

FILED

AUG 16 2012

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

3 (213) 576-6982

DEPARTMENT OF REAL ESTATE
BY: R. Schleicholt

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DEPARTMENT OF REAL ESTATE

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STATE OF CALIFORNIA

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To:)
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IAN GREENFIELD)
dba Magnolia Park Realty,)
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No. H-38342 LA

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ORDER TO DESIST

13

AND REFRAIN

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The Commissioner (Commissioner) of the California

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Department of Real Estate (Department) caused an investigation to

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be made of the activities of IAN GREENFIELD ("GREENFIELD").

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Based on that investigation, the Commissioner has determined that

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GREENFIELD has engaged in or is engaging in acts or is attempting

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to engage in the business of, acting in the capacity of, and/or

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advertising or assuming to act as a real estate broker in the

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State of California within the meaning of Business and

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Professions Code Sections 10131(d) (soliciting, negotiating and

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performing services for borrowers in connection with loans

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secured by real property) and 10131.2 (advance fee handling).

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4. GREENFIELD demanded and received a total advance fee of \$2,600 from Mariette F. for the activities described above.

CONCLUSIONS OF LAW

5. Based on the information contained in Paragraphs 1 through 4, above, GREENFIELD violated Section 10085 of the Code and Regulation 2970, by not having an approved advance fee agreement on file with the Department.

6. Based on the information contained in Paragraphs 1 through 4, above, GREENFIELD violated Section 10130 of the Code by engaging in the activities without first obtaining a broker license from the Department.

DESIST AND REFRAIN ORDER

Based on the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that:

(A) IAN GREENFIELD immediately desist and refrain from: performing any acts within the State of California for which a real estate broker license is required, unless you are so licensed.

IT IS FURTHER ORDERED THAT IAN GREENFIELD immediately desist and refrain from:

1. charging, demanding, claiming, collecting and receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modifications or any other form of mortgage loan forbearance service in connection with

1 loans on residential property containing four or fewer dwelling
2 units (Code Section 10085.6).

3 2. charging, demanding, claiming, collecting and
4 receiving advance fees, as that term is defined in Section 10026
5 of the Code, for any of the other real estate related services
6 offered to others, unless and until IAN GREENFIELD demonstrates
7 and provides evidence satisfactory to the Commissioner he:

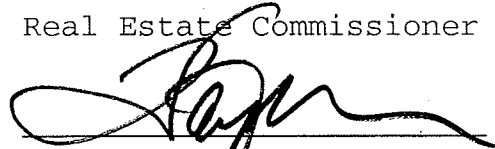
8 (a) has an advance fee agreement which has been
9 submitted to the Department and which is in compliance with
10 Section 10085 of the Code and Section 2970 of the Regulations;

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

14 (c) has provided an accounting to trust fund owner-
15 beneficiaries from who advance fees have previously been
16 collected in compliance with Section 10146 of the Code and
17 Section 2972 of the Regulations.

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19 DATED: June 15, 2012

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21 Real Estate Commissioner

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23 By WAYNE S. BELA
24 Chief Counsel

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 the 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)."

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19 cc: Ian Greenfield
20 8811 Riverton Ave.
21 North Hollywood, CA 91601

22 JRP:ED
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