

1 Department of Real Estate
2 320 West Fourth St. #350
3 Los Angeles, CA 90013

4 (213) 576-6982

FILED
JUL 13 2011
DEPARTMENT OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * *

11 To:)	No. H-37393 LA
12 CRISTINE R. NICHOLLS, aka Cristy Nicholls,)	<u>ORDER TO DESIST</u>
13 dba JNC Services Inc., and dba)	<u>AND REFRAIN</u>
14 Home Financial Assessment Center LLC.)	(B&P Code Section 10086)
)	

15 The Real Estate Commissioner of the State of California ("Commissioner") has
16 caused an investigation to be made of the activities of CRISTINE R. NICHOLLS, aka Cristy
17 Nicholls, dba JNC Services Inc., and dba Home Financial Assessment Center LLC
18 ("Respondent"). Based on that investigation, the Commissioner has determined that Respondent
19 has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting
20 violations of the California Business and Professions Code ("Code"), including acting in the
21 capacity of, advertising and/or assuming to act as a real estate broker in the State of California
22 within the meaning of Code Sections 10131(d) (advertising, soliciting borrowers for, and
23 offering to perform loan modification services for distressed homeowners) and 10131.2
24 (collecting advance fees in connection with those services). Based on that investigation, the
25 Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and
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1 Refrain Order under the authority of Section 10086 of the Code.

2 Whenever acts referred to below are attributed to Respondent, those acts are
3 alleged to have been done by Respondent, acting by herself, or by and/or through one or more
4 agents, associates, affiliates and/or co-conspirators.

5 FINDINGS OF FACT

6 1. Respondent is not now and has never been licensed by the Department as a
7 real estate broker or as a salesperson employed by a real estate broker.

8 2. JNC Services Inc. ("JNC") is not now and has never been licensed by the
9 Department in any capacity. JNC was a Nevada corporation, with a main address of 1771 E.
10 Flamingo Rd., Ste. 117B, Las Vegas, NV 89119-0839. Respondent NICHOLLS was the
11 director and treasurer. Brian I. Cruz was the president, and Ryan Jacobs was the secretary.
12 JNC's status as a Nevada corporation was revoked as of April 1, 2011. JNC is registered in
13 California as a foreign corporation, and Respondent is the contact agent.

14 3. Home Financial Assessment Center LLC is not now and has never been
15 licensed by the Department in any capacity. Respondent used Home Financial Assessment
16 Center LLC as an agent, affiliate, or fictitious business name in conjunction with use of the name
17 JNC Services Inc.

18 4. All further references to "Respondent" include NICHOLLS, doing business as
19 JNC Services Inc. and/or as Home Financial Assessment Center LLC, as well as the agents and
20 employees of in Paragraphs 2 and 3 above.

21 5. Beginning at a time on or before May 14, 2009, and continuing through on or
22 after July 1, 2009, Respondent advertised, solicited and offered loan modification services to
23 consumers in California and collected advance fees for loan modification services. The loan
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1 modification services offered included negotiating with lenders on behalf of borrowers to
2 refinance or modify the terms of mortgage loans.

3 6. On or about May 14, 2009, borrowers William and Wanda S. ("Borrowers"),
4 entered into an agreement with Respondent for loan modification services in connection with
5 their mortgage loan secured by property located at 94-492 Opeha St., Waipahu, HI 96797-4516.
6 Respondent solicited an advance fee of \$3,000.00 from Borrowers, which they paid.
7 Respondent did not provide any loan modification services to Borrowers, and refused to refund
8 the advance fees paid.
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10 CONCLUSIONS OF LAW

11 The conduct, acts and/or omissions of CRISTINE R. NICHOLLS, doing business
12 as JNC Services, Inc. and doing business as Home Financial Assessment Center LLC, as set
13 forth in the Findings of Fact above, when not licensed by the Department as a real estate broker
14 or as a salesperson employed by a real estate broker licensed by the Department, was in violation
15 of Code Section 10130.
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17 DESIST AND REFRAIN ORDER

18 Based on the Findings of Fact and Conclusions of Law stated herein, you,
19 CRISTINE R. NICHOLLS, whether doing business under your own name, or any other names,
20 or fictitious names, ARE HEREBY ORDERED to immediately desist and refrain from
21 performing any acts within the State of California for which a real estate broker license is
22 required. In particular you are ORDERED TO DESIST AND REFRAIN from:

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

2 and

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

6 DATED: 6/28, 2011

8 BARBARA J. BIGBY
9 Acting Real Estate Commissioner

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

21 cc: Cristine R. Nicholls
22 aka Cristy Nicholls
23 22316 Summit Hill Dr.
24 Lake Forest, CA 92630-6566

25 Cristine R. Nicholls
26 aka Cristy Nicholls
27 dba JNC Services, Inc.
dba Home Financial Assessment Center LLC
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