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1 Department of Real Estate
320 West Fourth Street, Ste. 350
2 Los Angeles, California 90013

3 (213) 576-6982

DEPARTMENT OF REAL ESTATE
BY: *R. Mederholt*

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 To:)	No. H-38595 LA
)	
12 LEVON KOSOYAN,)	<u>ORDER TO DESIST</u>
)	
)	<u>AND REFRAIN</u>
)	

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

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In addition, based on that investigation, the Commissioner has determined that KOSOYAN has engaged in acts or is attempting to engage in practices constituting violations of the California Business and Professions Code ("Code") and/or Title 10, California Code of Regulations ("Regulations"). Based on the findings of that investigation, set forth below, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

FINDINGS OF FACT

1. At no time herein mentioned has KOSOYAN been licensed by the Department as a real estate broker.
2. At the time set forth below KOSOYAN solicited borrowers and negotiated to do one or more of the following acts for another or others, for or in expectation of compensation: engaged in the business of, acted in the capacity of, or advertised a loan modification and negotiation service and advance fee brokerage soliciting, offering to negotiate or perform loan modification services with respect to loans which were secured by liens on real property for compensation or in expectation of compensation and for fees collected in advance of the transaction.
3. On or about February 8, 2009, KOSOYAN solicited an agreement with Lerma B. for loan modification and negotiation services on Lerma B's existing mortgage on her home located at 20840 Community St. Bldg. 12, Winnetka, California.

1 4. KOSOYON demanded and received a total advance fee
2 of \$6,000 from Lerma B. for the activities described above.

3 CONCLUSIONS OF LAW

4 5. Based on the information contained in Paragraphs 1
5 through 4, above, KOSOYON violated Section 10085 of the Code and
6 Regulation 2970, by not having an approved advance fee agreement
7 on file with the Department.

8 6. Based on the information contained in Paragraphs 1
9 through 4, above, KOSOYON violated Section 10130 of the Code by
10 engaging in the activities without first obtaining a broker
11 license from the Department.

12 DESIST AND REFRAIN ORDER

13 Based on the FINDINGS OF FACT and CONCLUSIONS OF LAW
14 stated herein, it is hereby ordered that:

15 (A) LEVON KOSOYON immediately desist and refrain from:
16 performing any acts within the State of California for which a
17 real estate broker license is required, unless you are so
18 licensed.

19 IT IS FURTHER ORDERED THAT LEVON KOSOYON immediately
20 desist and refrain from:

21 1. charging, demanding, claiming, collecting
22 and receiving advance fees, as that term is defined in Section
23 10026 of the Code, in any form, and under any conditions, with
24 respect to the performance of loan modifications or any other
25 form of mortgage loan forbearance service in connection with
26 loans on residential property containing four or fewer dwelling
27 units (Code Section 10085.6).

1 2. charging, demanding, claiming, collecting and
2 receiving advance fees, as that term is defined in Section 10026
3 of the Code, for any of the other real estate related services
4 offered to others, unless and until LEVON KOSOYON demonstrates
5 and provides evidence satisfactory to the Commissioner he:


6 (a) has an advance fee agreement which has been
7 submitted to the Department and which is in compliance with
8 Section 10085 of the Code and Section 2970 of the Regulations;

9 (b) has placed all previously collected advance fees
10 into a trust account for that purpose and is in compliance with
11 Section 10146 of the Code; and

12 (c) has provided an accounting to trust fund owner-
13 beneficiaries from who advance fees have previously been
14 collected in compliance with Section 10146 of the Code and
15 Section 2972 of the Regulations.

16
17 DATED: 10/12/2012

18 REAL ESTATE COMMISSIONER

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20 By WAYNE S. BELL
21 Chief Counsel
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1 **Notice:** Business and Professions Code Section 10139 provides
2 that "Any person acting as a real estate broker or real estate
3 salesperson without a license or who advertises using the words
4 indicating that he or she is a real estate broker without being
5 so licensed shall be guilty of a public offense punishable by a
6 fine not exceeding twenty thousand dollars (\$20,000), or by
7 imprisonment in the county jail for a term not to exceed six
8 months, or by both fine and imprisonment; or if a corporation,
9 be punished by a fine not exceeding sixty thousand dollars
10 (\$60,000)."
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19 cc: Levon Kosoyan
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21 Woodland Hills, CA 91364

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