

FILED

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1 Department of Real Estate
2 320 West Fourth St. #350
3 Los Angeles, CA 90013

DEPARTMENT OF REAL ESTATE
BY: *Shirley Kaleni*

4 (213) 576-6982

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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

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11 To:) No. H-37525 LA
12 IRA BRITTON, dba Mortgage Relief Group,) ORDER TO DESIST
13 and dba Loss Mitigation Service.) AND REFRAIN
14) (B&P Code Section 10086)

15 The Real Estate Commissioner of the State of California ("Commissioner") has
16 caused an investigation to be made of the activities of IRA BRITTON, dba Mortgage Relief
17 Group, and dba Loss Mitigation Service. Based on that investigation, the Commissioner has
18 determined that IRA BRITTON, dba Mortgage Relief Group, and dba Loss Mitigation Service,
19 has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting
20 violations of the California Business and Professions Code ("Code"), including acting in the
21 capacity of, advertising and/or assuming to act as a real estate broker in the State of California
22 within the meaning of Code Sections 10131(d) (advertising, soliciting borrowers for, and
23 offering to perform loan modification services for distressed homeowners) and 10131.2
24 (collecting advance fees in connection with those services). Based on that investigation, the
25 Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and
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1 Refrain Order under the authority of Section 10086 of the Code.

2 FINDINGS OF FACT

3 1. IRA BRITTON, dba Mortgage Relief Group, and dba Loss Mitigation Service
4 ("BRITTON"), is not now and has never been licensed by the Department as a real estate broker
5 or as a salesperson employed by a broker.

6 2. All further references to BRITTON include acts done by himself, or by one or
7 more of his employees, agents, associates, affiliates and/or co-conspirators.

8 3. Beginning at a time on or before October 6, 2008, and continuing through on
9 or after September 17, 2009, BRITTON advertised, solicited and offered loan modification and
10 related foreclosure relief services to consumers in California, and collected advance fees for
11 those services. The loan modification services offered included negotiating with lenders on
12 behalf of borrowers to refinance or modify the terms of mortgage loans, and to prevent
13 foreclosure.
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15 4. On or about October 6, 2008, BRITTON filed a Fictitious Business Name
16 Statement in the Orange County Recorder's office indicating that as of that date, he was doing
17 business as Mortgage Relief Group, and as Loss Mitigation Service, located at 422 Enclave
18 Circle, Suite 109, Costa Mesa, CA 92626.

19 5. On or before November 25, 2008, BRITTON solicited borrower Judi B.
20 ("Borrower"), and offered to provide loan modification and loss mitigation services in relation to
21 mortgage loans secured by property she owned at 2410 Scenic Hwy 98, Destin, Florida, 32550.
22 The solicitation and further communications were through an internet website and web address
23 located at www.MtgReliefGroup.com.
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25 6. On or about January 12, 2009, BRITTON collected an upfront advance fee of
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1 \$2,485.00 from Judi B. for loan services. Over the next nine months, BRITTON and his
2 associates were in regular communication with Judi B., collecting financial information from
3 her, and representing to her that they were working on obtaining a modification of the terms of
4 her mortgage loans for her.

5 7. BRITTON and his associates did not obtain a modification of the terms of Judi
6 B.'s mortgage loans and did not provide her with any demonstrable services at all. He refused to
7 refund her money.

8 CONCLUSIONS OF LAW

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10 The conduct, acts and/or omissions of IRA BRITTON doing business as
11 Mortgage Relief Group and doing business as Loss Mitigation Service, as set forth in the
12 Findings of Fact above, when not licensed by the Department as a real estate broker or as a
13 salesperson employed by a real estate broker licensed by the Department, was in violation of
14 Code Section 10130.

15 DESIST AND REFRAIN ORDER

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17 Based on the Findings of Fact and Conclusions of Law stated herein, you,
18 IRA BRITTON, whether doing business under your own name, or any other names, or fictitious
19 names, ARE HEREBY ORDERED to immediately desist and refrain from performing activities
20 requiring a real estate license, including:

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

1 (ii) charging, demanding, or collecting a fee for any of the services you offer to
2 others, unless and until you obtain a real estate broker license issued by the Department, and
3 until you demonstrate and provide evidence satisfactory to the Commissioner that you are in full
4 compliance with all of the requirements of the Code and Commissioner's Regulations relating to
5 charging, collecting, and accounting for fees.
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8 DATED: 9/7, 2011

9 BARBARA J. BIGBY
10 Acting Real Estate Commissioner

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

22 cc: Ira Britton
23 dba Mortgage Relief Group
24 dba Loss Mitigation Service
25 422 Enclave Circle, Suite 109
26 Costa Mesa, CA 92626

27 Ira Britton
dba Mortgage Relief Group
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620 Newport Center Dr., #1100
Newport Beach, CA 92660