

1 Department of Real Estate
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FILED

SEP 15 2010

DEPARTMENT OF REAL ESTATE

By K. Mar

8
9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

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12 To:)
13 VERNON JUNIEL) NO. H-5472 SAC
14)
15) ORDER TO DESIST AND REFRAIN
16) (B&P Code Section 10086)

17 The Commissioner ("Commissioner") of the California Department of Real Estate
18 ("Department") caused an investigation to be made of the activities of VERNON JUNIEL
19 ("JUNIEL"). Based on that investigation, the Commissioner has determined that JUNIEL, has
20 engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations
21 of the California Business and Professions Code ("Code") and/or Title 10, Chapter 6, California
22 Code of Regulations ("Regulations"), including acting in the capacity of, advertising or assuming
23 to act as a real estate broker in the State of California within the meaning of Sections 10130
24 (requirement of license to perform acts of real estate broker) and 10131(d) (performing services
25 for borrowers and/or lenders in connection with loans secured by real property) of the Code.
26 Furthermore, based on the investigation, the Commissioner hereby issues the following Findings

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1 of Fact, Conclusions of Law and Desist and Refrain Order under the authority of Section 10086
2 of the Code.

3 FINDINGS OF FACT

4 1. At no time herein mentioned has JUNIEL been licensed by the Department in any
5 capacity.

6 2. At all times relevant herein, JUNIEL solicited one or more borrowers in
7 expectation of compensation related to loan modification, loan refinance, principal reduction,
8 foreclosure abatement or short sale services and/or those borrowers' lenders in connection with
9 loans secured directly or collaterally by one or more liens on real property.

10 3. In furtherance of his plan and scheme to solicit and provide loan modification
11 clients to LEGACY HOME LOANS & REAL ESTATE (hereafter LEGACY HOME LOANS"),
12 JUNIEL solicited and provided twenty (20) to twenty-five (25) such leads to LEGACY HOME
13 LOANS, including:

<u>Clients</u>	<u>Property Address</u>	<u>Date</u>
Auther T. Dorethy H.	2421 67 th Avenue Oakland, CA	December 2007
Dorothy M.	1474 E Street Tracy, CA	November 2008

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19 JUNIEL was paid \$3,000 in cash from Respondents LEGACY HOME LOANS and TOLIVER
20 for the transaction involving Auther T. and Dorethy H.

21 CONCLUSIONS OF LAW

22 4. Based on the Findings of Fact contained in Paragraphs 1 through 3, above,
23 VERNON JUNIEL, acting by himself or through one or more agents, associates, affiliates and/or
24 co-conspirators or fictitious names unknown at this time, solicited borrowers and/or performed
25 services for those borrowers with respect to loan modification, loan refinance, principal
26 reduction, foreclosure abatement or short sale services and/or those borrowers' lenders in

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1 connection with loans secured directly or collaterally by one or more liens on real property, so
2 that such acts of VERNON JUNIEL violate Sections 10130 and 10131(d) of the Code.

3 DESIST AND REFRAIN ORDER

4 Based on the Findings of Fact and Conclusions of Law stated herein, VERNON
5 JUNIEL, whether doing business under your own name, or any other name or fictitious name, or
6 by and/or through any related entity, IS HEREBY ORDERED to:

7 Immediately desist and refrain from soliciting and/or performing other services
8 related to loan modification, loan refinance, principal reduction, foreclosure abatement or short
9 sale services and/or borrowers' lenders in connection with loans secured directly or collaterally
10 by one or more liens on real property for or in expectation of compensation unless and until you
11 demonstrate and provide evidence satisfactory to the Commissioner that you are properly
12 licensed by the Department as a real estate broker.

13 DATED: 9-15-2010

14 JEFF DAVI
15 Real Estate Commissioner

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19 **Notice:** Business and Professions Code Section 10139 provides that, "Any person acting
20 as a real estate broker or real estate salesperson without a license or who advertises using words
21 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
22 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
23 imprisonment in the county jail for a term not to exceed six months, or by both fine and
24 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
25 (\$60,000)...."

26 cc: Vernon Juniel
27 2615 55th Avenue
Oakland, CA 94605