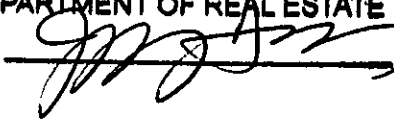


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1 Department of Real Estate  
2 320 West Fourth Street, Ste. 350  
3 Los Angeles, California 90013  
4  
5 Telephone: (213) 576-6982  
6  
7

**FILED**

DEC - 7 2009

DEPARTMENT OF REAL ESTATE  
BY: 

8 DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \* \* \*

11 To: ) No. H-36374 LA  
12 )  
13 MARLON ALEXANDER ALFARO; ) ORDER TO DESIST  
14 and DANDI, INC. ) AND REFRAIN  
15 ) (B&P Code Section 10086)  
16 )  
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17 The Commissioner ("Commissioner") of the California  
18 Department of Real Estate ("Department") caused an investigation  
19 to be made of the activities of MARLON ALEXANDER ALFARO  
20 ("ALFARO") and DANDI, INC. ("DANDI") and has determined that  
21 ALFARO and DANDI have engaged in or are engaging in acts or  
22 practices constituting violations of the California Business and  
23 Professions Code ("Code") and/or Title 10, California Code of  
24 Regulations ("Regulations") including engaging in the business  
25 of, acting in the capacity of, advertising, or assuming to act,  
26 as real estate broker in the State of California within the  
27 meaning of Section 10131(d) (soliciting borrowers or lenders or

1 negotiating loans) and Section 10131.2 (claiming advance fees in  
2 connection with a loan). Based on the findings of that  
3 investigation, as set forth below, the Commissioner hereby issues  
4 the following Findings of Fact and Desist and Refrain Order  
5 pursuant to Section 10086 of the Code.

6 FINDINGS OF FACT

7 1. ALFARO is presently licensed and/or has license  
8 rights under the Real Estate Law (Part 1 of Division 4 of the  
9 Code) as a real estate salesperson.

10 2. At no time herein mentioned has DANDI been  
11 licensed by the Department in any capacity.

12 3. At the time set forth below ALFARO and DANDI  
13 engaged in the business of, acted in the capacity of, or  
14 advertised a loan modification service and advance fee brokerage  
15 offering to perform and performing loan modification services  
16 with respect to loans which were secured by liens on real  
17 property for compensation or in expectation of compensation and  
18 for fees often collected in advance as well as at the conclusion  
19 of the transaction.  
20

21 a. In or around January, 2009, ALFARO and DANDI  
22 published or caused to be published an advertisement offering to  
23 perform loan modification services with respect to loans secured  
24 by liens on real property for compensation. The advertisement  
25 was mailed to recipients by use of the United States Postal  
26 Service.  
27

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1           b.    On or about January 30, 2009, Noe Armando  
2   Cristerna paid an advance fee of \$200 to ALFARO and DANDI. The  
3   advance fee was collected pursuant to the provisions of a  
4   written agreement pertaining to loan modification services to be  
5   provided with respect to a loan secured by the real property  
6   located at 563 N. Maple Avenue, Fontana, California 92336.

7           c.    On or about March 30, 2009, Cecilia Corrales paid  
8   an advance fee of \$750 to ALFARO and DANDI. The advance fee was  
9   collected pursuant to the provisions of a written agreement  
10   pertaining to loan modification services to be provided with  
11   respect to a loan secured by the real property located at 7932  
12   Summerlin Place, Rancho Cucamonga, California 91730.

13                           CONCLUSIONS OF LAW

14           4.    Based on the information contained in Paragraph  
15   3, above, ALFARO performed and/or participated in loan  
16   solicitation, negotiation and modification activities which  
17   require a real estate broker license under the provisions of  
18   Code Sections 10131(d) and 10131.2 during a period of time when  
19   ALFARO was not licensed by the Department as a real estate  
20   broker nor employed as a real estate salesperson by the broker  
21   on whose behalf the activities were performed in violation of  
22   Section 10130 of the Code.

24           5.    Based on the information contained in Paragraph  
25   3, above, DANDI performed and/or participated in loan  
26   solicitation, negotiation, and modification activities and  
27   advance fee handling which require a broker license under the

provision of Code Sections 10131(d) and 10131.2 during a period  
of time when it was not licensed by the Department as a real  
estate broker, in violation of Code Section 10130.

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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 MARLON ALEXANDER ALFARO and DANDI, INC., whether doing business under their own names, or any other names, or any fictitious name, ARE HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required. In particular each of them is ORDERED TO DESIST AND REFRAIN from:

1. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modifications, or any other form of mortgage loan forbearance service, in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6); and

2. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any other real estate related services offered by them to others.

DATED: 11-24, 2009.

JEFF DAVI  
Real Estate Commissioner

1 **Notice:** Business and Professions Code Section 10139 provides  
2 that "Any person acting as a real estate broker or real estate  
3 salesperson without a license or who advertises using words  
4 indicating that he or she is a real estate broker without being  
5 so licensed shall be guilty of a public offense punishable by a  
6 fine not exceeding twenty thousand dollars (\$20,000), or by  
7 imprisonment in the county jail for a term not to exceed six  
8 months, or by both fine and imprisonment; or if a corporation, be  
9 punished by a fine not exceeding sixty thousand dollars  
10 (\$60,000)."  
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22

23 cc: Marlon Alexander Alfaro  
24 7162 Westhaven Place  
25 Rancho Cucamonga, California 91739  
26  
27 Dandi, Inc.  
7162 Westhaven Place  
Rancho Cucamonga, California 91739