

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

3 Telephone: (213) 576-6982

**FILED**

JUN 09 2011

DEPARTMENT OF REAL ESTATE

BY: 

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \* \*

11 To:	)	No. H-37324 LA
	)	
12 MOGUL GROUP INC.; and	)	<u>ORDER TO DESIST</u>
13 JASON MARTIN GAILLIOT	)	<u>AND REFRAIN</u>
	)	(B&P Code Section 10086)
	)	
	)	
15 _____	)	

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 MOGUL GROUP INC. ("MOGUL") and

20 JASON MARTIN GAILLIOT ("GAILLIOT"), and has determined that they

21 have each engaged in or are engaging in acts or practices

22 constituting violations of the California Business and

23 Professions Code ("Code") including engaging in the business of,

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

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

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

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

1 loans) and Section 10131.2 (advance fee handling). Based on the  
2 findings of that investigation, as set forth below, the  
3 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 MOGUL been  
7 licensed by the Department in any capacity.

8 2. GAILLIOT 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 MOGUL, those acts are alleged to have been done by MOGUL by  
12 and/or through one or more agents, associates, affiliates,  
13 and/or co-conspirators, including but not limited to GAILLIOT,  
14 and using any fictitious name unknown at this time.

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

24 a. On or about June 20, 2008, Jorge A. paid an  
25 advance fee of \$1,000 to MOGUL and GAILLIOT for the purpose of  
26 obtaining mortgage loan modification services with respect to a  
27

1 loan secured by the real property.

2 CONCLUSION OF LAW

3 5. Based on the information contained in Paragraph  
4 4, above, MOGUL and GAILLIOT performed and/or participated in  
5 loan solicitation, negotiation and modification activities as  
6 well as advance fee handling which require a real estate broker  
7 license under the provisions of Code Sections 10131(d) and  
8 10131.2 during a period of time when neither of them licensed by  
9 the Department as a real estate broker nor employed as a real  
10 estate salesperson by the broker on whose behalf the activities  
11 were performed, in violation of Section 10130 of the Code.

12 DESIST AND REFRAIN ORDER

13 IT IS HEREBY ORDERED that MOGUL GROUP INC. and JASON  
14 MARTIN GAILLIOT, whether doing business under the name Mogul  
15 Group Inc., or any other name, or any fictitious name, ARE  
16 HEREBY ORDERED to immediately desist and refrain from performing  
17 any acts within the State of California for which a real estate  
18 broker license is required. In particular each of them is  
19 ORDERED TO DESIST AND REFRAIN from:  
20

21 (i) charging, demanding, claiming, collecting and/or  
22 receiving advance fees, as that term is defined in Section 10026  
23 of the Code, in any form, and under any conditions, with respect  
24 to the performance of loan modifications or any other form of  
25 mortgage loan forbearance service in connection with loans on  
26 residential property containing four or fewer dwelling units  
27 (Code Section 10085.6); and

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

5  
6 DATED: 6/6, 2011.

7  
8 Barbara J. Bigby  
9 Acting Real Estate Commissioner

10   
11

12  
13 **Notice:** Business and Professions Code Section 10139 provides  
14 that "Any person acting as a real estate broker or real estate  
15 salesperson without a license or who advertises using words  
16 indicating that he or she is a real estate broker without being  
17 so licensed shall be guilty of a public offense punishable by a  
18 fine not exceeding twenty thousand dollars (\$20,000), or by  
19 imprisonment in the county jail for a term not to exceed six  
20 months, or by both fine and imprisonment; or if a corporation,  
21 be punished by a fine not exceeding sixty thousand dollars  
22 (\$60,000)."

23  
24 cc: Mogul Group Inc.  
25 28469 Bruning Street  
26 Murrieta, California 92563

27  
Jason Martin Gailliot  
39080 Santa Rosa Court  
Murrieta, California 92563