


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

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(213) 576-6982

DEPARTMENT OF REAL ESTATE
BY: 

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

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To:

No. H-37560 LA

NATIONAL LOAN RESOLUTIONS;)	<u>ORDER TO DESIST</u>
NATIONAL LOAN RESOLUTIONS)	<u>AND REFRAIN</u>
LAW CENTER; LOAN MODIFICATION)	
EXPRESS; JOSEPH CHARLES)	(B&P Section 10086)
HENRICHSEN; BRIAN FOX; LIESL)	
BIELFELD; and JESSICA DOBSON)	
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)	

18 The Commissioner ("Commissioner") of the California
19 Department of Real Estate ("Department") caused an investigation
20 to be made of the activities of NATIONAL LOAN RESOLUTIONS
21 ("NLR"); NATIONAL LOAN RESOLUTIONS LAW CENTER ("NLR LAW CENTER");
22 LOAN MODIFICATION EXPRESS ("EXPRESS"); JOSEPH CHARLES HENRICHSEN
23 ("HENRICHSEN"); BRIAN FOX ("FOX"); LIESL BIELFELD ("BIELFELD");
24 and JESSICA DOBSON ("DOBSON"). The Commissioner's investigation
25 has determined that, except for HENRICHSEN, each has engaged in
26 or are engaging in acts or practices constituting violations of
27

1 the California Business and Professions Code ("Code") and/or
2 Title 10, California Code of Regulations ("Regulations")
3 including engaging in the business of, acting in the capacity of,
4 advertising, or assuming to act, as real estate broker in the
5 State of California within the meaning of Section 10131(d)
6 (soliciting borrowers or lenders or negotiating loans) and
7 Section 10131.2 (claiming advance fees in connection with a loan)
8 of the Code. That investigation has further determined that
9 HENRICHSEN has engaged in or is engaging in the business of
10 claiming, demanding, charging, receiving, collecting or
11 contracting for the collection of an advance fee in connection
12 with employment undertaken to promote the sale or lease of real
13 property or to obtain a loan or loans on real property, including
14 the performance of loan negotiation and loan modification
15 services with respect to loans which are secured by liens on real
16 property, within the meaning of Code Section 10131.2. In
17 addition, the Commissioner has determined that HENRICHSEN has
18 engaged in or is engaging in activities which constitute
19 violations of the Code and Title 10, California Code of
20 Regulations ("Regulations"). Based on that investigation, the
21 Commissioner hereby issues the following Findings of Fact,
22 Conclusions of Law, and Desist and Refrain Order under the
23 authority of Section 10086 of the Code.
24

25 FINDINGS OF FACT

26 1. HENRICHSEN is presently licensed and/or has
27 license rights under the Real Estate Law (Part 1 of Division 4

1 of the Business and Professions Code) ("Code") as a real estate
2 broker.

3 2. At no time have NLR, NLR LAW CENTER, EXPRESS, FOX,
4 BIELFELD, or DOBSON been licensed by the Department in any
5 capacity.

6 3. At all times relevant herein, HENRICHSEN and FOX
7 were the owners, operators, officers and/or directors of NLR.
8 Whenever acts referred to below are attributed to HENRICHSEN
9 and/or FOX, those acts are alleged to have been done by
10 HENRICHSEN and/or FOX, acting by themselves, or by and/or
11 through one or more agents, associates, affiliates, and/or co-
12 conspirators, including but not limited to NLR, NLR LAW CENTER
13 and EXPRESS, and using the names NLR, NLR LAW CENTER and/or
14 EXPRESS, or any fictitious name unknown at this time.

15 4. HENRICHSEN engaged in the business of claiming,
16 demanding, charging, receiving, collecting or contracting for the
17 collection of an advance fee, as defined by Code Section 10026,
18 including but not limited to the activities described in
19 Paragraph 6, below.
20

21 5. HENRICHSEN failed to submit the advance fee
22 agreements referred to in Paragraph 6, below, to the
23 Commissioner ten days before using them.

24 6. HENRICHSEN, FOX, and NLR engaged in the business
25 of, acted in the capacity of, or advertised a real estate loan
26 service and advance fee brokerage offering to perform
27 solicitation, negotiation and modification of loans secured by

1 liens on real property for compensation or in expectation of
2 compensation and for fees collected in advance, including but not
3 limited to, the instances set forth below:

4 a. On or about August 11, 2009, John T. paid an
5 advance fee of \$2,847.50 to HENRICHSEN, FOX, and NLR, doing
6 business as NLR LAW CENTER. The advance fee was collected
7 pursuant to the provisions of a written agreement pertaining to
8 loan modification services to be provided by NLR and NLR LAW
9 CENTER with respect to a loan secured by the real property
10 located in Vallejo, California.

11 b. On or about June 19, 2009, Duane G. paid an advance
12 fee of \$11,980 to HENRICHSEN, FOX, and NLR. The advance fee was
13 collected pursuant to the provisions of a written agreement
14 pertaining to loan modification services to be provided by NLR
15 with respect to loans secured by four real properties located in
16 Millbrae, San Mateo, Oakland and Rio Vista, California.

17 c. On or about March 3, 2009, Leonard S. paid an
18 advance fee of \$995 to HENRICHSEN, FOX, and NLR and NLR LAW
19 CENTER. The advance fee was collected pursuant to the provisions
20 of a written agreement pertaining to loan modification services
21 to be provided by NLR and NLR LAW CENTER with respect to a loan
22 secured by the real property located in San Rafael, California.

23 d. In or around April, 2009, Robin and Clarence S. were
24 solicited by EXPRESS on behalf of HENRICHSEN, FOX, and NLR, and
25 NLR LAW CENTER. Thereafter, Robin and Clarence S. paid an advance
26 fee of \$2,495 to HENRICHSEN, FOX, and NLR, and NLR LAW CENTER.
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1 The advance fee was collected pursuant to the provisions of a
2 written agreement pertaining to loan modification services to be
3 provided by NLR and NLR LAW CENTER with respect to a loan secured
4 by the real property located in Los Gatos, California.

5 e. On or about May 12, 2009, Sarah B. paid an advance
6 fee of \$2,500 to HENRICHSEN, FOX, and NLR, and NLR LAW CENTER.

7 The advance fee was collected pursuant to the provisions of a
8 written agreement pertaining to loan modification services to be
9 provided by NLR and NLR LAW CENTER with respect to a loan secured
10 by the real property located in Vista, California.

11 f. On or about August 11, 2009, Fayelease K. paid an
12 advance fee of \$2,495 to HENRICHSEN, FOX, and NLR, and NLR LAW
13 CENTER. The advance fee was collected pursuant to the provisions
14 of a written agreement pertaining to loan modification services
15 to be provided by NLR and NLR LAW CENTER through NLR's loan
16 negotiator, BIELEFELD, with respect to a loan secured by the real
17 property located in Long Beach, California.

18 g. On or about June 12, 2009, Mario R. paid an advance
19 fee of \$1,395 to HENRICHSEN, FOX, and NLR. The advance fee was
20 collected pursuant to the provisions of a written agreement
21 pertaining to loan modification services to be provided by NLR
22 through NLR's loan negotiator, DOBSON, with respect to a loan
23 secured by the real property located in Baldwin Park, California.

24 h. In or around March, 2009, Giovanni B. was solicited
25 by EXPRESS on behalf of HENRICHSEN, FOX, NLR and NLR LAW CENTER.

26 On or about March 16, 2009, Giovanni B. paid an advance fee of
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1 \$2,695 to HENRICHSEN, FOX, NLR and NLR LAW CENTER. The advance
2 fee was collected pursuant to the provisions of a written
3 agreement pertaining to loan modification services to be provided
4 by NLR through NLR's loan negotiator, BIELEFELD, with respect to
5 a loan secured by the real property located in Henderson, Nevada.

6 i. On or about June 30, 2009, Thomas M. paid an advance
7 fee of \$3,500 to HENRICHSEN, FOX, and NLR. The advance fee was
8 collected pursuant to the provisions of a written agreement
9 pertaining to loan modification services to be provided by NLR
10 through NLR's loan negotiator, DOBSON, with respect to a loan
11 secured by the real property located in El Cajon, California.

12 CONCLUSIONS OF LAW

13 7. The activities described in Paragraph 6, above,
14 require a real estate license under Section 10131(d) and Section
15 10131.2 of the Code.

16 8. Based on the information contained in Paragraph
17 6, above, NLR, NLR LAW CENTER, EXPRESS, FOX, BIELFELD, and
18 DOBSON performed and/or participated in loan solicitation,
19 negotiation and modification activities 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 they were not
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.
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27

1 9. Based on the information contained in Paragraphs
2 4, 5 and 6, above, HENRICHSEN collected fees pursuant to an
3 agreement which constitutes an advance fee agreement within the
4 meaning of Code Section 10085.

5 DESIST AND REFRAIN ORDER

6 Based on the Findings of Fact and Conclusions of Law
7 stated herein:

8 1. IT IS HEREBY ORDERED that JOSEPH CHARLES
9 HENRICHSEN, whether doing business under the name NATIONAL LOAN
10 RESOLUTIONS, NATIONAL LOAN RESOLUTIONS LAW CENTER or LOAN
11 MODIFICATION EXPRESS, or any other name(s), or any fictitious
12 name(s):

13 (i) Immediately desist and refrain from charging,
14 demanding, claiming, collecting and/or receiving advance fees,
15 as that term is defined in Section 10026 of the Code, in any
16 form, and under any conditions, with respect to the performance
17 of loan modification or any other form of mortgage loan
18 forbearance services in connection with loans on residential
19 property containing four or fewer dwelling units (Code Section
20 10085.6).

22 (ii) Immediately desist and refrain from charging,
23 demanding, claiming, collecting and/or receiving advance fees, as
24 that term is defined in Section 10026 of the Code, for any of the
25 other real estate related services offered to others, unless and
26 until JOSEPH CHARLES HENRICHSEN demonstrates and provides
27 evidence satisfactory to the Commissioner that he:

1 (a) has an advance fee agreement which has been
2 submitted to the Department and which is in compliance with
3 Section 10085 of the Code and Section 2970 of the Regulations;

4 (b) has placed all previously collected advance fees
5 into a trust account for that purpose and is in compliance with
6 Section 10146 of the Code; and

7 (c) has provided an accounting to trust fund owner-
8 beneficiaries from whom advance fees have previously been
9 collected in compliance with Code Section 10146 and Section 2972
10 of the Regulations.

11 2. IT IS HEREBY ORDERED that NATIONAL LOAN
12 RESOLUTIONS; NATIONAL LOAN RESOLUTIONS LAW CENTER; LOAN
13 MODIFICATION EXPRESS; BRIAN FOX; LIESL BIELFELD; and JESSICA
14 DOBSON, whether doing business under their own names, or any
15 other names, or any fictitious name, ARE HEREBY ORDERED to
16 immediately desist and refrain from performing any acts within
17 the State of California for which a real estate broker license
18 is required. In particular each of them is ORDERED TO DESIST
19 AND REFRAIN from:

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.

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6 DATED: 9/20, 2011.

7
8 BARBARA BIGBY
9 Acting Real Estate Commissioner

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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, be
21 punished by a fine not exceeding sixty thousand dollars
22 (\$60,000)."

23
24 cc: National Loan Resolutions
25 1855 W. Katella Avenue, Suite 150
26 Orange, California 92867

27
National Loan Resolutions Law Center
1855 W. Katella Avenue, Suite 150
Orange, California 92867

Loan Modification Express
1855 W. Katella Avenue, Suite 150
Orange, California 92867

Loan Modification Express
31831 Camino Capistrano, Suite 300-B
San Juan Capistrano, California 92675

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Joseph Charles Henrichsen
1041 S. Mountcrest Court
Anaheim Hills, California 92808-2127

Joseph Charles Henrichsen
1855 W. Katella Avenue, Suite 150
Orange, California 92867

Brian Fox
1855 W. Katella Avenue, Suite 150
Orange, California 92867

Jessica Dobson
1855 W. Katella Avenue, Suite 150
Orange, California 92867

Liesl Bielfeld
1855 W. Katella Avenue, Suite 150
Orange, California 92867