

**FILED**

JAN 28 2013

DEPARTMENT OF REAL ESTATE  
BY: Jana B. Alon

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-37845 LA
	)	
<u>AMERICAN DREAM LOANS INC</u> , MARIA ELENA	)	
DE BERNARDO and LEONEL B. MOLINA,	)	
individually, and as former designated	)	
officers of American Dream Loans Inc,	)	
	)	
<u>Respondents.</u>	)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on January 7, 2013 and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

1.

On February 8, 2012, Robin Trujillo made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed by certified mail, return receipt requested, and by regular mail to AMERICAN DREAM LOANS INC's ("ADLI") last known mailing address on file with the California Department of Real Estate ("Department") on February 9, 2012. An individual named "Cristina Lopez" signed for receipt of the certified mailing.

On January 7, 2013, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, ADLI's default was entered herein.

2.

ADLI is presently licensed and/or has license rights under the Real Estate Law, as a corporate real estate broker.

3.

Julio Chang ("Chang") is not now, nor was he at any material time herein, licensed by the California Department of Real Estate ("Department") in any capacity.

4.

On or about February 11, 2009, Oscar Cruz and Vicky Guerrero ("complainants"), entered into two loan modification agreements with ADLI, regarding the complainant's properties located at 235 Walnut Street, Shafter, California and 1305 El Tejon Avenue, Bakersfield, California. Each of these agreements arranged for the Complainants to pay ALDI \$3,400 in advance fees. Chang represented himself to be the broker, owner and president of ADLI. In between February 11, 2009 and March 4, 2009, Chang collected \$6,800 in advance fees from the complainants for loan modifications to be performed by ALDI.

5.

In aggravation, on April 15, 2010, ADLI entered into an Agreement with Oscar Cruz, for the purpose of settling a claim Cruz filed against ADLI in the Superior Court of California, County of Los Angeles, Case No: 10 S 00207. Within the agreement, ADLI stipulated to repaying Cruz \$6,800 for his loan modifications. The agreement established a payment schedule from May 3, 2010 through October 2, 2010. ADLI did not make the payments as specified in the agreement.

#### DETERMINATION OF ISSUES

1.

The agreements made by ADLI, as described in Finding 4 above, constitute advance fee agreements within the meaning of Business and Professions Code ("Code") Section 10026. ADLI

failed to submit the advance fee agreements, described in Finding 4 above, to the Commissioner ten days before using them, in violation of Code Sections 10085 and 10085.5, as well as Section 2970 of Title 10, California Code of Regulations ("Regulations"). This provides cause for the suspension or revocation of the licenses and license rights of Respondent ADLI, pursuant to Code Sections 10085, 10177(d) and 10177(g).

2.

By employing Chang to perform acts requiring a real estate license under Code Section 10131(d), as alleged in Findings 3 and 4 above, Respondent ADLI subjects its real estate license and license rights to suspension or revocation pursuant to Sections 10137, 10177(d) and 10177(g) of the Code.

3.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER


All licenses and license rights of AMERICAN DREAM LOANS INC under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on FEB 19 2013.

DATED: 4/17/13.

Real Estate Commissioner

By:

  
Awet P. Kidane  
Chief Deputy Commissioner

**FILED**

JAN - 7 2013

1 Department of Real Estate  
320 West Fourth Street, Suite 350  
2 Los Angeles, CA 90013

3 (213) 576-6982

DEPARTMENT OF REAL ESTATE  
BY: Jama B. [Signature]

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13 ) AMERICAN DREAM LOANS INC, MARIA  
14 ) ELENA DE BERNARDO and LEONEL B.  
15 ) MOLINA, individually, and as former  
16 ) designated officers of American  
17 ) Dream Loans Inc,

DEFAULT ORDER

16 Respondents. )

17 Respondent AMERICAN DREAM LOANS INC, having failed  
18 to file a Notice of Defense within the time required by  
19 Section 11506 of the Government Code, is now in default. It  
20 is, therefore, ordered that a default be entered on the  
21 record in this matter.

22 IT IS SO ORDERED

January 2, 2013

23 Real Estate Commissioner

24  
25 By:

Dolores Weeks

26 DOLORES WEEKS  
27 Regional Manager