

1 Department of Real Estate  
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**FILED**

AUG 02 2010

DEPARTMENT OF REAL ESTATE  
BY: 

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \* \*

11 To: ) No. H-36743 LA  
12 )  
12 SHARON FASELA, ) ORDER TO DESIST  
13 ) AND REFRAIN  
13 ) (B&P Code Section 10086)  
14 )  
14 \_\_\_\_\_ )

15  
16 The Commissioner ("Commissioner") of the California  
17 Department of Real Estate ("Department") caused an investigation  
18 to be made of the activities of SHARON FASELA, individually, and  
19 doing business as US Homeowners Assistance, and has determined  
20 that she has engaged in or is engaging in acts or practices  
21 constituting violations of the California Business and  
22 Professions Code ("Code") and/or Title 10, California Code of  
23 Regulations ("Regulations") including engaging in the business  
24 of, acting in the capacity of, advertising, or assuming to act,  
25 as real estate broker in the State of California within the  
26 meaning of Section 10131(d) (soliciting borrowers or lenders or  
27

1 negotiating loans) and Section 10131.2 (advance fee handling).  
2 Based on the findings of that investigation, as set forth below,  
3 the Commissioner hereby issues the following Findings of Fact and  
4 Desist and Refrain Order pursuant to Code Section 10086.

5 FINDINGS OF FACT

6 1. At no time herein mentioned has SHARON FASELA  
7 ("FASELA") been licensed by the Department in any capacity.

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

17 a. On or about March 7, 2008, Amparo Garcia paid an  
18 advance fee of \$2,500 to FASELA doing business as US Homeowners  
19 Assistance. The advance fee was collected pursuant to the  
20 provisions of an agreement pertaining to loan solicitation,  
21 negotiation, and modification services to be provided by FASELA  
22 doing business as US Homeowners Assistance with respect to a  
23 loan secured by the real property located at 11250 Hubbard  
24 Street, Moreno Valley, California 92587.

25 CONCLUSIONS OF LAW

26 3. Based on the information contained in Paragraph  
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1 2, above, FASELA performed and/or participated in loan  
2 solicitation, negotiation and modification activities as well as  
3 advance fee handling which require a real estate broker license  
4 under the provisions of Code Sections 10131(d) and 10131.2  
5 during a period of time when she was not licensed by the  
6 Department as a real estate broker nor employed as a real estate  
7 salesperson by the broker on whose behalf the activities were  
8 performed, in violation of Section 10130 of the Code.

9 DESIST AND REFRAIN ORDER

10 IT IS HEREBY ORDERED that SHARON FASELA, whether doing  
11 business under the fictitious business name US Homeowners  
12 Assistance, her own name, or any other names, or any fictitious  
13 name, IS HEREBY ORDERED to immediately desist and refrain from  
14 performing any acts within the State of California for which a  
15 real estate broker license is required. In particular SHARON  
16 FASELA is ORDERED TO DESIST AND REFRAIN from:

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

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.

5  
6 DATED: 7/27, 2010.

7  
8 JEFF DAVIS  
9 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  
19 imprisonment in the county jail for a term not to exceed six  
20 months, or by both fine and imprisonment; or if a corporation,  
21 be punished by a fine not exceeding sixty thousand dollars  
22 (\$60,000)."

23  
24 cc: Sharon Fasela  
25 2575 McCabe Way, Suite 240  
26 Irvine, California 92614

27 Sharon Fasela  
US Homeowners Assistance  
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