

FILED

MAY - 6 2013

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

(213) 576-6982

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To:

) NO. H-38854 LA

) HD ENTERPRISES, LLC and
) SURE MODIFICATIONS

) ORDER TO DESIST AND
) REFRAIN
) (B&P Code Section 10086)

The Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities of HD ENTERPRISES, LLC (HD) and SURE MODIFICATIONS (SURE). Based on that investigation, the Commissioner has determined that HD and SURE have engaged in, are engaging in, or are attempting to engage in, acts or practices constituting violations of the California Business and Professions Code (Code), including the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of Code Sections 10131(d) (performing services for borrowers in connection with loans secured by real property) and 10131.2 (advance fee handling).

1 Furthermore, based on the investigation, the Commissioner hereby issues the
2 following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the
3 authority of Section 10086 of the Code.

4 Whenever acts referred to below are attributed to HD or SURE, those acts are
5 alleged to have been done by HD or SURE acting by themselves, or by and/or through one or
6 more agents, associates, affiliates, and/or co-conspirators, including, but not limited to HD or
7 SURE, or other names or fictitious names unknown at this time.

8 FINDINGS OF FACT

- 9 1. HD and SURE are not now, and have never been, licensed by the Department
10 in any capacity.
- 11 2. During the period of time set out below, HD and SURE negotiated to do one
12 or more of the following acts for another or others, for or in expectation of compensation:
13 negotiate one or more loans for, or perform services for, borrowers and/or lenders in connection
14 with loans secured directly or collaterally by one or more liens on real property; and charge,
15 demand or collect an advance fee for any of the services offered.

16 3. Anthony G. Transactions

17 On or about April 12, 2010, SURE entered into an agreement with Anthony G,
18 in which SURE agreed to negotiate a loan modification for Anthony G, in exchange for the
19 payment of an advance fee. On or about April 20, 2010, Anthony G. paid an advance fee of
20 \$3,500 to HD for loan modification services. On or about August 20, 2010, Anthony G. paid an
21 additional advance fee of \$1,000 to HD for loan modification services.

22 CONCLUSIONS OF LAW

- 23 4. Based on the findings of fact contained in paragraphs 1 through 3, HD and
24 SURE, acting by themselves, or by and/or through one or more agents, associates, affiliates,
25 and/or co-conspirators, including other names or fictitious names unknown at this time, promised
26 to perform services for borrowers and/or those borrowers' lenders in connection with loans
27 secured directly or collaterally by one or more liens on real property, and charged, demanded or

1 collected advance fees for the services to be provided, which acts require a real estate broker
2 license under Section 10131(d) of the Code, during a period of time when HD and SURE were
3 not licensed by the Department real estate brokers, in violation of Section 10130 of the Code.

4 DESIST AND REFRAIN ORDER

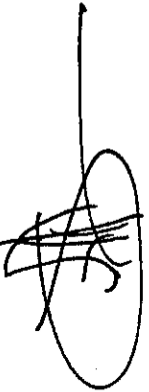
5 Based on the Findings of Fact and Conclusions of Law stated herein, it is hereby
6 ordered that HD ENTERPRISES, LLC and SURE MODIFICATIONS, whether doing business
7 under their own names, or any other names or fictitious names, ARE HEREBY ORDERED to
8 immediately desist and refrain from performing any acts within the State of California for which
9 a real estate broker license is required. In particular, they are ordered to desist and refrain from:

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

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

18 DATED: Apr. 23, 2013

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20 Real Estate Commissioner

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23 By: Jeffrey Mason
24 Chief Deputy Commissioner

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1 **Notice:** Business and Professions Code Section 10139 provides that “Any person acting as a
2 real estate broker or real estate salesperson without a license or who advertises using words
3 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
4 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
5 imprisonment in the county jail for a term not to exceed six months, or by both fine and
6 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
7 (\$60,000).”
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25 cc: HD ENTERPRISES, LLC
26 SURE MODIFICATIONS
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