

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

4 (213) 576-6982

FILED
AUG 12 2009
DEPARTMENT OF REAL ESTATE

By: 

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 To:) No. H-36174 LA
12))
13) ORDER TO DESIST
14) AND REFRAIN

ESPERANZA SALOME MENDOZA.

15 The Commissioner (Commissioner) of the California
16 Department of Real Estate (Department) caused an investigation to
17 be made of the activities of ESPERANZA SALOME MENDOZA. Based on
18 that investigation, the Commissioner has determined that you have
19 engaged in, are engaging in, or are attempting to engage in, acts
20 or practices constituting violations of the California Business
21 and Professions Code (Code), including violating Code Section
22 10130 by engaging in the business of, acting in the capacity of,
23 and/or advertising or assuming to act as, a real estate broker in
24 the State of California within the meaning of Code Sections
25 10131(d) (performing services for borrowers in connection with
26 loans secured by real property), 10131(e) (offer to sell, buy or
27 exchange a promissory note), and 10131.2 (advance fee handling).

1 Furthermore, based on the investigation, the Commissioner hereby
2 issues the following Findings of Fact, Conclusions of Law, and
3 Desist and Refrain Order under the authority of Section 10086 of
4 the Code.

5 Whenever acts referred to below are attributed to
6 "you", ESPERANZA SALOME MENDOZA, those acts are alleged to have
7 been done by acting by yourself, or by and/or through one or more
8 agents, associates, affiliates, and/or co-conspirators.

9 FINDINGS OF FACT

10 1. At no time herein mentioned have you been licensed by the
11 Department of Real Estate of the State of California (hereinafter
12 "Department") as a real estate broker.

13 2. During 2008, you engaged in a business, for or in expectation
14 of compensation or collection of an advance fee, you solicited
15 borrowers and negotiated to do one or more of the following acts
16 for another or others: offered to provide loan modifications,
17 re-finance of a loan, or short-sale negotiations or other
18 services for borrowers or owners of real property to modify the
19 terms of the loans on the real property, and charge, demand or
20 collect an advance fee for services offered.

21 3. You demanded an advance fee in the amount of \$700 from Maria
22 Elena Mendez for loan modification services and promised a lower
23 mortgage payment on the subject property located at 1347 Morrow
24 Place, Los Angeles, California.

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CONCLUSIONS OF LAW

4. Based on the findings of fact contained in paragraphs 1 through 3, you, acting by yourself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, solicited borrowers and performed services for those borrowers and borrower's lenders in connection with loans secured directly or collaterally by one or more liens on real property, and charged, demanded or collected advance fees for the services to be provided, which acts require a real estate broker license under Sections 10131(d), 10131(e), and 10131.2 of the Code, during a period of time when you were not licensed by the Department as a real estate broker, in violation of Section 10130 of the Code.

DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, you, ESPERANZA SALOME MENDOZA, whether doing business under your own name, or any other names or fictitious names, ARE ORDERED to

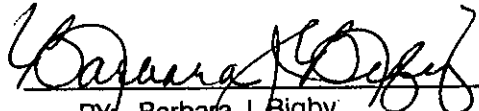
1. immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required. In particular, you are ordered to desist and refrain from:

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

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

8 DATED: 7-6-09.

9 JEFF DAVI
10 Real Estate Commissioner

11 
12 BY: Barbara J. Bigby
13 Chief Deputy Commissioner

14 **Notice:** Business and Professions Code Section 10139 provides
15 that "Any person acting as a real estate broker or real estate
16 salesperson without a license or who advertises using the words
17 indicating that he or she is a real estate broker without being
18 so licensed shall be guilty of a public offense punishable by a
19 fine not exceeding twenty thousand dollars (\$20,000), or by
20 imprisonment in the county jail for a term not to exceed six
21 months, or by both fine and imprisonment; or if a corporation,
22 be punished by a fine not exceeding sixty thousand dollars
23 (\$60,000)."

24 cc: Esperanza Salome Mendoza
25 4813 Marionwood Dr., Unit 397
26 Culver City, CA 90230

27 JRP:AKC