

1 Department of Real Estate  
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**FILED**  
JUL 10 2012

DEPARTMENT OF REAL ESTATE  
By R. Mar

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 To: )  
12 ) NO. H-4378 SD  
13 ) ORDER TO DESIST AND REFRAIN  
14 ) (B & P Code Section 10086)

15 The Commissioner ("the Commissioner") of the California Department of Real  
16 Estate ("the Department") caused an investigation to be made of the activities of ALEXANDER  
17 RAMON LOZANO, individually and doing business as "Equity Lending", ("Respondent").  
18 Based on that investigation, the Commissioner has determined that Respondent has engaged in,  
19 is engaging in, or is attempting to engage in, acts or practices constituting violations of the  
20 California Business and Professions Code ("Code") and/or Title 10, Chapter 6, California Code  
21 of Regulations ("Regulations"), including acting in the capacity of, advertising or assuming to  
22 act as a real estate broker in the State of California within the meaning of Section 10131(d)  
23 (performing services for borrowers and/or lenders in connection with loans secured by real  
24 property) and 10137 (unlawful employment or payment of compensation) of the Code.  
25 Furthermore, based on the investigation, the Commissioner hereby issues the following Findings  
26 of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086  
27 of the Code.

1 FINDINGS OF FACT

2 1. At all times relevant herein, Respondent was and is licensed by the  
3 Department as a real estate broker.

4 2. Peter Alexander John, ("John"), was licensed by the Department as a real  
5 estate salesperson until July 11, 2009, when his license expired.

6 3. During the period of time set out below, Respondent performed services  
7 for one or more borrowers and negotiated to do one or more of the following acts for another or  
8 others, for or in expectation of compensation: negotiate one or more loans for, or perform  
9 services for, borrowers and/or lenders with respect to loan modifications, loan refinance,  
10 principal reduction, foreclosure abatement or short sale services and/or those borrowers' lenders  
11 in connection with loans secured directly or collaterally by one or more liens on real property.

12 4. During or about August, 2009, John, while in the employ of and on  
13 behalf of Equity Lending and Respondent, entered into an agreement with Robert C. to provide  
14 mortgage loan refinancing services for Robert C.'s real property located at 3117 Courser  
15 Avenue, San Diego, California. John informed Robert C. that Respondent's only compensation  
16 for the transaction would be one point on the loan. According to the first Good Faith Estimate  
17 received by Robert C., there was no yield spread premium included as part of the transaction.  
18 However, subsequent Good Faith Estimates indicated a yield spread premium was payable to  
19 Equity Lending. John assured Robert C. that the yield spread premium language in the  
20 transaction documents was a mistake and the lender's quality control department would catch  
21 and remove it prior to closing. John also promised Robert C. that if a yield spread premium  
22 was paid as part of the transaction, John would refund those fees to Robert C. After the  
23 transaction closed, Robert C. discovered that a yield spread premium had been paid to Equity  
24 Lending as part of the transaction.

25 5. On or about September 23, 2009, the Courser Avenue refinancing  
26 transaction closed. At that time, Respondent received a \$4,170 origination fee and a \$2,085  
27 yield spread premium from the lender (total of \$6,255).

1 6. On or about September 30, 2009, Respondent paid \$5,629.50 of the  
2 \$6,255 he received from the lender for the Courser Avenue refinancing transaction to John for  
3 John's services related to that transaction.

4 7. Neither Respondent nor John has repaid the yield premium payment to  
5 Robert C.

6 CONCLUSIONS OF LAW

7 8. Based on the Findings of Fact contained in Paragraphs 1 through 7, above,  
8 ALEXANDER RAMON LOZANO, through Peter John Alexander, solicited borrowers and/or  
9 performed services for those borrowers with respect to loan modifications, loan refinance,  
10 principal reduction, foreclosure abatement or short sale services and/or those borrowers' lenders  
11 in connection with loans secured directly or collaterally by one or more liens on real property.

12 9. ALEXANDER RAMON LOZANO employed and compensated Peter  
13 Alexander John for activities related to real estate while Peter Alexander John was not licensed  
14 by the Department to conduct real estate activities in the State of California in violation of  
15 Section 10137 of the Code.

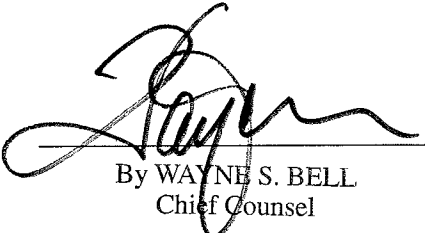
16 DESIST AND REFRAIN ORDER

17 Based on the Findings of Fact and Conclusions of Law stated herein,  
18 ALEXANDER RAMON LOZANO, whether doing business under your own names, or any  
19 other names or fictitious names, IS HEREBY ORDERED to immediately desist and refrain  
20 from employing or paying compensation to persons without a California real estate license for  
21 activities related to real estate that requires a real estate license.

22 DATED: \_\_\_\_\_

*6/15/2012*

23 REAL ESTATE COMMISSIONER

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26 By   
27 Chief Counsel

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**-NOTICE-**

Business and Professions Code Section 10139 provides that, "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she 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 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)...."

cc: ALEXANDER RAMON LOZANO  
6133 Verda Lane  
San Diego, CA 92130

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ATTY JWB/km