
2 the Department as a real estate broker, a violation of Code Section 10130.

3 14. Based on the findings of fact contained in paragraphs 1 through 8, VALENCIA, acting by  
4 himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,  
5 including, but not limited to LANDMART, MARTINEZ, AGUIRRE, RAMIREZ, and/or  
6 GUATEMALA, and using the name "Land Mart Financial Services", or other names or fictitious  
7 names unknown at this time, solicited borrowers to negotiate loans or perform services, in  
8 connection with loans secured directly or collaterally by one or more liens on real property.  
9 These acts, which acts require a real estate broker license under Sections 10131(d) and 10131.2  
10 of the Code, were performed during a period of time when VALENCIA was not licensed by the  
11 Department as a real estate broker, a violation of Code Section 10130.

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1 DESIST AND REFRAIN ORDER

2 Based on the Findings of Fact and Conclusions of Law stated herein, you,

3 LANDMART FINANCIAL SERVICES, INC., RAUL MARTINEZ, ADRIANNA  
4 AGUIRRE, ALMA RAMIREZ, SARA GUATEMALA, and FRANCISCO VALENCIA,  
5 whether doing business under your own names, or any other names or fictitious names, ARE  
6  
7 HEREBY ORDERED to:

8 1. immediately desist and refrain from performing any acts within the State of California  
9 for which a real estate broker license is required. In particular, you are ordered to desist and  
10 refrain from:

11 (i) soliciting borrowers and/or performing services for borrowers or lenders in  
12 connection with loans secured directly or collaterally by one or more liens on real property, and

13 (ii) from charging, demanding, or collecting an advance fee for any of the services you  
14 offer to others, unless and until you obtain a real estate broker license issued by the Department,  
15 and until you demonstrate and provide evidence satisfactory to the Commissioner that you are in  
16 full compliance with all of the requirements of the Code and Regulations relating to charging,  
17 collecting, and accounting for advance fees.  
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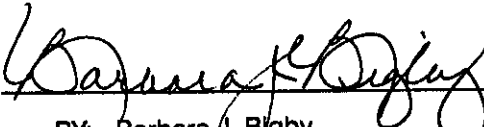
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1  
2 DATED: 7/1, 2009

3 JEFF DAVI  
4 Real Estate Commissioner

5 By   
6 BY: Barbara J. Bigby  
7 Chief Deputy Commissioner

8 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a  
9 real estate broker or real estate salesperson without a license or who advertises using words  
10 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
11 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by  
12 imprisonment in the county jail for a term not to exceed six months, or by both fine and  
13 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars  
14 (\$60,000)."

15 cc: Landmart Financial Services, Inc.  
16 777 E. Tahquitz Canyon Way, Suite 200-31  
17 Palm Springs, CA 92262

18 Landmart Financial Services, Inc.  
19 74-130 Country Club Drive, Suite B103  
20 Palm Desert, CA 92260

21 Raul Martinez, dba Land Mart Financial Services  
22 777 E. Tahquitz Canyon Way, Suite 200-31  
23 Palm Springs, CA 92262

24 Adriana Aguirre  
25 Alma Ramirez  
26 Francisco Valencia  
27 777 E. Tahquitz Canyon Way, Suite 200-31  
Palm Springs, CA 92262

Sara Guatemala  
c/o Landmart Financial Services, Inc.  
74-130 Country Club Drive, Suite B103  
Palm Desert, CA 92260