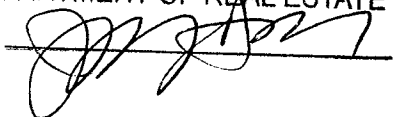


1 Department of Real Estate
320 West Fourth Street, Ste. 350
2 Los Angeles, California 90013

3 Telephone: (213) 576-6982

FILED

MAY 23 2011

DEPARTMENT OF REAL ESTATE
BY: 

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

11 To:)	No. H-37286 LA
)	
12 WORTH RECON, LLC; JOSE)	<u>ORDER TO DESIST</u>
13 ESCOBAR; and ELIZABETH)	<u>AND REFRAIN</u>
14 AGUILAR,)	(B&P Code Section 10086)
)	
15 Respondents.)	
)	

16

17 The Commissioner ("Commissioner") of the California

18 Department of Real Estate ("Department") caused an investigation

19 to be made of the activities of WORTH RECON, LLC ("WORTH"); JOSE

20 ESCOBAR ("ESCOBAR"); and ELIZABETH AGUILAR ("AGUILAR"), and has

21 determined that they have each engaged in or are engaging in acts

22 or practices constituting violations of the California Business

23 and Professions Code ("Code") including engaging in the business

24 of, acting in the capacity of, engaging in the business of,

25 acting in the capacity of, advertising, or assuming to act, as a

26 real estate broker in the State of California within the meaning

27 of Section 10131(d) (soliciting borrowers or lenders or

1 negotiating loans) and Section 10131.2 (advance fee handling).
2 Based on the findings of that investigation, as set forth below,
3 the Commissioner hereby issues the following Findings of Fact and
4 Desist and Refrain Order pursuant to Code Section 10086.

5 FINDINGS OF FACT

6 1. At no time herein mentioned has WORTH or ESCOBAR
7 been licensed by the Department in any capacity.

8 2. AGUILAR is presently licensed and/or has license
9 rights under the Real Estate Law as a real estate salesperson.

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

16 4. At the times set forth below WORTH, ESCOBAR and
17 AGUILAR engaged in the business of, acted in the capacity of, or
18 advertised a loan modification service and/or foreclosure rescue
19 service offering to perform and performing loan modification or
20 negotiation services with respect to loans which were secured by
21 liens on real property for compensation or in expectation of
22 compensation and for fees collected in advance of the
23 transaction, including but not limited to the activities
24 described below.

25 a. In or around December, 2008, Juan S. paid an
26 advance fee of \$1,000 to AGUILAR for the purpose of obtaining
27

1 mortgage loan modification services with respect to a loan
2 secured by the real property located at 11129 Van Buren Avenue,
3 Los Angeles, California 90044 (the "Property"). Thereafter,
4 AGUILAR referred Juan S. to WORTH and ESCOBAR for loan
5 modification services. On or about February 10, 2009, Juan S.
6 executed a written agreement with WORTH pertaining to loan
7 solicitation, negotiation, and modification services to be
8 provided by ESCOBAR and WORTH with respect to a loan on the
9 Property. Pursuant to the written agreement executed on February
10 10, 2009, Juan S. made the following advance payments to ESCOBAR
11 and WORTH: \$2,500 on February 10, 2009; \$1,229.27 on March 16,
12 2009; \$1,229.29 on April 13, 2009; \$1,229.17 on May 12, 2009;
13 \$1,229.17 on June 10, 2009.

14
15 CONCLUSIONS OF LAW

16 5. Based on the information contained in Paragraph
17 4, above, WORTH, ESCOBAR and AGUILAR performed and/or
18 participated in loan solicitation, negotiation and modification
19 activities as well as advance fee handling which require a real
20 estate broker license under the provisions of Code Sections
21 10131(d) and 10131.2 during a period of time when none of them
22 licensed by the Department as a real estate broker nor employed
23 as a real estate salesperson by the broker on whose behalf the
24 activities were performed, in violation of Section 10130 of the
25 Code.

26 ///

27 ///

DESIST AND REFRAIN ORDER


1
2 IT IS HEREBY ORDERED that WORTH RECON, LLC; JOSE
3 ESCOBAR; and ELIZABETH AGUILAR, whether doing business under the
4 name Worth Recon, LLC, or their own names, or any other names,
5 or any fictitious name, ARE HEREBY ORDERED to immediately desist
6 and refrain from performing any acts within the State of
7 California for which a real estate broker license is required.
8 In particular each of them is ORDERED TO DESIST AND REFRAIN
9 from:

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

17
18 (ii) charging, demanding, claiming, collecting and/or
19 receiving advance fees, as that term is defined in Section 10026
20 of the Code, for any other real estate related services offered
21 by them to others.

22
23 DATED: 5/17, 2011.

24
25
26 Real Estate Commissioner

27 

1 **Notice:** Business and Professions Code Section 10139 provides
2 that "Any person acting as a real estate broker or real estate
3 salesperson without a license or who advertises using words
4 indicating that he or she is a real estate broker without being
5 so licensed shall be guilty of a public offense punishable by a
6 fine not exceeding twenty thousand dollars (\$20,000), or by
7 imprisonment in the county jail for a term not to exceed six
8 months, or by both fine and imprisonment; or if a corporation,
9 be punished by a fine not exceeding sixty thousand dollars
10 (\$60,000)."

11 cc: Worth Recon, LLC
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