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1 Department of Real Estate
2 320 West Fourth Street, Ste. 350
3 Los Angeles, California 90013

FILED

4 Telephone: (213) 576-6982

JUL 16 2009

DEPARTMENT OF REAL ESTATE

BY: [Signature]

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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11 To:)	No. H-36123 LA
)	
12 US FORECLOSURE RELIEF CORPO-)	
13 RATION; GEORGE ESCALANTE;)	<u>ORDER TO DESIST</u>
14 RODNEY HOLMES; TAMMY VIRGIL;)	<u>AND REFRAIN</u>
15 SONIA MENDOZA, individually,)	(B&P Code Section 10086)
16 and doing business as H. E.)	
17 Service Company; CESAR LOPEZ,)	
18 individually, and doing)	
19 business as H. E. Service)	
20 Company, and LEAH YORBA.)	
)	
)	

21 The Commissioner ("Commissioner") of the California
 22 Department of Real Estate ("Department") caused an investigation
 23 to be made of the activities of US FORECLOSURE RELIEF CORPORATION
 24 ("US FORECLOSURE"), GEORGE ESCALANTE ("ESCALANTE"), RODNEY
 25 HOLMES, TAMMY VIRGIL, SONIA MENDOZA ("MENDOZA"), individually,
 26 and doing business as H. E. Service Company, CESAR LOPEZ
 27 ("LOPEZ"), individually, and doing business as H. E. Service
 Company, and LEAH YORBA and has determined that these persons,
 and each of them, have engaged in or are engaging in acts or

1 practices constituting violations of the California Business and
2 Professions Code ("Code") and/or Title 10, California Code of
3 Regulations ("Regulations") including engaging in the business
4 of, acting in the capacity of, advertising, or assuming to act,
5 as real estate brokers in the State of California within the
6 meaning of Section 10131(d) (soliciting borrowers or lenders or
7 negotiating loans) and Section 10131.2 (claiming advance fees in
8 connection with a loan) of the Code. Based on the findings of
9 that investigation, as set forth below, the Commissioner hereby
10 issues the following Findings of Fact, Conclusions of Law and
11 Desist and Refrain Order pursuant to Section 10086 of the Code.

12 FINDINGS OF FACT

13 1. At no time herein mentioned has US FORECLOSURE,
14 ESCALANTE, RODNEY HOLMES, TAMMY VIRGIL, MENDOZA, LOPEZ or LEAH
15 YORBA been licensed by the Department in any capacity.

16 2. On the occasions set forth below, US FORECLOSURE,
17 ESCALANTE, RODNEY HOLMES, TAMMY VIRGIL, MENDOZA, LOPEZ and LEAH
18 YORBA engaged in the business of, acted in the capacity of, or
19 advertised loan modification services and an advance fee
20 brokerage offering to perform and performing loan modification
21 services with respect to loans which were secured by liens on
22 real property for compensation or in expectation of compensation
23 and for fees collected in advance including, but not limited to,
24 the following:

25 a. On or about September 29, 2008, RODNEY HOLMES,
26 acting on behalf of US FORECLOSURE and ESCALANTE, entered into
27 an agreement with Bernadette Kelly to negotiate a loan

1 modification with respect to a loan secured by a lien(s) on the
2 real property located at 7721 N. Highland, Clovis, California
3 for an advance fee in the amount of \$500.

4 b. On or about October 22, 2008, US FORECLOSURE and
5 ESCALANTE entered into an agreement with Leo Landa to negotiate
6 a loan modification with respect to a loan secured by a lien(s)
7 on the real property located at 13337 Burton Street, Van Nuys,
8 California for an advance fee in the amount of \$1,000.

9 c. On or about November 12, 2008, TAMMY VIRGIL,
10 acting on behalf of US FORECLOSURE and ESCALANTE, entered into
11 an agreement with Darlene Snelling ("Snelling") to negotiate a
12 loan modification with respect to a loan secured by a lien(s) on
13 the real property located at 4401 Belvadere Way, Antioch,
14 California 94509 ("Belvadere Property") for an advance fee in
15 the amount of \$1,000. Thereafter, on or about February 9, 2009,
16 LEAH YORBA, using the fictitious business name H. E. Service
17 Company, demanded and received an additional advance fee in the
18 amount of \$1,350 from Snelling, which was represented to be the
19 balance due under Snelling's original agreement with US
20 FORECLOSURE for loan modification services with respect to a
21 loan secured by a lien(s) on the Belvadere Property.

22 d. On or about April 13, 2009, ESCALANTE, MENDOZA
23 and LOPEZ, doing business under the fictitious business name H.
24 E. Service Company, were engaged in the business of, acting in
25 the capacity of, or advertising loan modification services
26 offering to perform and performing those services with respect
27 to loans secured by liens on real property for compensation or

1 in expectation of compensation.

2 Commissioner's Prior Desist and Refrain Order

3 3. On or about February 11, 2009, in Department Case
4 No. H-35705 LA, the Commissioner ordered ESCALANTE and LOPEZ to
5 cease and desist from performing any and all acts requiring a
6 real estate license in the State of California, individually, and
7 under any fictitious business name, until each of them obtains
8 the required license from the Department.

9 CONCLUSIONS OF LAW

10 4. Based on the findings of fact contained in
11 Paragraphs 1-3, above, US FORECLOSURE, acting by itself, or by
12 and/or through one or more agents, associates, affiliates,
13 and/or co-conspirators, including but not limited to ESCALANTE,
14 RODNEY HOLMES and TAMMY VIRGIL, has performed and/or
15 participated in loan modification activities which require a
16 real estate broker license under the provisions of Code Sections
17 10131(d) and 10131.2 during a period of time when neither US
18 FORECLOSURE, ESCALANTE, RODNEY HOLMES nor TAMMY VIRGIL, or any
19 of them, was licensed by the Department in any capacity.

20 5. Based on the findings of facts contained in
21 Paragraphs 1-3, above, MENDOZA and LOPEZ, using the fictitious
22 business name H. E. Service Company or other names or fictitious
23 names unknown at this time, acting by themselves, or by and/or
24 through one or more agents, associates, affiliates, and/or co-
25 conspirators, including but not limited to ESCALANTE and LEAH
26 YORBA, have performed and/or participated in loan modification
27 activities which require a real estate broker license under the

1 provisions of Code Sections 10131(d) and 10131.2 during a period
2 of time when neither ESCALANTE, MENDOZA, LOPEZ nor LEAH YORBA,
3 or any of them, was licensed by the Department in any capacity.

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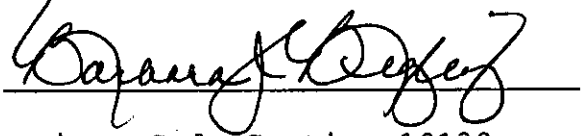
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DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that US FORECLOSURE RELIEF CORPORATION, GEORGE ESCALANTE, RODNEY HOLMES, TAMMY VIRGIL, SONIA MENDOZA, individually, and doing business as H. E. Service Company, CESAR LOPEZ, individually, and doing business as H. E. Service Company, and LEAH YORBA immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required, whether under their own name or any fictitious name, and, in particular, that each of them immediately desist and refrain from providing or participating in loan modification services unless and until they, individually, obtain an appropriate license issued by the Department.

DATED: 7/13, 2009.

JEFF DAVI
Real Estate 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: US Foreclosure Relief Corporation
2125 E. Katella Avenue, Suite 220
Anaheim, California 92806

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US Foreclosure Relief Corporation
1010 W. Chapman Avenue, Suite 200
Orange, California 92868

George Escalante
2125 E. Katella Avenue, Suite 330
Anaheim, California 92806

George Escalante
2125 E. Katella Avenue, Suite 220
Anaheim, California 92806

George Escalante
1010 w. Chapman Avenue, Suite 200
Orange, California 92868

Rodney Holmes
2125 E. Katella Avenue, Suite 220
Anaheim, California 92806

Rodney Holmes
1010 W. Chapman Avenue, Suite 200
Orange, California 92868

Tammy Virgil
2125 E. Katella Avenue, Suite 330
Anaheim, California 92806

Tammy Virgil
1010 W. Chapman Avenue, Suite 200
Orange, California 92868

Sonia Mendoza
2125 E. Katella Avenue, Suite 330
Anaheim, California 92806

Cesar Lopez
2125 E. Katella Avenue, Suite 330
Anaheim, California 92806

Leah Yorba
2125 E. Katella Avenue, Suite 330
Anaheim, California 92806