

**FILED**

DEC - 3 2012

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

DEPARTMENT OF REAL ESTATE

BY: Hanna B. O'Law

4 (213) 576-6982  
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8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \* \*

11 To:	)	No. H-38581 LA
	)	
12 ALEJANDRO C. BAUTISTA, aka	)	
13 Alex Bautista, aka Alejandro Bautista Cano,	)	<u>ORDER TO</u>
14 dba ABC Group; and	)	<u>DESIST AND REFRAIN</u>
15 dba A J Solutions.	)	
	)	(B&P Code Section 10086)

16 The Real Estate Commissioner of the State of California ("Commissioner") has  
17 caused an investigation to be made of the activities of ALEJANDRO C. BAUTISTA, aka Alex  
18 Bautista, aka Alejandro Bautista Cano, dba ABC Group, dba AJS Solutions, and dba A J  
19 Solutions (collectively referred to herein at times as "BAUTISTA"). Based on that investigation,  
20 the Commissioner has determined that ALEJANDRO C. BAUTISTA has engaged in, is  
21 engaging in, or is attempting to engage in, acts or practices constituting violations of the  
22 California Business and Professions Code ("Code"), including acting in the capacity of,  
23 advertising and/or assuming to act as a real estate broker in the State of California within the  
24 meaning of Code Sections 10131(d) (advertising, soliciting borrowers for, and offering to  
25 perform loan modification services for distressed homeowners) and 10131.2 (collecting advance  
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1 fees in connection with those services). Based on that investigation, the Commissioner hereby  
2 issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under  
3 the authority of Section 10086 of the Code.

4 Whenever acts referred to below are attributed to BAUTISTA, dba ABC Group,  
5 and/or AJS Solutions, those acts are alleged to have been done by those individuals and entities  
6 using those fictitious business names, acting by themselves, or by and /or through one or more  
7 agents, associates, affiliates and/or co-conspirators, including but not limited to the individuals  
8 herein named.

9  
10 FINDINGS OF FACT

11 1. BAUTISTA is not now, and has never been licensed by the Department of  
12 Real Estate of the State of California ("Department") as a real estate broker or as a salesperson  
13 employed by a real estate broker.

14 2. Beginning on or before October 1, 2008, and continuing through the present  
15 time, BAUTISTA has operated mortgage lending and related loan modification business under  
16 the following companies and/or fictitious business names and locations:

17  
18 a) ABC Group  
19 1850 E. 17<sup>th</sup> St. #202  
Santa Ana, CA 92705-8625.

20 b) ABC Group  
21 1850 E. 17<sup>th</sup> St. #113  
Santa Ana, CA 92705-8625

22 c) ABC Group  
23 5425 Blue Ridge Dr.  
24 Yorba Linda, CA 92788-4234

25 d) ABC Group  
26 13032 Seneca Dr.  
Westminster, CA 92683-1929

1 e) AJS Solutions  
2 1850 E. 17<sup>th</sup> St. #113  
3 Santa Ana, CA 92705-8625

4 3. On or about November 17, 2009, BAUTISTA, doing business as AJS  
5 Solutions, entered into an agreement with Maximino P. ("Borrower") pursuant to which AJS  
6 Solutions agreed to negotiate on Borrower's behalf to obtain a modification of the terms of his  
7 mortgage loan in exchange for payment of an upfront fee of \$2,000.00. The original agreement  
8 indicated that the services would be provided by February 15, 2009, or Borrower would be  
9 entitled to a refund.

10 4. On November 17, 2008, Borrower paid BAUTISTA \$2,000.00.

11 5. On or about January 13, 2009, BAUTISTA collected an additional \$3,000.00  
12 from Borrower, claiming that the money would be paid to Borrower's lender. On February 3,  
13 2009, Borrower paid BAUTISTA an additional \$16,000.00 which BAUTISTA represented  
14 would be used towards and a modification he had negotiated for Borrower.  
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16 6. BAUTISTA never obtained a loan modification for Borrower. On June 12,  
17 2009, BAUTISTA wrote a check to Borrower from ABC Group's checking account in the  
18 amount of \$21,000.00 which was supposed to be a full refund. This check was rejected by the  
19 bank for insufficient funds. On July 6, 2009, BAUTISTA wrote Borrower another check from  
20 his personal account for \$21,000.00 as a refund. This check was also rejected by the bank for  
21 insufficient funds.  
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23 7. Borrower paid BAUTISTA \$21,000.00 for loan modification services. He did  
24 not receive a loan modification, and his lenders had not received any communications from  
25 BAUTISTA on Borrower's behalf.

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cc: Alejandro C. Bautista  
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