

1 DEPARTMENT OF REAL ESTATE
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FILED

JUN 10 2010

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 STATE OF CALIFORNIA
9 DEPARTMENT OF REAL ESTATE

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11 To:)
12) NO. H-2494 FR
13 SAN JOAQUIN REAL ESTATE &)
14 FINANCIAL SERVICES, INC., and) ORDER TO DESIST AND REFRAIN
IRMA MACHADO.) (B&P Code Section 10086)

15 The Commissioner (Commissioner) of the California Department of Real
16 Estate (Department) has caused an investigation to be made of the activities of SAN JOAQUIN
17 REAL ESTATE & FINANCIAL SERVICES, INC. (SJRE) and IRMA MACHADO
18 (MACHADO). Based on that investigation, the Commissioner has determined that SJRE and
19 MACHADO have engaged in, are engaging in, or are attempting to engage in, acts or practices
20 constituting violations of the California Business and Professions Code (Code) and/or Title 10,
21 Chapter 6, of the California Code of Regulations (Regulations), including the business of,
22 acting in the capacity of, and/or advertising or assuming to act as, real estate brokers in the
23 State of California within the meaning of Sections 10131.2 (broker claiming/collecting
24 receiving advanced), 10085 (advanced fee agreements/materials) and 10085.5
25 (claiming/collecting/receiving advanced fees) of the Code. Furthermore, based on the
26 investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions
27 of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

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

4 FINDINGS OF FACT

- 5 1. SJRE is not now, and has never been, licensed by the Department in any capacity.
6 2. MACHADO has been licensed by the Department as a real estate salesperson since
7 July 22, 2004; her license expires on July 21, 2012.
8 3. Between about November 21, 2008 and November 2, 2009, SJRE acting in concert with
9 MACHADO solicited the following homeowners, collected advance fees, and negotiated
10 to do one or more of the following acts for another or others, for or in expectation of
11 compensation: negotiate one or more loans for, or perform services for borrowers and/or
12 lenders in connection with loans secured directly or collaterally by one or more liens on
13 real property.

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<u>Date</u>	<u>Homeowner</u>	<u>Amount</u>	<u>Property</u>
15 11/21/08	Jose A. T.	\$3,345	7343 Houston Ave., Hanford, CA
16 2/18/09	Marisa A.	\$3,495	2227 E. Norwich Ave., Fresno, CA
17 3/31/09	Jose P.	\$3,150	2671 Peanut Dr., Madera, CA
18 7/23/09	Adolfo V.	\$3,500	2551 W. Soultz Dr., Tulare, CA
19 11/2/09	Enrique R.	\$7,000	5269 S. Chestnut, Fresno, CA and 20 4918 E. Burns Ave., Fresno, CA

21 CONCLUSIONS OF LAW

- 22 4. Based on the Findings of Fact contained in Paragraphs 1 through 3, SJRE and MACHADO,
23 acting by themselves, or by and/or through one or more agents, associates, affiliates, and/or
24 co-conspirators, solicited homeowners, entered into loan modification agreements prior to a
25 review by the Commissioner of said advanced fee agreements, and collected advanced fees
26 from those homeowners in connection with loans secured directly or collaterally by one or
27 more liens on real property.

1 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
2 imprisonment in the county jail for a term not to exceed six months, or by both fine and
3 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
4 (\$60,000).”
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9 cc: SAN JOAQUIN REAL ESTATE
& FINANCIAL SERVICES, INC.
10 Attn: Irma Machado, Agent for Service of Process
325 Clovis Ave. Suite 114
11 Clovis, CA 93612
12

13 IRMA MACHADO
325 Clovis Ave. Suite 105
14 Clovis, CA 93612
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16 IRMA MACHADO
584 W. Ellery
17 Clovis, CA 93612
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