

1 Department of Real Estate  
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 3 Los Angeles, CA 90013-1105  
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FILED  
 JAN 19 2011  
 DEPARTMENT OF REAL ESTATE

By     *[Signature]*    

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8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \* \*

11 To:

12 ROSALINDA DELGADO.	)	No. H-37020 LA
	)	<u>ORDER TO DESIST</u>
	)	<u>AND REFRAIN</u>
	)	(B&P Code Section 10086)
	)	

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17         The Real Estate Commissioner of the State of California ("Commissioner") has  
18 caused an investigation to be made of the activities of ROSALINDA DELGADO. Based on  
19 that investigation, the Commissioner has determined that ROSALINDA DELGADO has  
20 engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations  
21 of the California Business and Professions Code ("Code"). Based on that investigation, the  
22 Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and  
23 Refrain Order under the authority of Section 10086 of the Code.

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1 FINDINGS OF FACT

2 1. ROSALINDA DELGADO ("DELGADO") is not licensed by the Department  
3 of Real Estate of the State of California ("Department") as a real estate broker or as a salesperson  
4 employed by a real estate broker.

5 2. At all times relevant herein, DELGADO engaged in the business of, acted in  
6 the capacity of, advertised or assumed to act as a real estate broker in the State of California  
7 within the meaning of Code Sections 10131(d) and 10131.2. Her activities included soliciting  
8 borrowers or lenders for and/or negotiating loans, collecting payments and/or performing  
9 services for borrowers or lenders in connection with loans secured by liens on real property.  
10 Her activities also included claiming, demanding, charging, receiving, collecting or contracting  
11 for the collection of an advance fee within the meaning of Code Sections 10026 and 10085.  
12

13 3. Beginning at a time no later than May 2, 2008, and continuing through on or  
14 after January 14, 2009, DELGADO solicited borrowers for loan modification and related  
15 financial services in exchange for payment of advance fees.  
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17 4. Specifically, beginning on or before May 2, 2008, and continuing through on  
18 or after January 14, 2009, DELGADO advertised and solicited Amparo N. ("Borrower") and  
19 offered to assist her in modifying the terms of her mortgage loan and avoiding foreclosure in  
20 exchange for payment of up front fees.  
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22 5. On May 2, 2008, DELGADO collected a check from Borrower for \$2,000.00  
23 as partial payment of the advance fee for loan modification services.

24 6. On December 19, 2008, DELGADO collected a second check for \$2,000.00.  
25 from Borrower, which was supposed to be the balance due for loan modification services.  
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1                 7. In early January, 2009, Borrower received notice from the bank that a  
2 foreclosure sale was imminent.

3                 8. On January 14, 2009, Borrower met with DELGADO to discuss the  
4 foreclosure. At that time, DELGADO demanded, and Borrower provided, an additional check  
5 for \$1,850.00 as additional fees to stop the foreclosure.  
6

7                 9. DELGADO never provided Borrower with any services, and refused to  
8 provide an accounting or refund of the money.

9   CONCLUSIONS OF LAW

10                 The conduct, acts and/or omissions of ROSALINDA DELGADO in advertising,  
11 soliciting, and negotiating on behalf of borrowers when she were not licensed by the Department  
12 is in violation of Code Section 10130.  
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14   DESIST AND REFRAIN ORDER

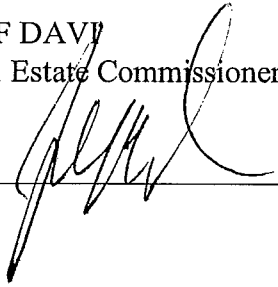
15                 Based on the Findings of Fact and Conclusions of Law stated herein, it is hereby  
16 ordered that ROSALINDA DELGADO, whether doing business under your own name, or any  
17 other name, or any fictitious name, ARE HEREBY ORDERED to immediately desist and  
18 refrain from performing any acts within the State of California for which a real estate broker  
19 license is required. In particular, you are ORDERED TO DESIST AND REFRAIN from:  
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- 21                         (i)         charging, demanding, claiming, collecting and/or receiving advance fees,  
22                             as that term is defined in Section 10026 of the Code, in any form, and  
23                             under any conditions, with respect to the performance of loan  
24                             modifications or any other form of mortgage loan forbearance service in  
25                             connection with loans on residential property containing four or fewer  
26                             dwelling units; and  
27

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

4 DATED: 12/30, 2010.

6 JEFF DAVIS  
Real Estate Commissioner

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12 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a  
13 real estate broker or real estate salesperson without a license or who advertises using words  
14 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
15 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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24  
25 cc: Rosalinda Delgado  
26 10200 Sepulveda Blvd., Suite 160  
27 Mission Hills, CA 91345