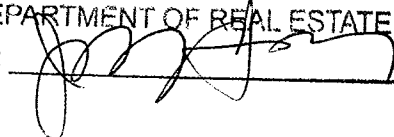


1 Department of Real Estate
320 West Fourth Street, Ste. 350
2 Los Angeles, California 90013

3 (213) 576-6982

FILED

JUL 11 2012

DEPARTMENT OF REAL ESTATE
BY: 

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 To:

No. H-38254 LA

12 AMERICAS FINANCIAL)
13 SOLUTIONS; and EDWARD)
14 BAUMANN, individually, and)
15 doing business as Americas)
Financial Solutions)
_____)

ORDER TO DESIST
AND REFRAIN

(B&P Section 10086)

16
17 The Commissioner ("Commissioner") of the California
18 Department of Real Estate ("Department") caused an investigation
19 to be made of the activities of AMERICAS FINANCIAL SOLUTIONS
20 ("AFS") and EDWARD BAUMANN ("BAUMANN"), individually, and doing
21 business as Americas Financial Solutions, and has determined that
22 each has engaged in or are engaging in acts or practices
23 constituting violations of the California Business and
24 Professions Code ("Code") including engaging in the business of,
25 acting in the capacity of, advertising, or assuming to act, as
26 real estate brokers in the State of California within the meaning
27 of Section 10131(d) (soliciting borrowers or lenders or

1 negotiating loans) and Section 10131.2 (claiming advance fees in
2 connection with a loan) of the Code. Based on the findings of
3 that investigation, as set forth below, the Commissioner hereby
4 issues the following Findings of Fact and Desist and Refrain
5 Order pursuant to Section 10086 of the Code.

6 FINDINGS OF FACT

7 1. At no time herein mentioned has AFS or BAUMANN
8 been licensed by the Department in any capacity.

9 2. Whenever acts referred to below are attributed to
10 BAUMANN, those acts are alleged to have been done by BAUMANN,
11 acting by himself, or by and/or through one or more agents,
12 associates, affiliates, and/or co-conspirators and using the name
13 AFS, or any fictitious name unknown at this time.

14 3. AFS and BAUMANN engaged in the business of, acted
15 in the capacity of, or advertised a loan solicitation,
16 negotiation and modification service and advance fee brokerage
17 offering to perform and performing loan solicitation,
18 negotiation and modification services with respect to loans
19 which were secured by liens on real property for compensation or
20 in expectation of compensation and for fees often collected in
21 advance as well as at the conclusion of the transaction,
22 including but not limited to the occasions set forth below:

23 a. On or about November 30, 2009, Antonia Maria M.
24 paid an advance fee of \$1,500 to BAUMANN and AFS. On or about
25 December 28, 2009, Antonia Maria M. paid an additional advance
26 fee of \$995 to BAUMANN and AFS. The foregoing advance fees were
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1 collected pursuant to an agreement pertaining to loan
2 solicitation, negotiation, and modification services to be
3 provided with respect to a loan secured by the real property at
4 170 W. Vermont Avenue, No. 1, Escondido, California 92025.

5 CONCLUSIONS OF LAW

6 4. Based on the information contained in Paragraph
7 3, above, AFS and BAUMANN have performed and/or participated in
8 advance fee handling and loan solicitation, negotiation and
9 modification activities which require a license under the
10 provision of Code Sections 10131(d) and 10131.2 during a period
11 of time when neither of them were licensed by the Department in
12 any capacity, in violation of Code Section 10130.

13 DESIST AND REFRAIN ORDER

14 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW
15 stated herein, it is hereby ordered that AMERICAS FINANCIAL
16 SOLUTIONS and EDWARD BAUMANN, whether doing business under their
17 own names, or any other names, or any fictitious name, ARE
18 HEREBY ORDERED to immediately desist and refrain from performing
19 any acts within the State of California for which a real estate
20 broker license is required. In particular each of them is
21 ORDERED TO DESIST AND REFRAIN from:

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

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

7 DATED: July 1, 2012.

8
9 REAL ESTATE COMMISSIONER

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11 
12 By WAYNE S. BELL
13 Chief Counsel

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17 **Notice:** Business and Professions Code Section 10139 provides
18 that "Any person acting as a real estate broker or real estate
19 salesperson without a license or who advertises using words
20 indicating that he or she is a real estate broker without being
21 so licensed shall be guilty of a public offense punishable by a
22 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)."

23 cc: Americas Financial Solutions
24 1823 E. 17th Street, Suite 302
Santa Ana, California 92025

25 Americas Financial Solutions
26 921 Natalie Lane
Anaheim, California 92808

1 Edward Baumann
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2
3 Edward Baumann
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4 Anaheim, California 92808

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