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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Department of Real Estate 320 West 4th Street, Suite 350 Los Angeles, California 90013-1105 Telephone: (213) 576-6982 BEFORE THE DEPARTMENT OF REAL ESTATE By BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA ***** To:
17 18 19 20 21 22 23 24 25 26 27	The Commissioner ("Commissioner") of the California Department of Real Estate ("Department") caused an investigation to be made of the activities of CAPITALWIDE FINANCIAL, INC. ("CWFI") and ARIEL CAMAS ("CAMAS"). Based on that investigation the Commissioner has determined that CWFI and CAMAS have engaged in or are engaging in acts or are attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming to act as real estate brokers in the State of California within the meaning of Business and Professions Code Sections 10131(d) (soliciting, negotiating and performing services for borrowers in connection with loans secured by real property) and 10131.2 (advance fee handling). In addition, based on that investigation, the Commissioner has determined that CWFI and CAMAS have engaged in or are engaging in acts or are attempting to engage -1 -

1	practices constituting violations of the California Business and Professions Code ("Code")
2	and/or Title 10, California Code of Regulations ("Regulations"). Based on the findings of that
3	investigation, set forth below, the Commissioner hereby issues the following Findings of Fact,
4	Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the
5	Code.
6	FINDINGS OF FACT
7	1. CWCL is represently licensed and/or her license rights under the Real Fisters
8	1. CWFI is presently licensed and/or has license rights under the Real Estate
9	Law, Part 1 of Division 4 of the Code, as a real estate corporation.
10	2. CAMAS is not now, and has never been, licensed by the Department in any
11	capacity.
12	3. At the time set forth below CWFI and CAMAS solicited borrowers and
13	negotiated to do one or more of the following acts for another or others, for or in expectation of
14	compensation: engaged in the business of, acted in the capacity of, or advertised a loan
15	modification and negotiation service and advance fee brokerage using the name "Capitalwide
16	Financial, Inc." soliciting, offering to negotiate or perform loan modification services with
17	respect to loans which were secured by liens on real property for compensation or in
18	expectation of compensation and for fees collected in advance of the transaction.
19	4. In or about August, 2008, CWFI employed CAMAS to obtain clients for
20	CWFI's loan modification and negotiation services.
21	5. On or about August 25, 2008, CAMAS, as a representative of CWFI, entered
22	into an agreement with Jose M. for loan modification and negotiation services on Jose M.'s
23	existing mortgage on his home located in the City of Los Angeles, California.
24	6. On or about August 25, 2008, and on or about September 5, 2008, CAMAS,
25	as a representative of CWF1, demanded and received a total advance fee of \$3,500 from Jose M
26	for the activities described in Paragraph 5, above.
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1	CONCLUSIONS OF LAW	
2	7. Based on the information contained in Paragraphs 1 through 6, above, CWFI	
3	violated Section 10085 of the Code and Regulation 2970, by not having an approved advance	
4	fee agreement on file with the Department.	
5	8. Based on the information contained in Paragraphs 1 through 6, above, CWFI	
6	violated Code Section 10137 of the Code by employing and/or compensating individuals who	
7	were not licensed as a real estate salesperson or as a broker to perform activities requiring a real	
8	estate license.	
9 .	9. Based on the information contained in Paragraphs 1 through 6, above,	
10	CAMAS violated Section 10130 of the Code by engaging in the activities without first obtaining	l
- 11	a broker license from the Department.	
12	DESIST AND REFRAIN ORDER	
13	Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated	
14	herein, it is hereby ordered that:	
15	(A) CAPITALWIDE FINANCIAL, INC., immediately desist and refrain	
16	from: employing and/or compensating individuals who are not licensed	
17	as a real estate salesperson or as a broker to perform activities requiring a	
18	real estate license.	
19	(B) ARIEL CAMAS immediately desist and refrain from: performing any	
20	acts within the State of California for which a real estate broker license is	
21	required, unless you are so licensed.	
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23	11/	
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IT IS FURTHER ORDERED THAT CAPITALWIDE FINANCIAL, INC. immediately 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 modification or any other form of mortgage loan forbearance services in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6).

 Charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any of the other real estate related services offered to others, unless and until CAPITALWIDE FINANCIAL, INC. demonstrates and provides evidence satisfactory to the Commissioner it:

- (a) has an advance fee agreement which has been submitted to the Department and which is in compliance with Section 10085 of the Code and Section 2970 of the Regulations;
- (b) has placed all previously collected advance fees into a trust account for that purpose and is in compliance with Section 10146 of the Code; and
- (c) has provided an accounting to trust fund owner-beneficiaries from whom advance fees have previously been collected in compliance with Section 10146 of the Code and Section 2972 of the Regulations.

IT IS FURTHER ORDERED THAT ARIEL CAMAS immediately desist and

23 || refrain from:

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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

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1	residential property containing four or fewer dwelling units (Code Section	
2	10085.6); and	
3	2. charging, demanding, claiming, collecting and/or receiving advance fees, as	
4	that term is defined in Section 10026 of the Code, for any other real estate	
5	related services offered by them to others.	
6	DATED:, 2010.	
7		
8	JEFF DAVI Real Estate Commissioner	
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10	Carous Daker	
11	BY: Barbara, Bigby	
12	Chief Deputy Commissioner	
13	Notice: Business and Professions Code Section 10139 provides that "Any person acting as a	
14	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	
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16	imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars	
17	(\$60,000)."	
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19		
20	cc: Capitalwide Financial, Inc.	
21	9753 Comanche Avenue	
22	Chatsworth, CA 91311	
23	Ariel Camas 9753 Comanche Avenue	
24	Chatsworth, CA 91311	
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