

1 DEPARTMENT OF REAL ESTATE

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FILED

JAN - 9 2013

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE
9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 To:)
13)
14 GELAN, INC.)
15)

NO. H-2798 FR

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

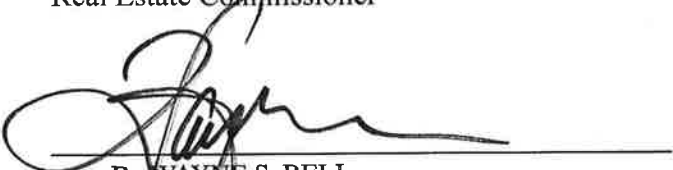
16 The Real Estate Commissioner (Commissioner) of the California Department of
17 Real Estate (Department) caused an investigation to be made of the activities of GELAN, INC.
18 Based on that investigation, the Commissioner has determined that GELAN, INC., has engaged in,
19 is engaging in, or is attempting to engage in, acts or practices constituting violations of the California
20 Business and Professions Code (Code), including the business of, acting in the capacity of, and/or
21 advertising or assuming to act as a real estate broker in the State of California within the meaning
22 of Sections 10131(d) (performing services for borrowers in connection with loans secured by
23 real property), 10131.2 (broker claiming/collecting receiving advance fees), and 10026 (advance
24 fees) of the Code

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

1 and until GELAN, INC., obtains an appropriate license issued by the Department; and in
2 particular from charging, demanding, claiming, collecting and/or receiving advance fees, as that
3 term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to
4 the performance of loan modifications or any other form of mortgage loan forbearance service in
5 connection with loans on residential property containing four or fewer dwelling units (Section
6 10085.6 of the Code).

7 DATED: 12/27/2012

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9 Real Estate Commissioner

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12 By WAYNE S. BELL
13 Chief Counsel

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16 -NOTICE-

17 Business and Professions Code Section 10139 (Penalties for Unlicensed Person) provides that:
18 "Any person acting as a real estate broker, real estate salesperson, or mortgage loan originator
19 without a license or license endorsement, or who advertises using words indicating that he or she
20 is a real estate broker, real estate salesperson, or mortgage loan originator without being so
21 licensed or without having obtained a license endorsement, 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). ..."

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25 cc: GELAN, INC.
Attn Erika Barrios, Agent for Service
26 210 San Benito Street
Suite D
Hollister, CA 95023

Atty MFC/kc 27