

1 Department of Real Estate  
 2 320 West Fourth Street, Ste. 350  
 3 Los Angeles, California 90013  
 4 Telephone: (213) 576-6982

**FILED**  
 MAR 29 2010  
 DEPARTMENT OF REAL ESTATE

By *[Signature]*

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \* \*

11 To: ) No. H-36555 LA  
 12 )  
 13 GLOBAL AMERICA, SARA GONZALEZ, ) ORDER TO DESIST  
 and CARLOS XAVIER. ) AND REFRAIN  
 ) (B&P Code Section 10086)

14  
 15 The Commissioner ("Commissioner") of the California  
 16 Department of Real Estate ("Department") caused an investigation  
 17 to be made of the activities of GLOBAL AMERICA, SARA GONZALEZ  
 18 ("GONZALEZ"), and CARLOS XAVIER ("XAVIER"), and has determined  
 19 that each of them engaged in or is engaging in acts or practices  
 20 constituting violations of the California Business and  
 21 Professions Code ("Code") and/or Title 10, California Code of  
 22 Regulations ("Regulations"), including engaging in the business  
 23 of, acting in the capacity of, advertising, or assuming to act,  
 24 as real estate brokers in the State of California within the  
 25 meaning of Section 10131(d) (soliciting borrowers or lenders or  
 26 negotiating loans). Based on the findings of that  
 27 investigation, as set forth below, the Commissioner hereby

1 issues the following Findings of Fact and Desist and Refrain  
2 Order pursuant to Section 10086 of the Code.

3 FINDINGS OF FACT

4 1. At no time herein mentioned have GLOBAL AMERICA,  
5 SARA GONZALEZ, and CARLOS XAVIER been licensed by the Department  
6 in any capacity.

7 2. SARA GONZALEZ is the registered owner of the  
8 fictitious business name "GLOBAL AMERICA" doing business at 813  
9 Laconia Blvd., Los Angeles, California 90044.

10 3. Whenever acts referred to below are attributed to  
11 GLOBAL AMERICA, those acts are alleged to have been done by  
12 GLOBAL AMERICA, acting by itself, or by and/or through one or  
13 more agents, associates, affiliates, and/or co-conspirators,  
14 including but not limited to, each of those named herein, and  
15 using the names GLOBAL AMERICA, or any fictitious name unknown  
16 at this time.

17 4. GLOBAL AMERICA engaged in the business of  
18 claiming, demanding, charging, receiving, collecting or  
19 contracting for the collection of an advance fee, as defined by  
20 Code Section 10026, including but not limited to, the activities  
21 described in Paragraph 5, below.

22 5. At the times set forth below GLOBAL AMERICA  
23 engaged in the business of, acted in the capacity of, or  
24 advertised a real estate loan service and advance fee brokerage  
25 offering to perform solicitation, negotiation and modification  
26 of loans secured by liens on real property for compensation or  
27 in expectation of compensation and for fees collected in advance  
including, but not limited to, the following: On or about

1 September 15, 2008, Victor Calixto Medina agreed to pay an  
2 advance fee of \$5,000 to XAVIER on behalf of GLOBAL AMERICA.  
3 The advance fee was collected pursuant to the provisions of an  
4 agreement pertaining to loan solicitation, negotiation, and  
5 modification services to be provided by GLOBAL AMERICA with  
6 respect to a loan secured by the real property located at 1080  
7 Orange Avenue, Long Beach, California 90813.

8 CONCLUSIONS OF LAW

9 6. The activities described in Paragraph 5, above,  
10 require a real estate license under Section 10131(d) of the  
11 Code.

12 7. Based on the information contained in Paragraphs 1  
13 through 5, above, GLOBAL AMERICA, GONZALEZ and XAVIER performed  
14 and/or participated in loan solicitation, negotiation and  
15 modification activities which require a real estate broker  
16 license under the provisions of Code Section 10131(d) during a  
17 period of time when none of them were licensed by the Department  
18 as a real estate broker nor employed as a real estate  
19 salesperson by the broker on whose behalf the activities were  
20 performed, in violation of Section 10130 of the Code.

21 DESIST AND REFRAIN ORDER

22 Based on the Findings of Fact and Conclusions of Law  
23 stated herein:

24 1. IT IS HEREBY ORDERED that GLOBAL AMERICA, SARA  
25 GONZALEZ, and CARLOS XAVIER, whether doing business under their  
26 own names, or any other names, or any fictitious name, ARE  
27 HEREBY ORDERED to immediately desist and refrain from performing

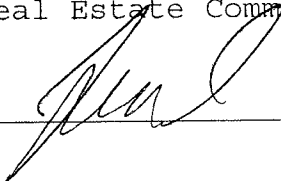
1 any acts within the State of California for which a real estate  
2 broker license is required. In particular each of them is  
3 ORDERED TO DESIST AND REFRAIN from:

4 (i) charging, demanding, claiming, collecting and/or  
5 receiving advance fees, as that term is defined in Section 10026  
6 of the Code, in any form, and under any conditions, with respect  
7 to the performance of loan modifications or any other form of  
8 mortgage loan forbearance service in connection with loans on  
9 residential property containing four or fewer dwelling units  
10 (Code Section 10085.6); and

11 (ii) charging, demanding, claiming, collecting and/or  
12 receiving advance fees, as that term is defined in Section 10026  
13 of the Code, for any other real estate related services offered  
14 by them to others.

15 DATED: 3/24/2008.

16 JEFF DAVI  
17 Real Estate Commissioner

18   
19 \_\_\_\_\_

20  
21 Notice: Business and Professions Code Section 10139 provides  
22 that "Any person acting as a real estate broker or real estate  
23 salesperson without a license or who advertises using words  
24 indicating that he or she is a real estate broker without being  
25 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)."

26 cc: GLOBAL AMERICA/SARA GONZALEZ/CARLOS XAVIER  
27 813 Laconia Blvd.  
Los Angeles, CA 90044