

1 DEPARTMENT OF REAL ESTATE  
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FILED

JUL 22 2009

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 STATE OF CALIFORNIA  
9 DEPARTMENT OF REAL ESTATE

10 To: ) NO. H-5244 SAC  
11 SAVING HOMES FIRST CORP., )  
12 a Corporation, and ) ORDER TO DESIST AND REFRAIN  
13 HECTOR VALDOVINO. ) (B&P Code Section 10086)

14 The Commissioner (Commissioner) of the California Department of Real Estate  
15 (Department) caused an investigation to be made of the activities of SAVING HOMES FIRST  
16 CORP. (SHFC) and HECTOR VALDOVINO (VALDOVINO). Based on that investigation, the  
17 Commissioner has determined that SHFC and VALDOVINO have engaged in, are engaging in, or  
18 are attempting to engage in, acts or practices constituting violations of the California Business and  
19 Professions Code (Code) and/or Title 10, Chapter 6, California Code of Regulations (Regulations),  
20 including the business of, acting in the capacity of, and/or advertising or assuming to act as, real  
21 estate brokers in the State of California within the meaning of Code Section 10131(d) (performing  
22 services for borrowers in connection with loans secured by real property). Furthermore, based on  
23 the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of  
24 Law, and Desist and Refrain Order under the authority of Code Section 10086.

25 Whenever acts referred to below are attributed to SHFC, those acts are alleged to  
26 have been done by SHFC, acting by itself, or by and/or through one or more agents, associates,  
27 affiliates, and/or co-conspirators, including, but not limited to VALDOVINO.

1 FINDINGS OF FACT

2 1. SHFC is not now, and has never been, licensed by the Department in any  
3 capacity.

4 2. VALDOVINO is not now, and has never been, licensed by the Department in  
5 any capacity.

6 3. During the period of time set out below, VALDOVINO solicited borrowers  
7 and negotiated to do one or more of the following acts for another or others, for or in expectation  
8 of compensation: negotiate one or more loans for, or perform services for, borrowers and/or  
9 lenders in connection with loans secured directly or collaterally by one or more liens on real  
10 property; and charge, demand or collect an advance fee for any of the services offered.

11 4. In about November 2008, VALDOVINO solicited Sergio Gomez (Mr. Gomez),  
12 representing that he could provide loan modification services for \$2,500.00.

13 5. On about December 15, 2008, Mr. Gomez and his sister, Elvia Gomez  
14 (Ms. Gomez) signed agreements authorizing SHFC to perform loan modifications for  
15 Mr. Gomez' property located at 1852 Torrey Pines Court, Stockton, California, and for  
16 Ms. Gomez' property located at 909 Cottonwood Court, Petaluma, California.

17 6. On about January 24, 2009, in furtherance of SHFC's plan and scheme to  
18 provide loan modification services to Mr. Gomez and Ms. Gomez, and in reliance on  
19 VALDOVINO'S representations, Mr. Gomez delivered a check to SHFC representing an  
20 advance fee of \$1,000.00.

21 7. After Mr. Gomez delivered the check mentioned above to SHFC, he received  
22 no services of any type from SHFC, or from anyone connected in any way with SHFC.

23 CONCLUSIONS OF LAW

24 8. Based on the Findings of Fact contained in Paragraphs 1 through 7,  
25 SHFC, acting by itself, or by and/or through one or more agents, associates, affiliates, and/or  
26 co-conspirators, including, but not limited to VALDOVINO, solicited borrowers and performed  
27 services for those borrowers and/or those borrowers' lenders in connection with loans secured

1 directly or collaterally by one or more liens on real property, and charged, demanded or collected  
2 advance fees for the services to be provided, which acts require a real estate broker license under  
3 Code Sections 10131(d) and 10131.2, during a period of time when SHFC was not licensed by  
4 the Department as a corporate real estate broker or in any other capacity.

5 9. Based on the Findings of Fact contained in Paragraphs 1 through 7,  
6 VALDOVINO, acting by himself, or by and/or through one or more agents, associates, affiliates,  
7 and/or co-conspirators, including, but not limited to SHFC, solicited borrowers and performed  
8 services for those borrowers and/or those borrowers' lenders in connection with loans secured  
9 directly or collaterally by one or more liens on real property, and charged, demanded or collected  
10 advance fees for the services to be provided, which requires a real estate broker license under  
11 Code Sections 10131(d) and 10131.2, during a period of time when VALDOVINO was not  
12 licensed by the Department as a real estate broker or in any other capacity.

13 DESIST AND REFRAIN ORDER

14 Based on the Findings of Fact and Conclusions of Law stated herein, you,  
15 SAVING HOMES FIRST CORP., and HECTOR VALDOVINO, ARE HEREBY ORDERED  
16 to:

17 1. immediately desist and refrain from performing any acts within the State of California  
18 for which a real estate broker license is required. In particular, you are ordered to desist and  
19 refrain from:

20 (i) soliciting borrowers and/or performing services for borrowers or lenders in  
21 connection with loans secured directly or collaterally by one or more liens on real property, and  
22

23 (ii) from charging, demanding, or collecting an advance fee for any of the services you  
24 offer to others, unless and until you obtain a real estate broker license issued by the Department,  
25 and until you demonstrate and provide evidence satisfactory to the Commissioner that you are in  
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1 full compliance with all of the requirements of the Code and Regulations relating to charging,  
2 collecting, and accounting for advance fees.

3 2. immediately desist and refrain from collecting advance fees, as that term is defined in  
4 Section 10026 of the Code, in any form and particularly with respect to loan modification, loan  
5 refinance, principal reduction, foreclosure abatement or short sale services, unless and until you  
6 demonstrate and provide evidence satisfactory to the Commissioner that you have:  
7

8 (i) an advance fee agreement which has been submitted to the Department and which  
9 is in compliance with Sections 2970 and 2972 of the Regulations;

10 (ii) placed all previously collected advance fees into a trust account for that purpose  
11 and are in compliance with Section 10146 of the Code; and

12 (iii) provided an accounting to trust fund owner-beneficiaries pursuant to Section  
13 2972 of the Regulations.  
14

15 DATED: 7/8, 2009

16 JEFF DAVI  
17 Real Estate Commissioner

18  
19 By: 

20 BARBARA J. BIGBY  
21 Chief Deputy Commissioner

22 **- NOTICE -**

23 Business and Professions Code Section 10139 provides that, "Any person acting  
24 as a real estate broker or real estate salesperson without a license or who advertises using words  
25 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
26 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by  
27 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) . . ."

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cc: SAVING HOMES FIRST CORP.  
Attn: Brenda Gamboa  
1578 W. San Bernardino Rd., Suite G  
Covina, CA 91722

SAVING HOMES FIRST CORP.  
Attn: Brenda Gamboa  
1555 N. Baker Avenue  
Ontario, CA 91764

HECTOR VALDOVINO  
401 S. El Dorado St., Suite F  
Stockton, CA 95203

ty MFC/kc