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

4 Telephone: (213) 576-6982

FILED
AUG 14 2018

DEPARTMENT OF REAL ESTATE

By *[Signature]*

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 To:)	No. H-41137 LA
)	
12 PRIME FINANCIAL)	<u>ORDER TO DESIST</u>
13 CONSULTING, INC.; and)	<u>AND REFRAIN</u>
14 JUAN C. RUIZ,)	
)	(B&P Code Section 10086)
15 Respondents.)	

16 The Commissioner ("Commissioner") of the Department of Real Estate for the
17 State of California ("Department") caused an investigation to be made of the activities of PRIME
18 FINANCIAL CONSULTING, INC. ("PFCI") and JUAN C. RUIZ ("RUIZ") (collectively
19 "Respondents") and has determined that Respondents have engaged in or are engaging in acts or
20 practices constituting violations of the California Business and Professions Code ("Code").
21 Those violations include engaging in the business of, acting in the capacity of, advertising, or
22 assuming to act, as real estate brokers in the State of California within the meaning of Code
23 Section 10131(d) (soliciting borrowers or lenders or negotiating loans secured by real property)
24 and Code Sections 10085.6 and 10131.2 (demanding and/or collecting advance fees in
25 connection with a loan or loan modification), without being licensed by the Department as real
26 estate brokers. Based on the findings of that investigation, as set forth below, the Commissioner
27 hereby issues the following Findings of Fact and Desist and Refrain Order pursuant to Section

1 10086 of the Code.

2 Whenever acts referred to below are attributed to PFCI, those acts are alleged to
3 have been done by PFCI, acting by and/or through one or more agents, associates, affiliates,
4 and/or co-conspirators including, but not limited to RUIZ and any other persons unknown at this
5 time.

6 FINDINGS OF FACT

7 1. At no time herein mentioned has PFCI, or RUIZ been licensed by the
8 Department in any capacity.

9 2. At the time set forth below, and continuing to the present, Respondents have
10 engaged in the business of, acted in the capacity of, or advertised through others, a mortgage
11 loan modification service and advance fee brokerage offering to perform mortgage loan
12 modification services with respect to loans secured by liens on real property for compensation
13 or in expectation of compensation and for fees collected in advance as well as at the conclusion
14 of the transaction.

15 3. For an unknown period of time after the incorporation of PFCI in December,
16 2017, and continuing through the present, Respondents offered loan modification services and
17 operated out of the same main office address located at 2301 W. Lincoln Ave., Suite 126, or
18 Suite 220, Anaheim, California 92801.

19 4. At all times herein mentioned, Respondents engaged in the business of
20 claiming, demanding, charging receiving, collecting or contracting for the collection of advance
21 fees, within the meaning of Section 10026 of the Code including, but not limited to, the
22 following loan activity with respect to loans which were secured by liens on real property.

23 5. As of August 20, 2016, Jose and Lina G. had paid a total advance fee of
24 \$2,675.00 to Respondents pursuant to the provisions of an agreement pertaining to loan
25 modification services to be provided with respect to a loan secured by real property located in the
26 city of Long Beach, California.

27 ///

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

8 cc: Prime Financial Consulting, Inc.
9 Juan C. Ruiz – Agent for Service of Process
10 2301 W. Lincoln Ave., Suite 220
11 Anaheim, California 92801

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