

1 Department of Real Estate
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FILED
DEC 22 2009

DEPARTMENT OF REAL ESTATE

K. Mederholt

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 To:)	No. H-36394 LA
)	
12 A&G INVESTMENTS, A REAL)	<u>ORDER TO DESIST</u>
13 ESTATE COMPANY; M&K FINANCIAL)	<u>AND REFRAIN</u>
14 CORPORATION; MARCO RAMIREZ)	(B&P Code Section 10086)
15 and KRISTINE BENGARD)	
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18 The Commissioner ("Commissioner") of the California

19 Department of Real Estate ("Department") caused an investigation

20 to be made of the activities of A&G INVESTMENTS, A REAL ESTATE

21 COMPANY ("A&G"), M&K FINANCIAL CORPORATION ("M&K"), MARCO

22 RAMIREZ ("RAMIREZ") and KRISTINE BENGARD ("BENGARD"). Based on

23 that investigation, the Commissioner has determined that A&G,

24 M&K, RAMIREZ and BENGARD have engaged in or are engaging in acts

25 or practices constituting violations of the California Business

26 and Professions Code ("Code") and/or Title 10, California Code

27 of Regulations ("Regulations") including engaging in the

business of, acting in the capacity of, advertising, or assuming

1 to act, as real estate brokers in the State of California within
2 the meaning of Code Sections 10131(d) (soliciting borrowers or
3 lenders or negotiating loans) and 10131.2 (advance fee
4 handling). Based on the findings of that investigation, as set
5 forth below, the Commissioner hereby issues the following
6 Findings of Fact and Desist and Refrain Order pursuant to
7 Section 10086 of the Code.

8 FINDINGS OF FACT

9 1. A&G is not now, and has never been, licensed by
10 the Department in any capacity.

11 2. M&K is not now, and has never been, licensed by
12 the Department in any capacity.

13 3. RAMIREZ is not now, and has never been, licensed
14 by the Department in any capacity.

15 4. BENGARD is not now, and has never been, licensed
16 by the Department in any capacity.

17 5. At the time set forth below each and every
18 respondent solicited borrowers and negotiated to do one or more
19 of the following acts for another or others, for or in
20 expectation of compensation, engaged in the business of, acted
21 in the capacity of, or advertised a loan modification service
22 and advance fee brokerage under one or more business names
23 including, but not limited to, "A&G Investments, A Real Estate
24 Company" and "M&K Financial Corporation" soliciting, offering to
25 negotiate or perform loan modification services with respect to
26 loans which were secured by liens on real property for
27 compensation or in expectation of compensation and for fees

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DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS ORDERED THAT:

A. A&G INVESTMENTS, A REAL ESTATE COMPANY, M&K FINANCIAL CORPORATION, MARCO RAMIREZ and KRISTINE BENGARD, immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required, unless or until you are so licensed;

IT IS FURTHER ORDERED THAT A&G INVESTMENTS, A REAL ESTATE COMPANY, M&K FINANCIAL CORPORATION, MARCO RAMIREZ and KRISTINE BENGARD:

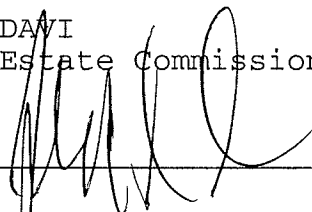
- 1. Immediately desist and refrain from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modification or any other form of mortgage loan forbearance services in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6).

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1 2. Immediately desist and refrain from charging, demanding,
2 claiming, collecting and/or receiving advance fees, as that term
3 is defined in Section 10026 of the Code, for any other real
4 estate related services offered by them to others.

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7 DATED: 12/17, 2009.

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9 JEFF DAVI
Real Estate Commissioner

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13 **Notice:** Business and Professions Code Section 10139 provides
14 that "Any person acting as a real estate broker or real estate
15 salesperson without a license or who advertises using words
16 indicating that he or she is a real estate broker without being
17 so licensed shall be guilty of a public offense punishable by a
18 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)."

19 cc: A&G Investments, A Real Estate Company
20 488 S. Glassell Street
Orange, CA 92886

21 M&K Financial Corporation
22 488 S. Glassell Street
Orange, CA 92886

23 Marco Ramirez
24 488 S. Glassell Street
25 Orange, CA 92886

26 Kristine Bengard
27 488 S. Glassell Street
Orange, CA 92886