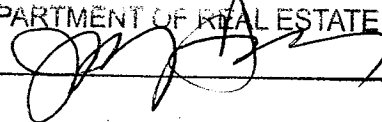


1 DEPARTMENT OF REAL ESTATE
2 320 West Fourth Street, Ste. 350
3 Los Angeles, California 90013

FILED

MAR 28 2011

4 (213) 576-6982

DEPARTMENT OF REAL ESTATE
BY: 

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8 STATE OF CALIFORNIA

9 DEPARTMENT OF REAL ESTATE

10
11 To:)
12) NO. H-37175 LA
13 KALI MARKETING, INC., dba)
14 Project One or any other fictitious names used)
15 by Kali Marketing, Inc.; and EMMANUEL) ORDER TO DESIST AND
16 "MANNY" LOPEZ) REFRAIN
17) (B&P Code Section 10086)
18)

19 The Commissioner ("Commissioner") of the California Department of Real Estate
20 ("Department") caused an investigation to be made of the activities of KALI MARKETING,
21 INC. ("KMI"), doing business as Project One ("ONE") and EMMANUEL "MANNY" LOPEZ
22 ("LOPEZ"). Based on that investigation, the Commissioner has determined that KMI, doing
23 business as ONE and LOPEZ have engaged in, are engaging in, or are attempting to engage in,
24 acts or practices constituting violations of the California Business and Professions Code
25 ("Code"), including the business of, acting in the capacity of, and/or advertising or assuming to
26 act as, a real estate broker in the State of California within the meaning of Code Section
27 10131(d) (performing services for borrowers in connection with loans secured by real property)

1 and 10131.2 (advance fee handling) of the Code. Based on the findings of that investigation, set
2 forth below, the Commissioner hereby issues the following Findings of Fact, Conclusions of
3 Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

4 Whenever acts referred to below are attributed to KMI, those acts are alleged to have
5 been done by ONE, acting by itself or by and/or through one or more agents, associates,
6 affiliates, and/or co-conspirators, including, but not limited to LOPEZ and using the names
7 "Project One" or other names or fictitious names unknown at this time.

8
9 FINDINGS OF FACT

10 1. KMI is not now, and has never been, licensed by the Department in any capacity. KMI
11 is a registered corporation incorporated under the laws of the State of California with Emmanuel
12 Lopez listed as its agent for service of process. ONE has no Fictitious Business Name
13 Statements filed with Los Angeles County or Orange County. At the time set forth below,
14 LOPEZ solicited borrowers to negotiate loans secured by real property for compensation or in
15 expectation of compensation to ONE.

16
17 2. ONE is not now, and has never been, licensed by the Department in any capacity. ONE
18 is not a registered corporation incorporated under the laws of the State of California. ONE has
19 no Fictitious Business Name Statements filed with the County of Los Angeles. At the time set
20 forth below, LOPEZ solicited borrowers to negotiate loans secured by real property for
21 compensation or in expectation of compensation to ONE.

22 3. LOPEZ is not now, and has never been, licensed by the Department in any capacity.

23
24 4. On or about September 18, 2008, Antonio D. and his sister, Gabriela M., each paid
25 \$500.00 by Check Nos. 659518 and 659519, respectively, to Project One, pursuant to an
26 agreement pertaining to loan solicitation, negotiation, and modification services to be provided
27

1 by KMI and ONE with respect to a loan secured by Antonio D.'s real property located at 7430
2 Windsor Avenue, Hesperia California 92345 and Leticia M.'s real property located at 17768
3 Preston Street, Hesperia, CA 92345. Antonio D. and his sisters Leticia M. and Gabriela M.
4 agreed to pay KMI and ONE \$500.00 on a monthly installment basis, to pay off the \$5,700.00
5 fee for loan solicitation, negotiation, and modifications services on the Windsor Avenue and
6 Preston Street properties.

7
8 5. On or about October 22, 2008, Antonio D. and Leticia M. each paid \$500.00, by Check
9 Nos. 659486 and 659487, to ONE as a second installment for loan solicitation, negotiation, and
10 modifications services on the Windsor Avenue and Preston Street properties.

11 6. On or about November 25, 2008, Antonio D. and Leticia M. each paid \$500.00, by
12 Check Nos. 659595 and 659596, to ONE as a third installment for loan solicitation, negotiation,
13 and modifications services on the Windsor Avenue and Preston Street properties.

14 7. On or about December 23, 2008, Antonio D. paid \$500.00, by Check No. 658881, to
15 ONE as a fourth installment for loan solicitation, negotiation, and modifications services on the
16 Windsor Avenue property.

17
18 8. By approximately December 2008, Antonio D. received a foreclosure notice at his
19 Windsor Avenue property. When he brought the letter to the attention of ONE, he was told that
20 the foreclosure notice resulted from his non-payment of the mortgage, to which he was instructed
21 by ONE to not pay.

22 9. On or about January 2, 2009, Antonio D. paid \$500.00, by Check No. 658891 to ONE
23 as a fifth installment for loan solicitation, negotiation, and modifications services on the Windsor
24 Avenue property.
25
26
27

1 10. On or about February 19, 2009, ONE sent a letter to Antonio D. confirming that his
2 loan modification for the loan on the Preston Street property was approved on December 20,
3 2008 with a reduction in the interest rate from 6.25% to 2.75%. This letter also included an
4 attachment from Countrywide Home Loans and indicated that on January 15, 2009, Antonio D.
5 signed the loan modification documents and the first monthly payment was due February 1,
6 2009.

7
8 11. On or about March 10, 2009, ONE sent a letter to Antonio D. notifying that his loan
9 modification assistance from ONE for the loan on the Windsor property was terminated.

10 12. Antonio D. contacted his mortgage lender and learned that the bank had called ONE
11 and spoken to someone who purported to be Antonio D. and indicated he was not interested in a
12 loan modification.

13 CONCLUSIONS OF LAW
14

15 13. Based on the findings of fact contained in paragraphs 1 through 12, KMI, acting by
16 itself, or by and/or through agents, associates, representatives, and/or co-conspirators, including,
17 but not limited to LOPEZ, and using the name "Project One" or other names or fictitious names
18 unknown at this time, solicited borrowers and performed services for those borrowers and/or
19 those borrowers' lenders in connection with loans secured directly or collaterally by one or more
20 liens on real property, and charged, demanded or collected advance fees for the services to be
21 provided, which acts require a real estate broker license under Sections 10131(d) and 10131.2 of
22 the Code, during a period of time when KMI and LOPEZ were not licensed by the Department as
23 real estate brokers, in violation of Section 10130 of the Code.

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27 ////

1 DESIST AND REFRAIN ORDER

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3 Based upon the Findings of Fact and Conclusions of Law stated herein, it is hereby
4 ordered that KALI MARKETING, INC., whether doing business under your own name or as
5 Project One, or any other name(s) or fictitious name(s), and EMMANUEL "MANNY" LOPEZ,
6 whether doing business under his own name(s) or any other fictitious name(s), ARE HEREBY
7 ORDERED to immediately desist and refrain from performing any acts within the State of
8 California for which a real estate broker license is required, unless you are so licensed. In
9 particular each of them is ORDERED TO DESIST AND REFRAIN from:

- 10
- 11 1. charging, demanding, claiming, collecting and/or receiving advance fees, as that term
12 is defined in Section 10026 of the Code, in any form, and under any conditions, with
13 respect to the performance of loan modifications or any other form of mortgage loan
14 forbearance service in connection with loans on residential property containing four
15 or fewer dwelling units; and
 - 16 2. charging, demanding, claiming, collecting and/or receiving advance fees, as that term
17 is defined in Section 10026 of the Code, for any other real estate related services
18 offered by them to others.
19

20 DATED: 3/23 2011

21 JEFF DAVI
22 Real Estate Commissioner

23
24 By 

25 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a real estate
26 broker or real estate salesperson without a license or who advertises using words indicating that he or she
27 is a real estate broker without being 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

1 exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not
2 exceeding sixty thousand dollars (\$60,000).”

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11
12
13 cc: KALI MARKETING, INC.
14 5631 Lockhaven Drive
15 Buena Park, CA 90621

16 PROJECT ONE
17 5631 Lockhaven Drive
18 Buena Park, CA 90621

19 EMMANUEL “MANNY” LOPEZ
20 13405 Artesia Boulevard, Suite 200
21 Cerritos, CA 90703
22
23
24
25
26
27