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FILED

NOV 22 2011

DEPARTMENT OF REAL ESTATE
BY: [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-36301 LA
LOAN SECURE INC. doing business as)
Loan Secure, and National)
Processing Solutions Inc.; and)
GEORGE PATRICK DAVIS, individually)
and as designated officer of)
Loan Secure Inc.,)
Respondents.

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On October 6, 2009, an Accusation was filed in this matter against Respondent GEORGE PATRICK DAVIS.

On April 28, 2011, Respondent petitioned the Commissioner to voluntarily surrender its real estate broker license rights pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent GEORGE PATRICK DAVIS' petition for voluntary surrender of its real estate broker license is accepted as of the effective date of this Order as set

1 forth below, based upon the understanding and agreement expressed
2 in Respondent's Declaration dated April 28, 2011 (attached as
3 Exhibit "A" hereto). Respondent's license certificate(s), pocket
4 card(s) and any branch office license certificate(s) shall be
5 sent to the below listed address so that they reach the
6 Department on or before the effective date of this Order:

7 Department of Real Estate
8 Atten: Licensing Flag Section
9 P.O. Box 187000
Sacramento, CA 95818-7000

10 This Order shall become effective at 12 o'clock noon on
11 December 12, 2011.

12 DATED: 11/16/11

13
14 BARBARA J. BIGBY
Acting Real Estate Commissioner

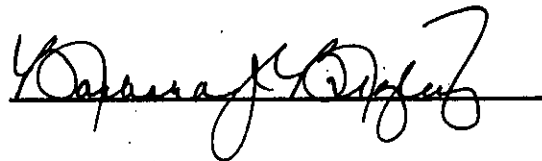
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EXHIBIT "A"

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

No. H-36301 LA

LOAN SECURE INC. doing business as
Loan Secure, and National
Processing Solutions Inc.; and
GEORGE PATRICK DAVIS, individually
and as designated officer of
Loan Secure Inc.,

L-2010060385

Respondents.

DECLARATION

My name is GEORGE PATRICK DAVIS and I am currently
licensed as a real estate broker and/or have license rights with
respect to said license. I am represented by Daniel A. Nassie,
Esq., Attorney at Law.

In lieu of proceeding in this matter in accordance with
the provisions of the Administrative Procedure Act (Sections
11400 et seq., of the Government Code), I wish to voluntarily
surrender my real estate license(s) issued by the Department of

1 Real Estate ("Department"), pursuant to Business and Professions
2 Code Section 10100.2.

3 I understand that by so voluntarily surrendering my
4 license(s), I may be relicensed as a broker or as a salesperson
5 only by petitioning for reinstatement pursuant to Section 11522
6 of the Government Code. I also understand that by so voluntarily
7 surrendering my license(s), I agree to the following:

8 1. The filing of this Declaration shall be deemed as
9 my petition for voluntary surrender.

10 2. It shall also be deemed to be an understanding and
11 agreement by me that I waive all rights I have to require the
12 Commissioner to prove the allegations contained in the Accusation
13 filed in this matter at a hearing held in accordance with the
14 provisions of the Administrative Procedure Act (Government Code
15 Sections 11400 et seq.), and that I also waive other rights
16 afforded to me in connection with the hearing such as the right
17 to discovery, the right to present evidence in defense of the
18 allegations in the Accusation and the right to cross-examine
19 witnesses.

20 3. I further agree that upon acceptance by the
21 Commissioner, as evidenced by an appropriate order, all
22 affidavits and all relevant evidence obtained by the Department
23 in this matter prior to the Commissioner's acceptance, and all
24 allegations contained in the Accusation filed in the Department
25 Case No. H-36301 LA, may be considered by the Department to be
26 true and correct for the purpose of deciding whether to grant
27 relicensure or reinstatement pursuant to Government Code Section

11522, excluding Business and Professions Code Sections,
10176(a), 10176(b), 10176(e), 10176(i) and 10177(j).

4. I further agree to pay the Commissioner's reasonable cost for the audit of LOAN SECURE INC. which led to this action. In calculating the amount of the Commissioner's reasonable cost, the Commissioner may use the estimated average hourly salary for all persons performing audits of real estate brokers, and shall include an allocation for travel time to and from the auditor's place of work. I will pay such cost within 60 days of receiving an invoice from the Commissioner detailing the activities performed during the audit and the amount of time spent performing those activities.

5. I am aware that if I petition for reinstatement in the future, that payment of the audit costs will be a condition of reinstatement.

6. I freely and voluntarily surrender all my licenses and license rights under the Real Estate Law.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed on April 28, 2011, at Ontario, California.


GEORGE PATRICK DAVIS

Laeto

FILED

NOV 22 2011

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-36301 LA
)
LOAN SECURE INC. doing business as) L-2010060385
)
Loan Secure, and National)
Processing Solutions Inc.; and)
GEORGE PATRICK DAVIS, individually)
and as designated officer of)
Loan Secure Inc.,)

Respondents.

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On October 6, 2009, an Accusation was filed in this matter against Respondent LOAN SECURE INC.

On April 28, 2011, Respondent petitioned the Commissioner to voluntarily surrender its real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent LOAN SECURE INC.'s petition for voluntary surrender of its real estate broker license is accepted as of the effective date of this Order as set

1 forth below, based upon the understanding and agreement expressed
2 in Respondent's Declaration dated April 28, 2011 (attached as
3 Exhibit "A" hereto). Respondent's license certificate(s), pocket
4 card(s) and any branch office license certificate(s) shall be
5 sent to the below listed address so that they reach the
6 Department on or before the effective date of this Order:

7 Department of Real Estate
8 Atten: Licensing Flag Section
9 P.O. Box 187000
Sacramento, CA 95818-7000

10 This Order shall become effective at 12 o'clock noon on
11 December 12, 2011.

12 DATED: 11/16/11

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14 BARBARA J. BIGBY
Acting Real Estate Commissioner

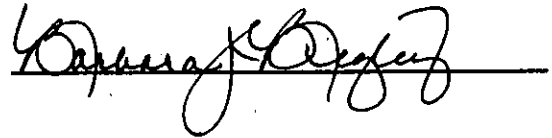
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EXHIBIT "A"

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

No. H-36301 LA

LOAN SECURE INC. doing business as
Loan Secure, and National
Processing Solutions Inc.; and
GEORGE PATRICK DAVIS, individually
and as designated officer of
Loan Secure Inc.,

L-2010060385

Respondents.

DECLARATION

My name is George Patrick Davis and I am the
designated officer of LOAN SECURE INC. which is licensed as a
real estate broker and/or have license rights with respect to
said license. I am authorized to sign this declaration on
behalf of LOAN SECURE INC. LOAN SECURE INC. is represented by
Daniel A. Nassie, Esq., Attorney at Law.

In lieu of proceeding in this matter in accordance
with the provisions of the Administrative Procedures Act

1 (Sections 11400 et seq., of the Government Code) LOAN SECURE
2 INC. wishes to voluntarily surrender its real estate license
3 issued by the Department of Real Estate ("Department"), pursuant
4 to Business and Professions Code Section 10100.2.

5 I understand that LOAN SECURE INC., by so voluntarily
6 surrendering said license, can only have it reinstated in
7 accordance with the provisions of Section 11522 of the
8 Government Code. I also understand that by so voluntarily
9 surrendering said license rights, LOAN SECURE INC. agrees to the
10 following:

11 The filing of this Declaration shall be deemed as LOAN
12 SECURE INC.'s petition for voluntary surrender. It shall also
13 be deemed to be an understanding and agreement by LOAN SECURE
14 INC. that, it waives all rights it has to require the
15 Commissioner to prove the allegations contained in the
16 Accusation filed in this matter at a hearing held in accordance
17 with the provisions of the Administrative Procedures Act
18 (Government Code Sections 11400 et seq.), and that LOAN SECURE
19 INC. also waives other rights afforded to it in connection with
20 the hearing such as the right to discovery, the right to present
21 evidence in defense of the allegations in the Accusation and the
22 right to cross examine witnesses.

23 I further agree on behalf of LOAN SECURE INC. that
24 upon acceptance by the Commissioner, as evidenced by an
25 appropriate order, all affidavits and all relevant evidence
26 obtained by the Department in this matter prior to the
27 Commissioner's acceptance, and all allegations contained in the

1 Accusation filed in the Department Case No. H-36301 LA, may be
2 considered by the Department to be true and correct for the
3 purpose of deciding whether or not to grant reinstatement of
4 LOAN SECURE INC.'s license pursuant to Government Code Section
5 11522 excluding Business and Professions Code Sections 10176(a),
6 10176(b), 10176(e), 10176(i) and 10177(j).

7 I further agree on behalf of LOAN SECURE INC. to pay
8 the Commissioner's reasonable cost for the audit which led to
9 this action. In calculating the amount of the Commissioner's
10 reasonable cost, the Commissioner may use the estimated average
11 hourly salary for all persons performing audits of real estate
12 brokers, and shall include an allocation for travel time to and
13 from the auditor's place of work. I will pay such cost within 60
14 days of receiving an invoice from the Commissioner detailing the
15 activities performed during the audit and the amount of time
16 spent performing those activities.

17 I am aware that if LOAN SECURE INC. petitions for
18 reinstatement in the future, that payment of the audit costs
19 will be a condition of reinstatement.

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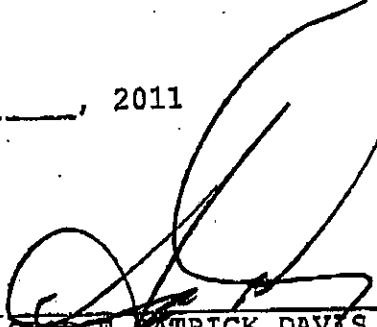
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4 I declare under penalty of perjury under the laws of
5 the State of California that the above is true and correct and
6 that I am acting freely and voluntarily on behalf of LOAN SECURE
7 INC. to surrender its license and license rights attached
8 thereto.

9
10 Ontario, CA 4/28, 2011
11 Date and Place

12
13 
14 BY: GEORGE PATRICK DAVIS,
15 Designated Officer of
16 LOAN SECURE INC.
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FILED

OCT - 6 2009

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

ELLIOTT MAC LENNAN, SBN 66674
Department of Real Estate
320 West 4th Street, Ste. 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6911 (direct)
-or- (213) 576-6982 (office)

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

LOAN SECURE INC. doing business as
Loan Secure, and National
Processing Solutions Inc.; and
GEORGE PATRICK DAVIS, individually
and as designated officer of
Loan Secure Inc.,

Respondents.

No: H-36301 LA

A C C U S A T I O N

The Complainant, Robin Trujillo, a Deputy Real Estate
Commissioner of the State of California, for cause of Accusation
against LOAN SECURE INC. dba Loan Secure and National Processing
Solutions Inc. aka NPS Today; and GEORGE PATRICK DAVIS,
individually and as designated officer of Loan Secure Inc.,
alleges as follows:

///

///

1.

The Complainant, Robin Trujillo, acting in her official capacity as a Deputy Real Estate Commissioner of the State of California, makes this Accusation against LOAN SECURE INC. and GEORGE PATRICK DAVIS.

2.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

3.

License History

a. LOAN SECURE INC. ("LSI"). At all times mentioned, Respondent LSI was licensed or had license rights issued by the Department of Real Estate ("Department") as a real estate broker. On December 12, 2008, LSI was originally licensed as a corporate real estate broker. At all times mentioned herein, Respondent LSI was authorized to act by and through Respondent GEORGE PATRICK DAVIS as LSI's broker designated pursuant to Business and Professions Code (hereinafter "Code") Sections 10159.2 and 10211 to be responsible for ensuring LSI's compliance with the Real Estate Law.

b. GEORGE PATRICK DAVIS. At all times mentioned, Respondent GEORGE PATRICK DAVIS ("DAVIS") was licensed or had license rights issued by the Department as a real estate broker. On February 5, 2005, DAVIS was originally licensed as a real

1 estate broker and on December 12, 2008, became the designated
2 officer of LSI. DAVIS is the Chief Executive Officer, Chief
3 Financial Officer and corporate Secretary of LSI and LSI's sole
4 shareholder.

5 c. National Processing Solutions Inc. aka NPS Today
6 (NPSI) is an unlicensed corporation engaged in processing loan
7 modifications. DAVIS is the sole owner and President of NPSI.

8 d. Loan Fraud Investigations Inc. (LFII) is an
9 unlicensed corporation engaged in conducting forensic audit
10 examination for homeowner-borrowers as a preliminary step toward
11 obtaining a loan modification on their home loan.

12 e. LSI and Davis are affiliates with and the successor
13 in interest to Pope Mortgage & Associates Inc. dba Pope Real
14 Estate, Pope Mortgage & Associates, Pope Mortgage and North
15 American Escrow, Pope Financial Center Inc. dba Pope &
16 Associates, and, Paul N. Pope, individually, and dba Pope Realty
17 & Mortgage, Pope Mortgage & Associates Realty, Pope Mortgage &
18 Associates, and North American Escrow, and as designated officer
19 of Pope Mortgage & Associates Inc. and Pope Financial Center Inc.
20 (the Pope entities), former licensees conducting loan
21 modification activities until May 27, 2009, pursuant to the
22 Departmental action in H-35502 LA.

24 f. LSI and Davis conduct activities by and through
25 Lone Secure and NPSI requiring a real estate license and an
26 approved advance fee agreement from the Department.
27

Brokerage

4.

At all times mentioned, in the City of Rancho Cucamonga and County of Los Angeles, LSI and DAVIS acted as real estate brokers conducting licensed activities within the meaning of Code Sections 10131(d) and 10131.2, dba Loan Secure and NPSI. LSI and DAVIS engaged in the business of a loan modification brokerage and an advance fee brokerage for compensation or in expectation of compensation and for fees often collected in advance.

Through their unlicensed fictitious business names of Loan Secure and NPSI, LSI and DAVIS solicit economically distressed homeowner-borrowers and charge advance fees for process loan modifications and negotiating with lenders. NPSI also receives homeowner-borrowers loan modification applications and forensic reports from Loan Fraud Investigations Inc., Respondents LSI and DAVIS solicited and offered to provide loan modification services to economically distressed homeowners seeking adjustments of the terms and conditions of their home loans including, but not limited to, repayment plans, forbearance, partial claims, and reduction in principal or interest, foreclosure prevention and short sales. Respondent LSI is the terminus for payment of trust funds in the form of payments for loan modification services from homeowner-borrowers. All trust funds flow to LSI. LSI and DAVIS processed the following loan modifications during the audit period:

Total Loan Modifications	Pending Loan Modifications	Completed Loan Modifications	Advance Fees Collected
180	168	12	\$388,647

FIRST CAUSE OF ACCUSATION
(Audit Examination)

5.

On May 28, 2009, the Department completed an audit examination of the books and records of LSI pertaining to the loan modification and advance fee activities described in Paragraph 4, which require a real estate license. The audit examination covered a period of time beginning on December 12, 2008 to March 31, 2009. The audit examination revealed violations of the Code and the Regulations as set forth in the following paragraphs, and more fully discussed in Audit Report LA 080231 and the exhibits and work papers attached to said audit report.

Bank and Trust Accounts

6.

At all times mentioned, in connection with the activities described in Paragraph 4, above, LSI accepted or received funds including funds in trust (hereinafter "trust funds") from or on behalf of actual or prospective parties, including economically distressed homeowner-borrowers for advance fees and loan modifications handled by LSI. Thereafter LSI made

1 deposits and or disbursements of such trust funds. From time to
2 time herein mentioned during the audit period, said trust funds
3 were deposited and/or maintained by LSI in the bank and trust
4 accounts as follows:

5 "Loan Secure Inc. General Account
6 Account No. 9120276988
7 Union Bank of California
8 P.O. Box 513840
9 Los Angeles, CA 90051-3840

10 (B/A #1 - used for deposit of homeowner advance fees)

11 "Loan Secure Inc. Trust Account
12 Account No. 9120276996
13 Union Bank of California
14 P.O. Box 513840
15 Los Angeles, CA 90051-3840

16 (T/A #1- used for deposit of homeowner advance fees)
17 (Not used during audit period)

18 Audit Violations

19 7.

20 In the course of activities described in Paragraphs 4
21 and 6, above, and during the audit examination period described
22 in Paragraph 5, Respondents LSI and DAVIS acted in violation of
23 the Code and the Regulations in which Respondents:

24 (a) Permitted, allowed or caused B/A #1, where the
25 disbursement of funds reduced the total of aggregate funds in B/A
26 #1, to an amount which, on March 31, 2009, was \$329,710.39, less
27 than the existing aggregate trust fund liability to every
homeowner-principal who was an owner of said funds, without first

1 obtaining the prior written consent of the owners, in violation
2 of Code Sections 10145 and 10176(i) and Regulation 2832.1.

3 (b) Performed acts for which a real estate license is
4 required, including soliciting for and negotiating with
5 distressed homeowner-borrowers for loan modification services,
6 including but not limited to homeowners Blessing Ozobia, Jeanne
7 Espinoza, Gerald L. Williams Sr., and Robin Keller, in violation
8 of Code Section 10130. LSI used its own name and the unlicensed
9 fictitious business names of Loan Secure, National Processing
10 Solutions Inc. aka NPS Today, the loan modification processor,
11 and Loan Fraud Investigations Inc., the forensic audit examiner

12 (c) Failed to maintain a control record in the form of
13 a columnar record in chronological order of all trust funds
14 including advance fees collected, deposited and disbursed in
15 connection with loan modifications, in violation of Code Section
16 10145 and Regulation 2831.

17 (d) Failed to maintain a separate record for each
18 beneficiary or transaction, thereby failing to account for all
19 trust funds in the form of advance fees collected, deposited and
20 disbursed, in violation of Code Section 10145 and Regulation
21 2831.1.

22 (e) Failed to perform a monthly reconciliation of the
23 balance of all separate beneficiary or transaction records
24 maintained pursuant to Regulation 2831.1 with the record of all
25 trust funds received and disbursed from the general account for
26
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1 loan modification services, in violation of Code Section 10145
2 and Regulation 2831.2.

3 (f) B/A #1 was not designated as a trust account, in
4 violation of Code Section 10145 of the Code and Regulation
5 2832(a). B/A #1 was the general operating account of LSI.

6 (g) Permitted Eric Jones, an unlicensed and unbonded
7 person, to be an authorized signatory on B/A #1, where homeowner
8 trust funds in the form of advance fees were deposited, in
9 violation of Code Section 10145 and Regulation 2834.

10 (h) Failed to establish and maintain a trust account at
11 a bank or other recognized financial institution in the name of
12 the broker for deposit of advance fees collected by LSI, in
13 violation of Code Section 10146. B/A #1 was the general
14 operating account of LSI.

15 (i) Commingled and converted trust funds and personal
16 funds by depositing trust funds in the form of advance fees
17 collected for loan modifications into LSI's general operating
18 account, B/A #1, instead of depositing trust funds into a
19 properly designated trust account, in violation of Code Sections
20 10145, 10176(e) and 10176(i) and Regulation 2832.

21 (j) Collected advance fees within the meaning of Code
22 Section 10026 from homeowners seeking loan modification services
23 wherein LSI failed to provide homeowners, including but not
24 limited to Blessing Ozobia, Jeanne Espinoza, Gerald L. Williams
25 Sr., and Robin Keller, a pre-approved advance fee agreement from
26
27

1 the Department in the form of a no objection letter, in violation
2 of Code Section 10085 and Regulation 2970.

3 (k) With reference to the lack of an advance fee
4 agreement, LSI failed to provide a complete description of
5 services to be rendered provided to each homeowner-borrower in 10
6 point type font and failed to provide an allocation and
7 disbursement of the amount collected as the advance fee, in
8 violation of Code Section 10146 and Regulation 2972.

9 (l) Conducted licensed activities at 800 S. Milliken
10 Ave., Suite H, Ontario, California, prior to obtaining a branch
11 office license from the Department, in violation of Code Section
12 10163 and Regulation 2715; and

13 (m) DAVIS failed to exercise adequate supervision over
14 LSI's activities requiring a real estate license to ensure LSI's
15 compliance the Real Estate Laws and Regulations and had no system
16 in place for regularly monitoring LSI's compliance with the Real
17 Estate Law, in violation of Code Sections 10159.2, 10177(h) and
18 Regulation 2725.
19

20 Discipline Statutes

21 8.

22 The conduct of Respondents LSI and DAVIS described in
23 Paragraph 7, above, violated the Code and the Regulations as set
24 forth below:

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PARAGRAPH	PROVISIONS VIOLATED
7(a)	Code Sections 10145 and 10176(i) and Regulation 2832.1
7(b)	Code Section 10130
7(c)	Code Section 10145 and Regulation 2831
7(d)	Code Section 10145 and Regulation 2831.1
7(e)	Code Section 10145 and Regulation 2831.2
7(f)	Code Section 10145 and Regulation 2832(a)
7(g)	Code Section 10145 and Regulations 2834
7(h)	Code Section 10146
7(i)	Code Sections 10145, 10176(e) and 10176(i) and Regulation 2832
7(j)	Code Section 10085 and Regulation 2970
7(k)	Code Section 10146 and Regulation 2972
7(l)	Code Section 10163 and Regulation 2715
7(m)	Code Sections 10159.2, 10177(h) and Regulation 2725

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1 The foregoing violations constitute cause for the suspension or
2 revocation of the real estate license and license rights of
3 Respondents LSI and DAVIS under the provisions of Code Sections
4 10176(e), 10176(i), 10177(d) and/or 10177(g).

5 SECOND CAUSE OF ACCUSATION
6 (Loan Modification Services),

7 9.

8 Complainant hereby incorporates by reference the allegations set
9 forth in Paragraphs 1 through 8, above.

10 10.

11 At all times mentioned herein, Respondents LSI and
12 DAVIS engaged in the business of a loan modification and advance
13 fee brokerage, within the definition of Code Section 10131.2, as
14 previously described in Paragraph 4.

15 General Allegations

16 11.

17 During December 12, 2008 and continuing thereafter to
18 date, LSI and DAVIS, dba Loan Secure and NPSI, affiliated with
19 and acting as the successor in interest to the Pope entities
20 described in Paragraph 3.e, above, solicited economically
21 distressed homeowners facing foreclosure and eviction from their
22 homes, offered loan modification serviced, charged and collected
23 advance fees.

24 ///

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Specific Allegations

12.

Respondents LSI and DAVIS performed loan modification services with respect to loans which were secured by liens on real property, including, but not limited to, the following homeowners:

a. On or about December 15, 2008, Respondent dba Loan Secure, represented by unlicensed loss mitigation agent Roger Pena, solicited and collected an advance fee of \$2,895 from homeowner-borrowers Rogelio/Jeanne Espinoza pursuant to the provisions of a written agreement entitled a Loan Modification Services Agreement for loan modification services advertised and to be provided by Respondents with respect to a loan secured by the real property located at 6298 East Woodward Avenue, Fresno, California 93727. Working in conjunction with Roger Pena, Arcy Perez, an unlicensed representative of NPSI promised the Espinoza's that NPSI, would modify their loan.

b. On or about September 22, 2008, Gerald L. Williams, Sr. (Williams) entered into a Loss Mitigation Services Agreement with Pope Financial Center Inc. (PFCI), the predecessor in interest to LSI, seeking a loan modification for his home located at 8415 Kobert Road, Winters, California 95694. Arcy Perez informed Williams that NPSI was an affiliate of PCFI and that NPSI would continue PCFI's processing Williams loan modification. Arcy Perez directed Williams to Patrick G.

1 Pulatie, owner of Loan Fraud Investigations Inc., for Williams to
2 obtain a forensic audit examination of his home loan before
3 continuing the loan modification process. Williams entered into
4 an agreement with LFII. Subsequently, NPSI processed the loan
5 modification.

6 c. On or about October 7, 2008, Robin Keller (Keller)
7 entered into a Loss Mitigation Services Agreement with PCFI, a
8 Pope entity and predecessor to LSI, seeking a loan modification
9 for her home located at 2520 Graham Avenue #14, Redondo Beach,
10 California 90278. Gabriela Melchor, an unlicensed loan
11 modification loan agent of NPSI, informed Keller that NPSI was an
12 affiliate of PCFI and that NPSI would complete PCFI's processing
13 her loan modification. Subsequently, NPSI processed Keller's
14 loan modification.

15 d. On or about December 8, 2008, Angela Prova, an
16 unlicensed representative of PCFI, promised Adell Halls (Halls)
17 that PCFI would work with her lender to modify her home loan and
18 reduce her monthly payments. Halls entered into a loan
19 modification agreement with PCFI in connection with the loan on
20 her home located at 174 S. Fulton Street, Woodbridge, New Jersey
21 07095. On December 15, 2008, Halls' account was debited an
22 advance fee in the amount of \$1,100.00 by LSI. Thereafter,
23 Gabriela Melchor, worked with Halls in processing her loan
24 modification. Subsequently, Halls paid LSI an additional advance
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26
27

1 fee of \$425.00 on January 14, 2009, and again, another advance
2 fee in the amount of \$350.00 to PCFI on February 10, 2009.

3 e. On or about March 7, 2009, Ray Villapando, an
4 unlicensed representative and purported Manager of LSI, promised
5 Gloria Sabiniano (Sabiniano) that LSI and LSI's legal team would
6 negotiate with her lender and lower her mortgage payments to
7 \$1,200.00 per month. Sabiniano entered into a "Loan Modification
8 Services Agreement" with LSI for loan modification services in
9 connection with her property located at 9285 Chapelwood Drive,
10 Alpharetta, Georgia 30022. On March 9, 2009, Sabiniano received
11 a letter from DAVIS stating that LSI and NPSI would work together
12 to modify her loan, and would update her on a weekly basis.
13 Subsequently, on March 13, 2009, LSI debited Sabiniano's account
14 an advance fee in the amount of \$1,595.00, and on March 27, 2009,
15 an additional advance fee was debited from Sabiniano's account in
16 the amount of \$700.00. In connection therewith, Brenda Torrez
17 and Ruby Figueroa, unlicensed representatives of NPSI, worked in
18 together with Ray Villapando and LSI processing Sabiniano's loan
19 modification.
20

21 f. During a time uncertain, Jacqueline Garcia (Garcia)
22 entered into a loan modification agreement with PCFI for loan
23 modification services and paid PCFI an advance fee. The loan
24 modification services sought were to be performed in connection
25 with Garcia's home located at 6303 Owensmouth Avenue, Woodland
26 Hills, California 93167. During April 2009, Garcia's loan
27

modification agreement with PCFI was transferred to NPSI. NPSI thereafter then continued to negotiate with Garcia's lender seeking to modify Garcia's home loan.

(Loan Modification Violations)

Paragraphs 10-12
and

Table: Loan Modification Services

Homeowner	Agent(s)	Entity(ies)	Advance Fee
Jeanne Espinoza	Roger Pena	Loan Secure	\$2,895
Gerald Williams	Arcy Perez	NPSI	PCFI transfer
Robin Keller	Gabriela Melchor	NPSI/Loan Secure	PCFI transfer
Adele Hall	Angela Prova Gabriela Melchor	NPSI/Loan Secure	\$1,775
Gloria Sabiniano	Ray Villapando	Loan Secure	\$2,295
Jacqueline Garci	unknown	NPSI	Transfer

13.

a. Code Section 10176(a) for substantial misrepresentation with respect to homeowners Jeanne Espinoza, Gerald L. Williams Sr., and Robin Keller, Adell Hall, Gloria Sabiniano and Jacqueline Garcia.

b. Code Section 10176(b) for making false promises of a character likely to influence, persuade or induce homeowners Jeanne Espinoza, Gerald L. Williams Sr., and Robin Keller, Adell Hall, Gloria Sabiniano and Jacqueline Garcia.

c. Code Sections 10176(e) and 10176(i) for commingling and conversion of trust funds received by LSI, directly or

1 indirectly, from Jeanne Espinoza, Gerald L. Williams Sr., and
2 Robin Keller, Adell Hall, Gloria Sabiniano and Jacqueline Garcia.

3 d. Code Section 10177(d) for violation of or willful
4 disregard of the Real Estate Law.

5 e. Code Section 10177(g) for negligence.

6 f. Code Section 10137 for employing and/or compensating
7 unlicensed loan modification agents Roger Pena, Arcy Perez,
8 Gabriela Melchor, Brenda Tellez and Ruby Figueroa, for the
9 activities which require a real estate license under Code
10 Sections 10131(d) and 10131.2. Respondents LSI and POPE violated
11 Section 10137 of the Code by employing and/or compensating NPSI,
12 an unlicensed corporation and unlicensed individuals Roger Pena,
13 Arcy Perez, Gabriela Melchor, Brenda Tellez and Ruby Figueroa,
14 who were not licensed as salespersons or as brokers to perform
15 activities requiring a license as follows:

16 i. Respondents employed and/or compensated Arcy
17 Perez to perform some or all of the services alleged in Paragraph
18 12(a (Espinoza) and 12(b) (Williams), above, though she was not
19 licensed as a salesperson or broker.

20 ii. Respondents employed and/or compensated
21 Gabriela Melchor (Keller) to perform some or all of the services
22 alleged in Paragraph 12(c) and (d) (Halls), above, though he was
23 not licensed as a salesperson or broker.

24 iii. Respondents employed and/or compensated
25 Angela Prova (Halls) to perform some or all of the services
26

1 alleged in Paragraph 12(d), above, though she was not licensed as
2 a real estate salesperson or broker.

3 iv. Respondents employed and/or compensated Ray
4 Villapando, Brenda Tellez and Ruby Figueroa (Sabiniano) to
5 perform some or all of the services alleged in Paragraph 12(e),
6 above, though they were not licensed as a salespersons or
7 brokers.

8 g. 10176(a)/10177(g) for intentionally authorizing,
9 continuing or participating in the integrated loan modification
10 scheme originated by the Pope entities and subsequently carried
11 on by and through unlicensed Loan Secure and NPSI, with LSI being
12 the payment terminus of homeowners trust funds in the form of
13 advance fees, including negligently engaging in the aforesaid, in
14 violation of Code Sections 10176(a) and/or 10177(g).

15 h. 10176(i)/10177(j) for fraud and dishonest dealing
16 in employing unlicensed persons as loan agents and loan
17 modification agents, loss mitigation agents, forensic audit
18 specialist(s) and examiners to solicit advance fees without an
19 advance fee agreement, in connection with loan modification
20 services provided to economically distressed homeowners including
21 but not limited to Jeanne Espinoza, Gerald L. Williams Sr., and
22 Robin Keller, Adell Hall, Gloria Sabiniano and Jacqueline Garcia;
23 and
24

25 i. 10159.5 and Regulation 2731, for using the
26 unlicensed fictitious business names of Loan Secure and NPS Today
27 to conduct activities requiring a real estate license.

1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against the license and license rights of Respondents LOAN
5 SECURE INC. and GEORGE PATRICK DAVIS, under the Real Estate Law
6 (Part 1 of vision 4 of the Business and Professions Code) and for
7 such other and further relief as may be proper under other
8 applicable provisions of law including but not limited to
9 Government Code Sections 11519 and 11519.1 of the Administrative
10 Procedure Act.

11 Dated at Los Angeles, California

12 this 1 day of October 2009.

13 
14 Deputy Real Estate Commissioner

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24 cc: Loan Secure Inc.
25 c/o George Patrick Davis D.O.
26 Robin Trujillo
27 Sacto
Audits - Zaky Wanis
Summer Bakotich