


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

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**FILED**

MAY 12 2010

DEPARTMENT OF REAL ESTATE  
BY: 

RECEIVED  
Department of Real Estate

MAY 17 2010

9 STATE OF CALIFORNIA

10 DEPARTMENT OF REAL ESTATE ADMINISTRATION-SACRAMENTO

11 To: )  
12 TAF GROUP, LLC and TOM FAHRNY, ) NO. H- 36633 LA  
13 individually and dba TAF GROUP, LLC, U.S. HOME )  
14 SOLUTIONS, LOSS MITIGATION, )  
15 and/or any other names or fictitious names ) ORDER TO DESIST AND  
16 used by Tom Fahrny ) REFRAIN  
) (B&P Code Section 10086)  
)

17 The Commissioner (Commissioner) of the California Department of Real Estate  
18 (Department) caused an investigation to be made of the activities of TAF GROUP, LLC ("TAF")  
19 and TOM FAHRNY ("FAHRNY"). Based on that investigation, the Commissioner has  
20 determined that TAF and FAHRNY have engaged in, are engaging in, or are attempting to  
21 engage in, acts or practices constituting violations of the California Business and Professions  
22 Code (Code), including violating Code Section 10130 by engaging in the business of, acting in  
23 the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of  
24 California within the meaning of Code Section 10131(d) (solicit, negotiate or perform services  
25 for borrowers in connection with loans secured by real property). Furthermore, based on the  
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1 investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of  
2 Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

3 Whenever acts referred to below are attributed to TAF or FAHRNY, those acts are alleged  
4 to have been done by FAHRNY, acting by himself, or by and/or through one or more agents,  
5 associates, affiliates, and/or co-conspirators, including, but not limited to TAF and using the  
6 names "TAF Group, LLC," "U.S. Home Solutions," "Loss Mitigation," or other names or  
7 fictitious names unknown at this time.  
8

9 FINDINGS OF FACT

10 1. TAF is not now, and has never been, licensed by the Department in any capacity. TAF is an  
11 active California limited liability company with Articles of Organization on file with the  
12 California Secretary of State.

13 2. FAHRNY is not now, and has never been, licensed by the Department in any capacity.  
14

15 3. TAF and FAHRNY solicited borrowers and negotiated to do one or more of the following  
16 acts for another or others, for or in expectation of compensation: solicit or negotiate one or more  
17 loans for, or perform services for, borrowers and/or lenders in connection with loans secured  
18 directly or collaterally by one or more liens on real property; and charge, demand or collect an  
19 advance fee for any of the services offered.  
20

21 4. TAF and FAHRNY advertised, and continue to advertise, services under one or more  
22 business names including, but not limited to, "U.S. Home Solutions," "Loss Mitigation," and  
23 "TAF Group, LLC."  
24

25 Jorge M. Soriano's transaction

26 5. On or about March 9, 2008, FAHRNY solicited Jorge Soriano (Soriano) in order provide  
27 TAF's loan modification services to save Soriano's home from being lost in foreclosure.

1 6. In furtherance of FAHRNY'S plan and scheme to provide loan modification services to  
2 Soriano, FARHNY requested an advance fee in the amount of \$1195.00 from Soriano.

3 7. In reliance on FAHRNY'S representations, Soriano paid TAF \$1195.00 and signed the  
4 Loan Modification Agreement.

5 8. On or about March 25, 2008, FAHRNY demanded another \$250.00 from Soriano for  
6 negotiation of Soriano's second mortgage.

7 9. Soriano paid the additional \$250.00 demanded by FAHRNY.

8 10. Between March 2008 and September 2008, Soriano contacted FAHRNY multiple times  
9 to follow-up and inquire of the status of his loan modification.

10 11. In approximately September 2008, FAHRNY notified Soriano that his loan modification  
11 request to the lender was denied.

12 12. Soriano requested FAHRNY refund the advance fee he paid.

13 13. FAHRNY represented to Soriano the he could not refund Soriano's money because his  
14 case was lengthy and included many discrepancies.

15 14. When Soriano indicated to FAHRNY that the lengthiness of his case and the  
16 discrepancies in his documents were not his fault, FAHRNY represented that he would see if a  
17 partial refund of the advance fee was possible.

18 15. Soriano has not heard from FAHRNY since September 2008.

19 CONCLUSIONS OF LAW

20 16. Based on the findings of fact contained in paragraphs 1 through 15, TAF, acting by itself,  
21 or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including,  
22 but not limited to FAHRNY, and using the name "U.S. Home Solutions," "Loss Mitigation,"  
23 "TAF Group LLC," or other names or fictitious names unknown at this time, solicited borrowers  
24 to negotiate loans or perform services, in connection with loans secured directly or collaterally by  
25 one or more liens on real property. These acts, which require a real estate broker license under  
26 Code Section 10131(d) were performed during a period of time when TAF was not licensed by  
27 the Department as a real estate broker, a violation of Code Section 10130.

1 17. Based on the findings of fact contained in paragraphs 1 through 15, FAHRNY, acting by  
2 himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,  
3 including, but not limited to TAF, and using the name "U.S. Home Solutions," "Loss Mitigation,"  
4 "TAF Group, LLC," or other names or fictitious names unknown at this time, solicited borrowers  
5 to negotiate loans or perform services, in connection with loans secured directly or collaterally by  
6 one or more liens on real property. These acts, which require a real estate broker license under  
7 Code Section 10131(d), were performed during a period of time when FAHRNY was not  
8 licensed by the Department as a real estate broker, a violation of Code Section 10130.

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1 DESIST AND REFRAIN ORDER

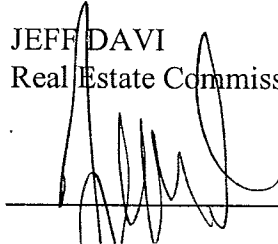
2 Based upon the Findings of Fact and Conclusions of Law stated herein, it is hereby ordered  
3 that TAF GROUP LLC and TOM FAHRNY, whether doing business under their own names, or  
4 any other names, or any fictitious name, ARE HEREBY ORDERED to immediately desist and  
5 refrain from performing any acts within the State of California for which a real estate broker  
6 license is required. In particular, TOM FAHRNY is ORDERED TO DESIST AND REFRAIN  
7 from:

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

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

16  
17 DATED: 5/10 2010

18 JEFF DAVI  
19 Real Estate Commissioner

20  
21 By 

22 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a  
23 real estate broker or real estate salesperson without a license or who advertises using words  
24 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
25 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by  
26 imprisonment in the county jail for a term not to exceed six months, or by both fine and  
27 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars  
(\$60,000)."

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cc: TAF GROUP, LLC  
18340 Yorba Linda Blvd., Suite 107/112  
Yorba Linda, CA 92886

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