

FILED

OCT 19 2011

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105

DEPARTMENT OF REAL ESTATE
BY: *Guadalupe Valencia*

7 BEFORE THE DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 * * * *

11 To:)	No. H-37602 LA
)	
12 GJH EXECUTIVE CONSULTING,)	<u>ORDER TO DESIST</u>
13 INC. and VALENTINE GARCIA)	<u>AND REFRAIN</u>
)	
)	(B&P Code Section 10086)

15 The Commissioner ("Commissioner") of the California Department of Real Estate
16 ("Department") caused an investigation to be made of the activities of GJH EXECUTIVE
17 CONSULTING, INC. ("GJH") and VALENTINE GARCIA ("GARCIA"). Based on that
18 investigation, the Commissioner has determined that GJH and GARCIA have engaged in, or are
19 engaging in acts, or are attempting to engage in the business of, acting in the capacity of, and/or
20 assuming to act as real estate brokers in the State of California within the meaning of Business
21 and Professions Code Sections 10131(d) (soliciting, negotiating and performing services for
22 borrowers in connection with loans secured by real property) and 10131.2 (advance fee
23 handling).

24 In addition, based on that investigation, the Commissioner has determined that
25 GJH and GARCIA have engaged in or are engaging in acts or are attempting to engage in
26 practices constituting violations of the California Business and Professions Code ("Code")
27

1 and/or Title 10, California Code of Regulations ("Regulations"). Based on the findings of that
2 investigation, set forth below, the Commissioner hereby issues the following Findings of Fact,
3 Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the
4 Code.

5 FINDINGS OF FACT

6 1. GJH and GARCIA are not now, and have never been, licensed by the
7 Department in any capacity.

8 2. At the times set forth below GJH and GARCIA negotiated to do one or more
9 of the following acts for another or others, for or in expectation of compensation: engaged in the
10 business of, acted in the capacity of, or solicited borrowers for a loan modification and
11 negotiation service and advance fee brokerage with respect to loans which were secured by liens
12 on real property for compensation or in expectation of compensation and for fees collected in
13 advance of the transaction.

14 Juan G. Transaction

15 3. On or about June 10, 2008, GARCIA offered to negotiate a modification on
16 Juan G.'s home mortgage loan, in exchange for an advance fee of \$2,000 payable to GJH . On
17 June 20, 2006, Juan G. gave GARCIA a \$2,000 check addressed to GJH as an advance fee for a
18 loan modification.

19 CONCLUSIONS OF LAW

20 4. Based on the information contained in Paragraphs 1 through 3 above, GJH
21 and GARCIA violated Code Section 10130 by engaging in activities requiring broker licenses
22 without first obtaining broker licenses from the Department.

23 DESIST AND REFRAIN ORDER

24 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated
25 herein, it is hereby ordered that:

26 (A) GJH EXECUTIVE CONSULTING, INC., immediately desist and refrain
27 from: performing any acts within the State of California for which a real

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

estate broker license is required, unless you are so licensed.

(B) VALENTINE GARCIA immediately desist and refrain from: performing any acts within the State of California for which a real estate broker license is required, unless you are so licensed.

IT IS FURTHER ORDERED THAT GJH EXECUTIVE CONSULTING, INC. and VALENTINE GARCIA 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.
2. 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 they demonstrate and provide evidence satisfactory to the Commissioner that they:
 - (a) have 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) have 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) have 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.

///
///
///
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

DATED: 10/11, 2011.

BARBARA J. BIGBY
Acting 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: GJH EXECUTIVE CONSULTING, INC.
6616 Walker Ave. Suite 32
Bell, CA 90201

VALENTINE GARCIA
13020 Bailey Street
Whittier, CA 90601