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Dept. of Real Estate

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1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105

DEPARTMENT OF REAL ESTATE
BY: Shirley K. Nelson

4 Telephone: (213) 576-6982

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 To:)	No. H-37563 LA
)	
12 STEPHANIE ANN VIT)	<u>ORDER TO DESIST</u>
)	<u>AND REFRAIN</u>
)	
)	(B&P Code Section 10086)
)	

16 The Commissioner ("Commissioner") of the California Department of Real Estate
 17 ("Department") caused an investigation to be made of the activities of STEPHANIE ANN VIT
 18 ("VIT"). Based on that investigation the Commissioner has determined that VIT has engaged in,
 19 or is engaging in, acts, or is attempting to engage in the business of, acting in the capacity of,
 20 and/or advertising or assuming to act as a real estate broker in the State of California within the
 21 meaning of Business and Professions Code Sections 10131(d) (soliciting or collecting payments
 22 from borrowers in connection with loans secured by real property) and 10131.2 (advance fee
 23 handling).

24 In addition, based on that investigation, the Commissioner has determined that
 25 VIT has engaged in, or is engaging in, acts, or is attempting to engage in practices constituting
 26 violations of the California Business and Professions Code ("Code") and/or Title 10, California
 27 Code of Regulations ("Regulations"). Based on the findings of that investigation, set forth

1 below, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and
2 Desist and Refrain Order under the authority of Section 10086 of the Code.

3 FINDINGS OF FACT

4 1. VIT is not now, nor has she ever been, licensed by the Department in any
5 capacity.

6 2. At the times set forth below VIT negotiated to do one or more of the
7 following acts for another or others, for or in expectation of compensation: engaged in the
8 business of, acted in the capacity of, or advertised a loan modification and negotiation service
9 and advance fee brokerage with respect to loans which were secured by liens on real property for
10 compensation or in expectation of compensation and for fees collected in advance of the
11 transaction.

12 Frank D. Transaction

13 3. In or about October 2008, Frank D. was solicited by VIT regarding a
14 modification of Frank D.'s home mortgage loan. On or about October 21, 2008 VIT requested
15 and collected an advance fee of \$3995 from Frank. D for loan modification services to be
16 performed by "Advantage Capital Group".

17 CONCLUSIONS OF LAW

18 4. Based on the information contained in Paragraphs 1 through 3 above, VIT
19 violated Code Section 10130 by engaging in activities requiring a broker license without first
20 obtaining a broker license from the Department.

21 DESIST AND REFRAIN ORDER

22 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated
23 herein, it is hereby ordered that STEPHANIE ANN VIT, whether doing business under her own
24 name, or any other names, or any fictitious name, is hereby ordered to immediately desist and
25 refrain from performing any acts within the State of California for which a real estate broker
26 license is required. In particular, she is ORDERED TO DESIST AND REFRAIN from:

27 1. charging, demanding, claiming, collecting and/or receiving advance fees, as

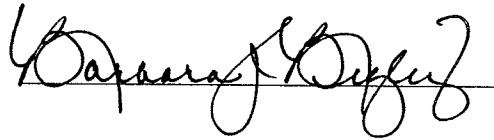
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that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modification or any other form of mortgage loan forbearance services in connection with loans on residential property containing four or fewer dwelling units; and

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

DATED: 9/20, 2011.

BARBARA J. BIGBY
Acting Real Estate Commissioner



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

cc: STEPHANIE ANN VIT
32129 Corte Florecita
Temecula, CA 92592-6319