

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

FILED

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MAY 13 2014

BUREAU OF REAL ESTATE
By J. Amodeo

8 BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * * *

11 To:)	No. H-39454 LA
)	
12 AMERICAN HOME SERVICES;)	<u>ORDER TO DESIST</u>
13 LINDA BATILARAN WILSON; and)	<u>AND REFRAIN</u>
14 STEPHANIE WILSON, indivi-)	(B&P Code Section
14 dually, and doing business)	10086)
15 as American Home Services,)	
)	
16 _____)	

17 The Commissioner ("Commissioner") of the California
18 Bureau of Real Estate ("Bureau") caused an investigation to be
19 made of the activities of AMERICAN HOME SERVICES, LINDA BATILARAN
20 WILSON, and STEPHANIE WILSON, also known as Stephanie Michelle
21 Wilson, individually, and doing business as American Home
22 Services, and has determined that each has engaged in or are
23 engaging in acts or practices constituting violations of the
24 California Business and Professions Code ("Code") and/or Title
25 10, California Code of Regulations ("Regulations") including
26 engaging in the business of, acting in the capacity of,
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1 advertising, or assuming to act, as a real estate broker in the
2 State of California within the meaning of Section 10131(d)
3 (soliciting borrowers or lenders or negotiating loans) and
4 Section 10131.2 (advance fee handling). Based on the findings of
5 that investigation, as set forth below, the Commissioner hereby
6 issues the following Findings of Fact and Desist and Refrain
7 Order pursuant to Code Section 10086.

8 FINDINGS OF FACT

9 1. At no time herein mentioned has AMERICAN HOME
10 SERVICES ("AMERICAN") been licensed by the Bureau in any
11 capacity.

12 2. STEPHANIE WILSON was previously licensed by the
13 Bureau under the Real Estate Law as a real estate salesperson.
14 On or about April 8, 2010, her license expired, and has not been
15 renewed.

16 3. LINDA BATILARAN WILSON ("LINDA WILSON") is
17 currently licensed under the Real Estate Law as a real estate
18 salesperson. From August 13, 2009, to the present time she has
19 not been associated with a licensed broker under whose license
20 she was entitled to conduct activities requiring a real estate
21 license.

22 4. On or about November 1, 2011, STEPHANIE WILSON
23 caused a fictitious business name statement to be recorded with
24 the County Recorder for Orange County on her own behalf using
25 the fictitious business name "American Home Services."
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27 5. Whenever acts referred to below are attributed to

1 AMERICAN, those acts are alleged to have been done by AMERICAN,
2 acting alone, or by and/or through one or more agents,
3 associates, affiliates, and/or co-conspirators, including but
4 not limited to each of those named herein, and using any
5 fictitious name unknown at this time.

6 6. At the times set forth below AMERICAN, LINDA WILSON
7 and STEPHANIE WILSON engaged in the business of, acted in the
8 capacity of, or advertised a loan modification service and/or
9 foreclosure rescue service offering to perform and performing
10 loan modification or negotiation services with respect to loans
11 which were secured by liens on real property for compensation or
12 in expectation of compensation and for fees collected in advance
13 of the transaction, including but not limited to the activities
14 described below.

15 a. On or about July 29, 2010, Gertrude V. paid an
16 advance fee totaling \$7,000 to STEPHANIE WILSON on behalf of
17 AMERICAN. The advance fee was collected pursuant to the
18 provisions of an agreement entitled "Asset Protection Program"
19 and pertaining to loan solicitation, negotiation, and
20 modification services to be provided by AMERICAN with respect to
21 a loan secured by the real property located at the following
22 addresses: 207 and 209 Santa Rosa Avenue, Mountain View, Ca.
23 94043; 784 and 788 Corto Street, Mountain View, Ca. 94043; and
24 3277 Santa Rosa Court, Union City, Ca. 94587. Thereafter, on or
25 about December 9, 2010, Gertrude V. paid AMERICAN an additional
26 advance fee in the amount of \$4,500 to obtain what was described
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1 as a "rapid acceleration" of the processing of her files by
2 AMERICAN. At no time did Gertrude V. obtain the services which
3 were to be provided by AMERICAN.

4 b. On or about February 19, 2011, Geeta M. paid an
5 advance fee of \$4,050 to AMERICAN. The advance fee was
6 collected pursuant to the provisions of an agreement entitled
7 "Asset Protection Program" and pertaining to loan solicitation,
8 negotiation, and modification services to be provided by
9 AMERICAN with respect to a loan secured by the real property
10 located at 1238 Bonnie Cove Avenue, Glendora, Ca 91740. At no
11 time did Geeta M. obtain the services which were to be provided
12 by AMERICAN.

13 c. On or about March 2, 2011, Arlie A. paid an advance
14 fee of \$4,050 to AMERICAN. The advance fee was collected
15 pursuant to the provisions of an agreement entered into on or
16 about February 2, 2011, entitled "Asset Protection Program" and
17 pertaining to loan solicitation, negotiation, and modification
18 services to be provided by AMERICAN with respect to a loan
19 secured by the real property located at 20415 Gaspher Court,
20 Santa Clarita, Ca. 91350. At no time did Arlie A. obtain the
21 services which were to be provided by AMERICAN.
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23 CONCLUSIONS OF LAW

24 7. Based on the information contained in Paragraph
25 6, above, AMERICAN, LINDA BATILARAN WILSON and STEPHANIE WILSON
26 performed and/or participated in loan solicitation, negotiation
27 and modification activities as well as advance fee handling

1 which require a real estate broker license under the provisions
2 of Code Sections 10131(d) and 10131.2 during a period of time
3 when none of them licensed by the Bureau as a real estate broker
4 nor employed as a real estate salesperson by the broker on whose
5 behalf the activities were performed, in violation of Section
6 10130 of the Code.

7 DESIST AND REFRAIN ORDER

8 IT IS HEREBY ORDERED that AMERICAN HOME SERVICES,
9 LINDA BATILARAN WILSON and STEPHANIE WILSON, whether doing
10 business under their own names, or any other names, or any
11 fictitious name, immediately desist and refrain from performing
12 any acts within the State of California for which a real estate
13 broker license is required. In particular each of them is
14 ORDERED TO DESIST AND REFRAIN from:

15 (i) charging, demanding, claiming, collecting and/or
16 receiving advance fees, as that term is defined in Section 10026
17 of the Code, in any form, and under any conditions, with respect
18 to the performance of loan modifications or any other form of
19 mortgage loan forbearance service in connection with loans on
20 residential property containing four or fewer dwelling units
21 (Code Section 10085.6); and
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1 (ii) charging, demanding, claiming, collecting and/or
2 receiving advance fees, as that term is defined in Section 10026
3 of the Code, for any other real estate related services offered
4 by them to others.

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6 DATED: MAY 06 2014

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8 Real Estate Commissioner

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11 **JEFFREY MASON**
12 **Chief Deputy Commissioner**

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17 **Notice:** Business and Professions Code Section 10139 provides
18 that "Any person acting as a real estate broker or real estate
19 salesperson without a license or who advertises using words
20 indicating that he or she is a real estate broker without being
21 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)."