

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

4 Telephone: (213) 576-6982

**FILED**  
AUG - 4 2010  
DEPARTMENT OF REAL ESTATE

By C. J.

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \* \*

11 To:	)	No. H-36589 LA
	)	
12 SYNERGY MORTGAGE SOLUTIONS,	)	<u>AMENDED ORDER TO DESIST</u>
13 INC., doing business as	)	<u>AND REFRAIN</u>
14 First Premier Capital Lending;	)	
15 JUDI L. WOODS, individually,	)	(B&P Code Section 10086)
16 and as designated officer of	)	
17 Synergy Mortgage Solutions,	)	
18 Inc.; CHRISTOPHER ANTHONY	)	
19 ZARBO; OMAR SEGURA; FABIOLA	)	
20 TERESA PADILLA; MELISSA	)	
21 ESCOBAR; DIANA ORTIZ; DAVID	)	
22 JANSSEN; HUMBERTO CUEVAS;	)	
23 MELISSA HUGHBANKS; JOHN H.	)	
24 EVDJUKIAN; BEATRICE	)	
LANDAVERDE; JAY M. DAVIS;	)	
ANGELINA M. MONTOYA; GENO	)	
KIRKLAND; GAIL ROY PUNZALAN;	)	
JACKIE GARCIA; RICK RODRIGUEZ;	)	
RAMIRO MARTINEZ; SERGIO GOMEZ;	)	
ANDRES GONZALEZ; DAVID PEREZ;	)	
EDDIE VASQUEZ; WILL RUSH; and	)	
JODI GONZALEZ.	)	

25 The Commissioner ("Commissioner") of the California Department of Real Estate  
26 ("Department") caused an investigation to be made of the activities of SYNERGY MORTGAGE  
27 SOLUTIONS, INC. ("SYNERGY"), doing business as First Premier Capital Lending; JUDI L.

WOODS ("WOODS"), individually, and as designated officer of Synergy Mortgage Solutions, Inc.; CHRISTOPHER ANTHONY ZARBO; OMAR SEGURA; FABIOLA TERESA PADILLA; MELISSA ESCOBAR; DIANA ORTIZ; DAVID JANSSEN; HUMBERTO CUEVAS; MELISSA HUGHBANKS; JOHN H. EVDJUKIAN; BEATRICE LANDAVERDE; JAY M. DAVIS; ANGELINA M. MONTOYA; GENO KIRKLAND; GAIL ROY PUNZALAN; JACKIE GARCIA; RICK RODRIGUEZ; RAMIRO MARTINEZ; SERGIO GOMEZ; ANDRES GONZALEZ; DAVID PEREZ; EDDIE VASQUEZ; WILL RUSH; and JODI GONZALEZ and has determined that each of them engaged in or is engaging in acts or practices constituting violations of the California Business and Professions Code ("Code") and/or Title 10, California Code of Regulations ("Regulations") including engaging in the business of, acting in the capacity of, advertising, or assuming to act, as real estate brokers in the State of California within the meaning of Section 10131(d) (soliciting borrowers or lenders or negotiating loans) and Section 10131.2 (advance fee handling). Based on the findings of that investigation, as set forth below, the Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order pursuant to Section 10086 of the Code.

#### FINDINGS OF FACT

1. SYNERGY was licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Code) as a corporate real estate broker. On July 28, 2009, SYNERGY's real estate license expired. SYNERGY has renewal rights under Section 10201 of the Code. The Department retains jurisdiction pursuant to Section 10103 of the Code.

2. WOODS is presently licensed and/or has license rights under the Real Estate Law as a real estate broker. WOODS is the designated broker-officer for SYNERGY.

3. CHRISTOPHER ANTHONY ZARBO, OMAR SEGURA, and FABIOLA TERESA PADILLA, are presently licensed and/or have license rights under the Real Estate Law as real estate salespersons.

4. At no time herein mentioned have DAVID JANSSEN, HUMBERTO CUEVAS, MELISSA HUGHBANKS, MELISSA ESCOBAR, DIANA ORTIZ, JOHN H.

1 EVDJUKIAN, BEATRICE LANDAVERDE, JAY M. DAVIS, ANGELINA M. MONTOYA,  
2 GENO KIRKLAND, GAIL ROY PUNZALAN, JACKIE GARCIA, RICK RODRIGUEZ,  
3 RAMIRO MARTINEZ, SERGIO GOMEZ, ANDRES GONZALEZ, DAVID PEREZ, EDDIE  
4 VASQUEZ, WILL RUSH, and JODI GONZALEZ been licensed by the Department in any  
5 capacity.

6 5. Whenever acts referred to below are attributed to SYNERGY, those acts are  
7 alleged to have been done by SYNERGY, acting by itself, or by and/or through one or more  
8 agents, associates, affiliates, and/or co-conspirators, including but not limited to each of those  
9 named herein, and using the names First Premium Capital Lending Co., First Premium Capital  
10 Lending, First Premium Capital, and/or C.J. Financial & Consulting, LLC, or any fictitious name  
11 unknown at this time.

12 6. SYNERGY employed and/or compensated individuals, including those named  
13 herein, who were not licensed as real estate salespersons or as real estate brokers to perform  
14 some or all of the services alleged in Paragraph 9, below.

15 7. SYNERGY engaged in the business of claiming, demanding, charging,  
16 receiving, collecting or contracting for the collection of an advance fee, as defined by Code  
17 Section 10026, including but not limited to, the activities described in Paragraph 9, below.

18 8. SYNERGY failed to submit the advance fee agreements and advertising  
19 referred to in Paragraph 9, below, to the Commissioner ten days before using them.

20 9. At the times set forth below SYNERGY engaged in the business of, acted in  
21 the capacity of, or advertised a real estate loan service and advance fee brokerage offering to  
22 perform solicitation, negotiation and modification of loans secured by liens on real property for  
23 compensation or in expectation of compensation and for fees collected in advance including for,  
24 but not necessarily limited to, the following:

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<b><u>Date Rec'd</u></b>	<b><u>Borrower</u></b>	<b><u>Amt Collected</u></b>
07/30/2008	Glenda Wilson	\$1,500
09/11/2008	Marvin Randall Arnston	\$3,000
09/11/2008	Romelia Hidalgo	\$1,500
09/18/2008	Christie Zeen	\$1,500
09/22/2008	Paul & Linda M. Ruiz	\$1,500
10/04/2008	Palicarpia Paula Rodriguez	\$3,000
10/08/2008	Jessica & David Villegas	\$1,500
10/10/2008	Marisol Segovia	\$1,500
10/14/2008	Lazaro R. Arteaga	\$3,000
10/18/2008	Martha Bautista	\$1,500
10/27/2008	Alexander Wain	\$1,500
10/28/2008	Josefina Garcia-Magdaleno	\$1,500
10/31/2008	Maria Lourdes Guzman	\$3,000
11/02/2008	James C. Zammiello	\$4,500
11/06/2008	Guillermo Guevara	\$1,500
11/28/2008	Oscar Boyerman	\$1,500
12/04/2008	Isabel Reynoso	\$1,500
12/05/2008	Andrew Gilmor	\$1,500
12/09/2008	Tina Saravan	\$1,500
12/15/2008	Humberto Nunez	\$3,000
12/31/2008	Oscar L. Maldonado	\$6,000
01/27/2009	Evel Zepeda Valenzuela	\$2,000

02/12/2009	Victor & Claudia Villa	\$2,000
02/26/2009	Josephina & Cristino Quezada	\$2,000
03/10/2009	Steven Squires & Barbara Carrillo	\$2,000
03/29/2009	Keith Archibald	\$2,000

### CONCLUSIONS OF LAW

10. The activities described in Paragraph 9, above, require a real estate license under Section 10131(d) and Section 10131.2 of the Code.

11. Based on the information contained in Paragraphs 6 through 9, above, CHRISTOPHER ANTHONY ZARBO, OMAR SEGURA, FABIOLA TERESA PADILLA, MELISSA ESCOBAR, DIANA ORTIZ, DAVID JANSSEN, HUMBERTO CUEVAS, MELISSA HUGHBANKS, JOHN H. EVDJUKIAN, BEATRICE LANDAVERDE, JAY M. DAVIS, ANGELINA M. MONTOYA, GENO KIRKLAND, GAIL ROY PUNZALAN, JACKIE GARCIA, RICK RODRIGUEZ, RAMIRO MARTINEZ, SERGIO GOMEZ, ANDRES GONZALEZ, DAVID PEREZ, EDDIE VASQUEZ, WILL RUSH, and JODI GONZALEZ performed and/or participated in loan solicitation, negotiation and modification activities which require a real estate broker license under the provisions of Code Sections 10131(d) and 10131.2 during a period of time when none of them was licensed by the Department as a real estate broker nor employed as a real estate salesperson by the broker on whose behalf the activities were performed in violation of Section 10130 of the Code.

12. Based on the information contained in Paragraphs 6 and 9, above, SYNERGY violated Section 10137 of the Code by employing and/or compensating individuals who were not licensed as a real estate salesperson or as a broker to perform activities requiring a real estate license.

1                   13.     Based on the information contained in Paragraphs 7 and 9, above,  
2 SYNERGY collected fees pursuant to an agreement which constitutes an advance fee agreement  
3 within the meaning of Code Section 10085.

4                   14.     Based on the information contained in Paragraphs 7, 8, and 9, above, the  
5 failure by SYNERGY to submit the advance fee agreement and advertising to the  
6 Commissioner ten days before using it constitutes a violation of Code Section 10085 and  
7 Section 2970 of the Regulations.

8                                   DESIST AND REFRAIN ORDER  
9

10                   Based on the Findings of Fact and Conclusions of Law stated herein:

11                   1.     IT IS HEREBY ORDERED that SYNERGY MORTGAGE SOLUTIONS,  
12 INC. and JUDI L. WOODS, whether doing business under their own names, or any other  
13 fictitious name(s):

14                   (i)    Immediately desist and refrain from charging, demanding, claiming,  
15 collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code,  
16 in any form, and under any conditions, with respect to the performance of loan modification or  
17 any other form of mortgage loan forbearance services in connection with loans on residential  
18 property containing four or fewer dwelling units (Code Section 10085.6).

19                   (ii)   Immediately desist and refrain from charging, demanding, claiming,  
20 collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code,  
21 for any of the other real estate related services offered to others, unless and until SYNERGY  
22 MORTGAGE SOLUTIONS, INC. and JUDI L. WOODS, and each of them, demonstrate and  
23 provide evidence satisfactory to the Commissioner that each:

24                   (a) has an advance fee agreement which has been submitted to the Department  
25 and which is in compliance with Section 10085 of the Code and Section 2970 of the Regulations;  
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27

1 (b) has placed all previously collected advance fees into a trust account for that  
2 purpose and is in compliance with Section 10146 of the Code; and

3 (c) has provided an accounting to trust fund owner-beneficiaries from whom  
4 advance fees have previously been collected in compliance with Code Section 10146 and Section  
5 2972 of the Regulations.

6 2. SYNERGY MORTGAGE SOLUTIONS, INC. and JUDI L. WOODS  
7 immediately desist and refrain from employing or compensating any person for performing any  
8 act for which a real estate license is required unless that person is licensed as a real estate broker,  
9 or as a real estate salesperson licensed under the broker employing or compensating him/her. In  
10 particular, SYNERGY MORTGAGE SOLUTIONS, INC. and JUDI L. WOODS are ordered to  
11 desist and refrain from:  
12

13 (i) employing or compensating any person who does not hold a real estate license  
14 from soliciting borrowers and/or performing services for borrowers or lenders in connection with  
15 loans secured directly or collaterally by one or more liens on real property.  
16

17 3. IT IS HEREBY ORDERED that CHRISTOPHER ANTHONY ZARBO,  
18 OMAR SEGURA, FABIOLA TERESA PADILLA, MELISSA ESCOBAR, DIANA ORTIZ,  
19 DAVID JANSSEN, HUMBERTO CUEVAS, MELISSA HUGHBANKS, JOHN H.  
20 EVDJUKIAN, BEATRICE LANDAVERDE, JAY M. DAVIS, ANGELINA M. MONTOYA,  
21 GENO KIRKLAND, GAIL ROY PUNZALAN, JACKIE GARCIA, RICK RODRIGUEZ,  
22 RAMIRO MARTINEZ, SERGIO GOMEZ, ANDRES GONZALEZ, DAVID PEREZ, EDDIE  
23 VASQUEZ, WILL RUSH, and JODI GONZALEZ, whether doing business under their own  
24 names, or any other names, or any fictitious name, ARE HEREBY ORDERED to immediately  
25 desist and refrain from performing any acts within the State of California for which a real estate  
26 broker license is required. In particular each of them is ORDERED TO DESIST AND  
27

REFRAIN from:

(i) 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

(ii) 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: 7/21, 2010.

JEFF DAXI  
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: Synergy Mortgage Solutions, Inc. dba First Premier Capital Lending  
5777 W. Century Blvd., Ste 1590 500 N. Central Ave., #250  
Los Angeles, California 90045 Glendale, California 91203

Judi L. Woods Christopher Anthony Zarbo  
8117 W. Manchester Ave., #249 249 N. Brand Blvd., #424  
Playa Del Rey, California 90293 Glendale, California 91203



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Omar Segura  
7521 Simpson Ave., #114  
North Hollywood, California 91605

Melissa Escobar  
500 N. Central Ave., #250  
Glendale, California 91203

David Janssen  
500 N. Central Ave., #250  
Glendale, California 91203

Melissa Hughbanks  
500 N. Central Ave., #250  
Glendale, California 91203

Beatrice Landaverde  
500 N. Central Ave., #250  
Glendale, California 91203

Angelina M. Montoya  
500 N. Central Ave., #250  
Glendale, California 91203

Gail Roy Punzalan  
500 N. Central Ave., #250  
Glendale, California 91203

Rick Rodriguez  
500 N. Central Ave., #250  
Glendale, California 91203

Sergio Gomez  
500 N. Central Ave., #250  
Glendale, California 91203

David Perez  
500 N. Central Ave., #250  
Glendale, California 91203

Will Rush  
500 N. Central Ave., #250  
Glendale, California 91203

Fabiola Teresa Padilla  
830 E. Lincoln Ave.  
Orange, California 92865

Diana Ortiz  
500 N. Central Ave., #250  
Glendale, California 91203

Humberto Cuevas  
500 N. Central Ave., #250  
Glendale, California 91203

John H. Evdjukian  
500 N. Central Ave., #250  
Glendale, California 91203

Jay M. Davis  
500 N. Central Ave., #250  
Glendale, California 91203

Geno Kirkland  
500 N. Central Ave., #250  
Glendale, California 91203

Jackie Garcia  
500 N. Central Ave., #250  
Glendale, California 91203

Ramiro Martinez  
500 N. Central Ave., #250  
Glendale, California 91203

Andres Gonzalez  
500 N. Central Ave., #250  
Glendale, California 91203

Eddie Vasquez  
500 N. Central Ave., #250  
Glendale, California 91203

Jodi Gonzalez  
500 N. Central Ave., #250  
Glendale, California 91203

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

Telephone: (213) 576-6982

**FILED**  
**JUN 29 2010**  
DEPARTMENT OF REAL ESTATE

By [Signature]

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \* \*

To: ) No. H-36589 LA  
)  
SYNERGY MORTGAGE SOLUTIONS, ) ORDER TO DESIST  
INC., doing business as ) AND REFRAIN  
First Premier Capital Lending;) (B&P Code Section 10086)  
JUDI L. WOODS, individually, )  
and as designated officer of )  
Synergy Mortgage Solutions, )  
Inc.; CHRISTOPHER ANTHONY )  
ZARBO; OMAR SEGURA; FABIOLA )  
TERESA PADILLA; MELISSA MARINA)  
ESCOBAR; DIANA ORTIZ; DAVID )  
JANSSEN; HUMBERTO CUEVAS; )  
MELISSA HUGHBANKS; JOHN H. )  
EVDJUKIAN; BEATRICE )  
LANDAVERDE; JAY M. DAVIS; )  
ANGELINA M. MONTOYA; GENO )  
KIRKLAND; GAIL ROY PUNZALAN; )  
JACKIE GARCIA; RICK RODRIGUEZ;) )  
RAMIRO MARTINEZ; SERGIO GOMEZ;) )  
ANDRES GONZALEZ; DAVID PEREZ; )  
EDDIE VASQUEZ; WILL RUSH; and )  
JODI GONZALEZ. )

DISMISSAL

On April 19, 2010, the Department of Real Estate  
("Department") filed an Order to Desist and Refrain against  
MELISSA MARINA ESCOBAR in Department Case No. H-36589 LA. Good

1 cause has been shown that MELISSA MARINA ESCOBAR with Department  
2 License No. 01781721 did not commit the acts set forth in the  
3 aforementioned Order to Desist and Refrain. Based thereon, the  
4 Order to Desist and Refrain filed on April 19, 2010, against  
5 MELISSA MARINA ESCOBAR with Department License No. 01781721 is  
6 DISMISSED.

7  
8 DATED: 6/23, 2010.

9 JEFF DAVIS  
10 Real Estate Commissioner  
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24 cc: Melissa Marina Escobar  
25 23330 Cowie Avenue  
26 Perris, California 92570  
27  
Lake Perris Mortgage Co.  
425 W. Rider Street #A-1  
Perris, California 92571

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

3 Telephone: (213) 576-6982

**FILED**  
JUN - 9 2010  
DEPARTMENT OF REAL ESTATE

By         

7 DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 \* \* \* \* \*

10 To: ) No. H-36589 LA  
11 )  
12 SYNERGY MORTGAGE SOLUTIONS, ) ORDER TO DESIST  
INC., doing business as ) AND REFRAIN  
13 First Premier Capital Lending;) (B&P Code Section 10086)  
JUDI L. WOODS, individually, )  
14 and as designated officer of )  
Synergy Mortgage Solutions, )  
15 Inc.; CHRISTOPHER ANTHONY )  
ZARBO; OMAR SEGURA; FABIOLA )  
16 TERESA PADILLA; MELISSA MARINA )  
ESCOBAR; DIANA ORTIZ; DAVID )  
17 JANSSEN; HUMBERTO CUEVAS; )  
MELISSA HUGHBANKS; JOHN H. )  
18 EVDJUKIAN; BEATRICE )  
LANDAVERDE; JAY M. DAVIS; )  
19 ANGELINA M. MONTOYA; GENO )  
KIRKLAND; GAIL ROY PUNZALAN; )  
20 JACKIE GARCIA; RICK RODRIGUEZ; )  
RAMIRO MARTINEZ; SERGIO GOMEZ; )  
21 ANDRES GONZALEZ; DAVID PEREZ; )  
22 EDDIE VASQUEZ; WILL RUSH; and )  
23 JODI GONZALEZ. )

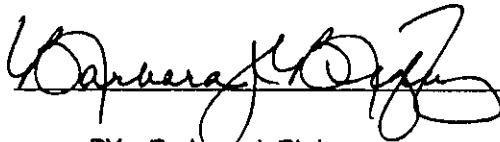
24 DISMISSAL

25 On April 19, 2010, the Department of Real Estate  
26 ("Department") filed an Order to Desist and Refrain against  
27 DIANA ORTIZ in Department Case No. H-36589 LA. Good cause has

1 been shown that DIANA ORTIZ with Department License No. 01712481  
2 did not commit the acts set forth in the aforementioned Order to  
3 Desist and Refrain. Based thereon, the Order to Desist and  
4 Refrain filed on April 19, 2010, against DIANA ORTIZ with  
5 Department License No. 01712481 is DISMISSED.

6  
7 DATED: 6/1, 2010.

8 JEFF DAVI  
9 Real Estate Commissioner

10   
11

12 BY: Barbara J. Bigby  
13 Chief Deputy Commissioner  
14  
15  
16  
17  
18  
19  
20  
21  
22

23 cc: Diana Ortiz  
24 20553 San Gabriel Valley Dr.  
25 Walnut, California 91789

26 Kwame J. Cranderson/Flagship Realty, Inc.  
27 1074 Park View Drive, Suite 201  
Covina, California 91724

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

4 Telephone: (213) 576-6982

**FILED**

APR 19 2010

DEPARTMENT OF REAL ESTATE

BY: cm

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \* \*

11 To: ) No. H-36589 LA  
12 )  
12 SYNERGY MORTGAGE SOLUTIONS, ) ORDER TO DESIST  
INC., doing business as ) AND REFRAIN  
13 First Premier Capital Lending;) (B&P Code Section 10086)  
JUDI L. WOODS, individually, )  
14 and as designated officer of )  
Synergy Mortgage Solutions, )  
15 Inc.; CHRISTOPHER ANTHONY )  
ZARBO; OMAR SEGURA; FABIOLA )  
16 TERESA PADILLA; MELISSA MARINA )  
ESCOBAR; DIANA ORTIZ; DAVID )  
17 JANSSEN; HUMBERTO CUEVAS; )  
MELISSA HUGHBANKS; JOHN H. )  
18 EVDJUKIAN; BEATRICE )  
LANDAVERDE; JAY M. DAVIS; )  
19 ANGELINA M. MONTOYA; GENO )  
KIRKLAND; GAIL ROY PUNZALAN; )  
20 JACKIE GARCIA; RICK RODRIGUEZ; )  
RAMIRO MARTINEZ; SERGIO GOMEZ; )  
21 ANDRES GONZALEZ; DAVID PEREZ; )  
EDDIE VASQUEZ; WILL RUSH; and )  
22 JODI GONZALEZ. )

23  
24 The Commissioner ("Commissioner") of the California  
25 Department of Real Estate ("Department") caused an investigation  
26 to be made of the activities of SYNERGY MORTGAGE SOLUTIONS, INC.  
27 ("SYNERGY"), doing business as First Premier Capital Lending;

1 JUDI L. WOODS ("WOODS"), individually, and as designated officer  
2 of Synergy Mortgage Solutions, Inc.; CHRISTOPHER ANTHONY ZARBO;  
3 OMAR SEGURA; FABIOLA TERESA PADILLA; MELISSA MARINO ESCOBAR;  
4 DIANA ORTIZ; DAVID JANSSEN; HUMBERTO CUEVAS; MELISSA HUGHBANKS;  
5 JOHN H. EVDJUKIAN; BEATRICE LANDAVERDE; JAY M. DAVIS; ANGELINA  
6 M. MONTOYA; GENO KIRKLAND; GAIL ROY PUNZALAN; JACKIE GARCIA;  
7 RICK RODRIGUEZ; RAMIRO MARTINEZ; SERGIO GOMEZ; ANDRES GONZALEZ;  
8 DAVID PEREZ; EDDIE VASQUEZ; WILL RUSH; and JODI GONZALEZ and has  
9 determined that each of them engaged in or is engaging in acts  
10 or practices constituting violations of the California Business  
11 and Professions Code ("Code") and/or Title 10, California Code  
12 of Regulations ("Regulations") including engaging in the  
13 business of, acting in the capacity of, advertising, or assuming  
14 to act, as real estate brokers in the State of California within  
15 the meaning of Section 10131(d) (soliciting borrowers or lenders  
16 or negotiating loans) and Section 10131.2 (advance fee  
17 handling). Based on the findings of that investigation, as set  
18 forth below, the Commissioner hereby issues the following  
19 Findings of Fact and Desist and Refrain Order pursuant to  
20 Section 10086 of the Code.

21 FINDINGS OF FACT

22 1. SYNERGY was licensed and/or has license rights  
23 under the Real Estate Law (Part 1 of Division 4 of the Code) as  
24 a corporate real estate broker. On July 28, 2009, SYNERGY's  
25 real estate license expired. SYNERGY has renewal rights under  
26 Section 10201 of the Code. The Department retains jurisdiction  
27 pursuant to Section 10103 of the Code.

1           2. WOODS is presently licensed and/or has license  
2 rights under the Real Estate Law as a real estate broker. WOODS  
3 is the designated broker-officer for SYNERGY.

4           3. CHRISTOPHER ANTHONY ZARBO, OMAR SEGURA, FABIOLA  
5 TERESA PADILLA, MELISSA MARINA ESCOBAR, and DIANA ORTIZ, are  
6 presently licensed and/or have license rights under the Real  
7 Estate Law as real estate salespersons.

8           4. At no time herein mentioned have DAVID JANSSEN,  
9 HUMBERTO CUEVAS, MELISSA HUGHBANKS, JOHN H. EVDJUKIAN, BEATRICE  
10 LANDAVERDE, JAY M. DAVIS, ANGELINA M. MONTOYA, GENO KIRKLAND,  
11 GAIL ROY PUNZALAN, JACKIE GARCIA, RICK RODRIGUEZ, RAMIRO  
12 MARTINEZ, SERGIO GOMEZ, ANDRES GONZALEZ, DAVID PEREZ, EDDIE  
13 VASQUEZ, WILL RUSH, and JODI GONZALEZ been licensed by the  
14 Department in any capacity.

15           5. Whenever acts referred to below are attributed to  
16 SYNERGY, those acts are alleged to have been done by SYNERGY,  
17 acting by itself, or by and/or through one or more agents,  
18 associates, affiliates, and/or co-conspirators, including but  
19 not limited to each of those named herein, and using the names  
20 First Premium Capital Lending Co., First Premium Capital  
21 Lending, First Premium Capital, and/or C.J. Financial &  
22 Consulting, LLC, or any fictitious name unknown at this time.

23           6. SYNERGY employed and/or compensated individuals,  
24 including those named herein, who were not licensed as real  
25 estate salespersons or as real estate brokers to perform some or  
26 all of the services alleged in Paragraph 9, below.

27           7. SYNERGY engaged in the business of claiming,



1 demanding, charging, receiving, collecting or contracting for  
2 the collection of an advance fee, as defined by Code Section  
3 10026, including but not limited to, the activities described in  
4 Paragraph 9, below.

5 8. SYNERGY failed to submit the advance fee  
6 agreements and advertising referred to in Paragraph 9, below, to  
7 the Commissioner ten days before using them.

8 9. At the times set forth below SYNERGY engaged in  
9 the business of, acted in the capacity of, or advertised a real  
10 estate loan service and advance fee brokerage offering to  
11 perform solicitation, negotiation and modification of loans  
12 secured by liens on real property for compensation or in  
13 expectation of compensation and for fees collected in advance  
14 including for, but not necessarily limited to, the following:

<u>Date Rec'd</u>	<u>Borrower</u>	<u>Amt Collected</u>
07/30/2008	Glenda Wilson	\$1,500
09/11/2008	Marvin Randall Arnston	\$3,000
09/11/2008	Romelia Hidalgo	\$1,500
09/18/2008	Christie Zeen	\$1,500
09/22/2008	Paul & Linda M. Ruiz	\$1,500
10/04/2008	Palicarpia Paula Rodriguez	\$3,000
10/08/2008	Jessica & David Villegas	\$1,500
10/10/2008	Marisol Segovia	\$1,500
10/14/2008	Lazaro R. Arteaga	\$3,000
10/18/2008	Martha Bautista	\$1,500
10/27/2008	Alexander Wain	\$1,500
10/28/2008	Josefina Garcia-Magdaleno	\$1,500

1	10/31/2008	Maria Lourdes Guzman	\$3,000
2	11/02/2008	James C. Zammiello	\$4,500
3	11/06/2008	Guillermo Guevara	\$1,500
4	11/28/2008	Oscar Boyerman	\$1,500
5	12/04/2008	Isabel Reynoso	\$1,500
6	12/05/2008	Andrew Gilmor	\$1,500
7	12/09/2008	Tina Saravan	\$1,500
8	12/15/2008	Humberto Nunez	\$3,000
9	12/31/2008	Oscar L. Maldonado	\$6,000
10	01/27/2009	Evel Zepeda Valenzuela	\$2,000
11	02/12/2009	Victor & Claudia Villa	\$2,000
12	02/26/2009	Josephina & Cristino Quezada	\$2,000
13	03/10/2009	Steven Squires & Barbara Carrillo	\$2,000
14	03/29/2009	Keith Archibald	\$2,000

#### CONCLUSIONS OF LAW

10. The activities described in Paragraph 9, above, require a real estate license under Section 10131(d) and Section 10131.2 of the Code.

11. Based on the information contained in Paragraphs 6 through 9, above, CHRISTOPHER ANTHONY ZARBO, OMAR SEGURA, FABIOLA TERESA PADILLA, MELISSA MARINA ESCOBAR, DIANA ORTIZ, DAVID JANSSEN, HUMBERTO CUEVAS, MELISSA HUGHBANKS, JOHN H. EVDJUKIAN, BEATRICE LANDAVERDE, JAY M. DAVIS, ANGELINA M. MONTOYA, GENO KIRKLAND, GAIL ROY PUNZALAN, JACKIE GARCIA, RICK RODRIGUEZ, RAMIRO MARTINEZ, SERGIO GOMEZ, ANDRES GONZALEZ, DAVID PEREZ, EDDIE VASQUEZ, WILL RUSH, and JODI GONZALEZ performed

1 and/or participated in loan solicitation, negotiation and  
2 modification activities which require a real estate broker  
3 license under the provisions of Code Sections 10131(d) and  
4 10131.2 during a period of time when none of them was licensed  
5 by the Department as a real estate broker nor employed as a real  
6 estate salesperson by the broker on whose behalf the activities  
7 were performed in violation of Section 10130 of the Code.

8 12. Based on the information contained in Paragraphs  
9 6 and 9, above, SYNERGY violated Section 10137 of the Code by  
10 employing and/or compensating individuals who were not licensed  
11 as a real estate salesperson or as a broker to perform  
12 activities requiring a real estate license.

13 13. Based on the information contained in Paragraphs  
14 7 and 9, above, SYNERGY collected fees pursuant to an agreement  
15 which constitutes an advance fee agreement within the meaning of  
16 Code Section 10085.

17 14. Based on the information contained in Paragraphs  
18 7, 8, and 9, above, the failure by SYNERGY to submit the advance  
19 fee agreement and advertising to the Commissioner ten days  
20 before using it constitutes a violation of Code Section 10085  
21 and Section 2970 of the Regulations.

22 DESIST AND REFRAIN ORDER

23 Based on the Findings of Fact and Conclusions of Law  
24 stated herein:

25 1. IT IS HEREBY ORDERED that SYNERGY MORTGAGE  
26 SOLUTIONS, INC. and JUDI L. WOODS, whether doing business under  
27 their own names, or any other fictitious name(s):

1 (i) Immediately desist and refrain from charging,  
2 demanding, claiming, collecting and/or receiving advance fees,  
3 as that term is defined in Section 10026 of the Code, in any  
4 form, and under any conditions, with respect to the performance  
5 of loan modification or any other form of mortgage loan  
6 forbearance services in connection with loans on residential  
7 property containing four or fewer dwelling units (Code Section  
8 10085.6).

9 (ii) Immediately desist and refrain from charging,  
10 demanding, claiming, collecting and/or receiving advance fees,  
11 as that term is defined in Section 10026 of the Code, for any of  
12 the other real estate related services offered to others, unless  
13 and until SYNERGY MORTGAGE SOLUTIONS, INC. and JUDI L. WOODS,  
14 and each of them, demonstrate and provide evidence satisfactory  
15 to the Commissioner that each:

16 (a) has an advance fee agreement which has been  
17 submitted to the Department and which is in compliance with  
18 Section 10085 of the Code and Section 2970 of the Regulations;

19 (b) has placed all previously collected advance fees  
20 into a trust account for that purpose and is in compliance with  
21 Section 10146 of the Code; and

22 (c) has provided an accounting to trust fund owner-  
23 beneficiaries from whom advance fees have previously been  
24 collected in compliance with Code Section 10146 and Section 2972  
25 of the Regulations.

26 2. SYNERGY MORTGAGE SOLUTIONS, INC. and JUDI L.  
27 WOODS immediately desist and refrain from employing or  
compensating any person for performing any act for which a real

1 estate license is required unless that person is licensed as a  
2 real estate broker, or as a real estate salesperson licensed  
3 under the broker employing or compensating him/her. In  
4 particular, SYNERGY MORTGAGE SOLUTIONS, INC. and JUDI L. WOODS  
5 are ordered to desist and refrain from:

6 (i) employing or compensating any person who does not  
7 hold a real estate license from soliciting borrowers and/or  
8 performing services for borrowers or lenders in connection with  
9 loans secured directly or collaterally by one or more liens on  
10 real property.

11 3. IT IS HEREBY ORDERED that CHRISTOPHER ANTHONY  
12 ZARBO, OMAR SEGURA, FABIOLA TERESA PADILLA, MELISSA MARINA  
13 ESCOBAR, DIANA ORTIZ, DAVID JANSSEN, HUMBERTO CUEVAS, MELISSA  
14 HUGHBANKS, JOHN H. EVDJUKIAN, BEATRICE LANDAVERDE, JAY M. DAVIS,  
15 ANGELINA M. MONTOYA, GENO KIRKLAND, GAIL ROY PUNZALAN, JACKIE  
16 GARCIA, RICK RODRIGUEZ, RAMIRO MARTINEZ, SERGIO GOMEZ, ANDRES  
17 GONZALEZ, DAVID PEREZ, EDDIE VASQUEZ, WILL RUSH, and JODI  
18 GONZALEZ, whether doing business under their own names, or any  
19 other names, or any fictitious name, ARE HEREBY ORDERED to  
20 immediately desist and refrain from performing any acts within  
21 the State of California for which a real estate broker license  
22 is required. In particular each of them is ORDERED TO DESIST  
23 AND REFRAIN from:

24 (i) charging, demanding, claiming, collecting and/or  
25 receiving advance fees, as that term is defined in Section 10026  
26 of the Code, in any form, and under any conditions, with respect  
27 to the performance of loan modifications or any other form of  
mortgage loan forbearance service in connection with loans on

1 residential property containing four or fewer dwelling units  
2 (Code Section 10085.6); and

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

7 DATED: 3/25, 2010.

8 JEFF DAVIS  
9 Real Estate Commissioner  
10  
11  
12  
13

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 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  
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)."

19 cc: Synergy Mortgage Solutions, Inc. dba First Premier Capital Lending  
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