

1 DEPARTMENT OF REAL ESTATE  
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3 Los Angeles, California 90013-1105  
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**FILED**  
OCT 19 2010  
DEPARTMENT OF REAL ESTATE

By 

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7  
8 STATE OF CALIFORNIA

9 DEPARTMENT OF REAL ESTATE

10 To: )  
11 ) NO. H-36869 LA  
12 PEDRO TORRES, doing business as )  
13 American Enterprise. ) ORDER TO DESIST AND  
14 ) REFRAIN  
15 )  
16 ) (B&P Code Section 10086)  
17 )  
18 )

17 The Commissioner ("Commissioner") of the California Department of Real Estate  
18 ("Department") caused an investigation to be made of the activities of PEDRO TORRES, doing  
19 business as American Enterprise, and has determined that each of them have engaged in or are  
20 engaging in acts or practices constituting violations of the California Business and Professions  
21 Code ("Code") and/or Title 10, California Code of Regulations including engaging in the  
22 business of, acting in the capacity of, advertising, or assuming to act, as real estate brokers in the  
23 State of California within the meaning of Section 10131(d) (soliciting borrowers or lenders or  
24 negotiating loans) of the Code. Based on the findings of that investigation, as set forth below,  
25 the Commissioner hereby issues the following Findings of Fact, Conclusions of Law and Desist  
26 and Refrain Order pursuant to Section 10086 of the Code.

1 Whenever acts referred to below are attributed to American Enterprise, those acts  
2 are alleged to have been done by American Enterprise, acting by and/or through one or more  
3 agents, associates, affiliates, and/or co-conspirator including, but not limited to, PEDRO  
4 TORRES and any other persons unknown at this time.

5 FINDINGS OF FACT

6 1. At no time herein mentioned have PEDRO TORRES or American Enterprise,  
7 been licensed by the Department in any capacity.

8 2. On the occasions set forth below, PEDRO TORRES, while doing business as  
9 American Enterprise, has engaged in the business of, acted in the capacity of, or advertised a real  
10 estate loan service offering to perform solicitation, negotiation and modification of loans secured  
11 by liens on real property for compensation or in expectation of compensation, including but not  
12 limited to the following:

13 a. In or around October, 2008, PEDRO TORRES, while doing business as  
14 American Enterprise, entered into an agreement with Veronica S. to negotiate a modification of  
15 the terms of a loan secured by a lien on Veronica S.'s real property located in the city of Los  
16 Angeles, California, for an advance fee in the amount of \$2,000. TORRES failed to obtain a  
17 modification of the terms of Veronica S.' loan. Veronica S. obtained a small claims judgment  
18 against TORRES, dba American Enterprise on March 24, 2010.

19 CONCLUSIONS OF LAW

20 3. Based on the findings of fact contained in Paragraphs 1 and 2, above, PEDRO  
21 TORRES, doing business as American Enterprise, acting alone, or by and/or through one or  
22 more agents, associates, affiliates, and/or co-conspirators performed and/or participated in a  
23 loan service offering to perform solicitation, negotiation and modification of loans secured by  
24 liens on real property which require a real estate broker license under the provisions of Code  
25 Sections 10131(d) during a period of time when none of them was licensed by the Department  
26 in any capacity, in 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  
3 herein, it is hereby ordered that PEDRO TORRES, whether doing business under his own name,  
4 doing business as American Enterprise, or doing business as any other fictitious name, IS  
5 HEREBY ORDERED to immediately desist and refrain from performing any acts within the  
6 State of California for which a real estate broker license is required. In particular he is  
7 ORDERED TO DESIST AND REFRAIN from:

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

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

16 DATED: 10/14, 2010.

17  
18 JEFF DAVI  
19 Real Estate Commissioner

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21 BY: Barbara J. Bigby  
22 Chief Deputy Commissioner

23 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a  
24 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)."

cc: Pedro Torres  
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