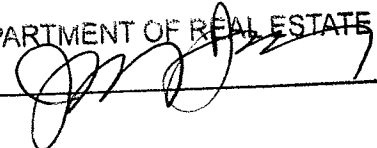


1 DEPARTMENT OF REAL ESTATE
2 320 West Fourth Street, Ste. 350
3 Los Angeles, California 90013

4 (213) 576-6982

FILED

MAR 22 2011

DEPARTMENT OF REAL ESTATE
BY: 

9 STATE OF CALIFORNIA

10 DEPARTMENT OF REAL ESTATE

11 To:)
12) NO. H-37151 LA
13 PABLO TUN, JR.)
14 and/or any other names or fictitious names) ORDER TO DESIST AND
15 used by Pablo Tun, Jr.) REFRAIN
16) (B&P Code Section 10086)
17)
18)

19 The Commissioner (Commissioner) of the California Department of Real Estate
20 (Department) caused an investigation to be made of the activities of PABLO TUN, JR..
21 ("TUN") Based on that investigation, the Commissioner has determined that TUN has engaged
22 in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the
23 California Business and Professions Code (Code), including violating Code Section 10130 by
24 engaging in the business of, acting in the capacity of, and/or advertising or assuming to act as, a
25 real estate broker in the State of California within the meaning of Code Section 10131(d)
26 (performing services for borrowers in connection with loans secured by real property) and Code
27 Section 10131.2 (contracting for the collection of an advance fee). Furthermore, based on the

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 TUN , those acts are alleged to have been
4 done by TUN , acting by himself, or by and/or through one or more agents, associates, affiliates,
5 and/or co-conspirators, and using the name "Pablo Tun, Jr.", or other names or fictitious names
6 unknown at this time.

7
8 FINDINGS OF FACT

- 9 1. TUN is not now licensed by the Department in any capacity. TUN was licensed by the
10 Department as a real estate salesperson on or about March 5, 1992. TUN's license expired on
11 March 4, 2008. On May 8, 2008, TUN was issued a 150 day license pursuant to Financial Code
12 Section 17520. Effective October 6, 2008, a permanent license was withheld/denied.
- 13 2. TUN solicited borrowers and negotiated to do one or more of the following acts for another
14 or others, for or in expectation of compensation: negotiate one or more loans for, or perform
15 services for, borrowers and/or lenders in connection with loans secured directly or collaterally by
16 one or more liens on real property; and charge, demand or collect an advance fee for any of the
17 services offered.
- 18 3. On or about June 24, 2008, TUN, represented himself as working for Theodore Brewer and
19 ReMAX VIP and for compensation in the form of checks totaling \$7,050.00, agreed to
20 negotiate a mortgage loan modification for borrower Carlos D. for his property located at 6248
21 Gifford Ave., Bell, California 90201. The following checks were received by TUN on behalf of
22 ReMAX VIP, from Carlos D. towards payment of the \$7,050.00 balance:
- 23 - Check No. 1037, dated March 5, 2009 in the amount \$1,150.00
 - 24 - Check No. 1031, dated February 10, 2009 in the amount \$980.00
 - 25 - Check No. 1026, dated January 13, 2009, in the amount \$920.00
- 26
27

1 4. On or about March 2009, when Carlos D. learned it was not necessary or required to pay
2 a real estate salesperson for loan modification assistances, he requested that TUN return all this
3 money. Multiple contacts and requests for a refund by Carlos D. have been unsuccessful. TUN
4 has returned none of the money paid to TUN by Carlos D.

5 5. On or about November 5, 2009, a telephone call by a Deputy Real Estate Commissioner
6 to ReMAX VIP at 6730 E. Florence Avenue, Bell Gardens, California 90201 revealed that TUN
7 was employed at ReMAX VIP as of November 5, 2009.

8 CONCLUSIONS OF LAW

9 6. Based on the findings of fact contained in paragraphs 1 through 5, TUN, acting by himself,
10 or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, and using
11 the name "Pablo Tun, Jr.", or other names or fictitious names unknown at this time, solicited
12 borrowers to negotiate loans or perform services, in connection with loans secured directly or
13 collaterally by one or more liens on real property. These acts, which require a real estate broker
14 license under Sections 10131(d) and 10131.2 of the Code, were performed during a period of
15 time when TUN was not licensed by the Department as a real estate broker, in violation of Code
16 Section 10130.

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cc: PABLO TUN, JR.
P.O. Box 2221
Bell Gardens, CA 90202

1 DESIST AND REFRAIN ORDER

2 Based on the Findings of Fact and Conclusions of Law stated herein,

3 PABLO TUN, JR., whether doing business under your own name, or any other names or
4 fictitious names, ARE HEREBY ORDERED to:

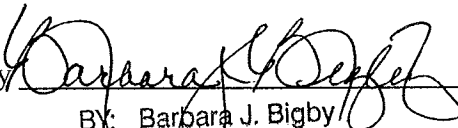
5 1. Immediately desist and refrain from performing any and all acts for which a real estate
6 license is required. In particular, you are ordered to desist and refrain from:

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

13 (b) charging, demanding, claiming, collecting and/or receiving advance fees, as that term is
14 defined in Code Section 10026, for any other real estate related services offered by them to
15 others.
16

17
18 DATED: 3/17, 2011

19 JEFF DAVI
20 Real Estate Commissioner

21 By 
22 BY: Barbara J. Bigby
23 Chief Deputy Commissioner

24 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a
25 real estate broker or real estate salesperson without a license or who advertises using words
26 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
27 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)."