

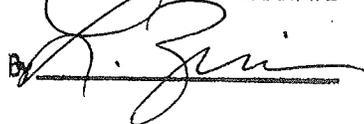
1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007

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FILED

AUG 16 2010

DEPARTMENT OF REAL ESTATE



8 STATE OF CALIFORNIA

9 DEPARTMENT OF REAL ESTATE

10
11 To:)
12) NO. H-5445 SAC
13 ANTHONY DE BARROS, ARMANDO)
14 ORTIZ, WHOLESAL LENDING) ORDER TO DESIST AND REFRAIN
15 DIVISION, ADB REALTY AND) (B&P Code Section 10086)
16 INVESTMENTS, INC., ADB INC., and)
17 NATIONAL FORECLOSURE)
18 ALTERNATIVE)

19 The Commissioner (hereinafter "Commissioner") of the California Department
20 of Real Estate (hereinafter "Department") caused an investigation to be made of the activities of
21 ANTHONY DE BARROS (hereinafter "DE BARROS"), ARMANDO ORTIZ (hereinafter
22 "ORTIZ"), WHOLESAL LENDING DIVISION (hereinafter "WLD"), ADB REALTY AND
23 INVESTMENTS, INC., ADB INC., and NATIONAL FORECLOSURE ALTERNATIVE
24 (hereinafter "NFA"). Based on that investigation, the Commissioner has determined that DE
25 BARROS, ORTIZ, WLD, ADB REALTY AND INVESTMENTS, INC., ADB INC., and NFA
26 have engaged in, is engaging in, or is attempting to engage in, acts or practices constituting
27 violations of the California Business and Professions Code (hereinafter "the Code") and/or Title
10, Chapter 6, California Code of Regulations (hereinafter "the Regulations"), including the
business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate

1 broker in the State of California within the meaning of Sections 10131(d) (performing services
2 for borrowers and/or lenders in connection with loans secured by real property) and 10131.2
3 (real estate broker license required to charge and collect an advance fee) of the Code.

4 Furthermore, based on the investigation, the Commissioner hereby issues the following Findings
5 of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086
6 of the Code.

7 Whenever acts referred to below are attributed to ADB REALTY AND
8 INVESTMENTS, INC., those acts are alleged to have been done by DE BARROS, acting by
9 himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,
10 and using the name "Wholesale Lending Division", "ADB Inc.", "National Foreclosure
11 Alternative", or other names or fictitious names unknown at this time.

12 FINDINGS OF FACT

13 1. ADB REALTY AND INVESTMENTS, INC. is a corporation registered
14 with the California Secretary of State's Office, who is currently suspended. At no time
15 mentioned has ADB REALTY AND INVESTMENTS, INC. been licensed by the Department
16 in any capacity.

17 2. ADB INC. is a fictitious business name owned by ADB REALTY AND
18 INVESTMENTS, INC. At no time mentioned has ADB INC. been licensed by the Department
19 in any capacity.

20 3. NFA is a fictitious business name owned by ADB REALTY AND
21 INVESTMENTS, INC. At no time mentioned has NFA been licensed by the Department in any
22 capacity.

23 4. At no time mentioned has DE BARROS been licensed by the
24 Department in any capacity.

25 5. At no time mentioned has ORTIZ been licensed by the Department in
26 any capacity.

27 ///

1 10131(d) (real estate license required for enumerated acts) and 10131.2 (real estate broker
2 license required to charge or collect an advance fee) of the Code.

3 11. ADB REALTY AND INVESTMENTS, INC., ADB INC., WLD, DE
4 BARROS and ORTIZ, used a form of advance fee agreement which had not been provided to
5 the Department for its prior review and consideration, in violation of Section 10085 of the Code
6 (prior submission of advance fee materials required) and Section 2970 (details for prior
7 submission of advance fee materials) of the Regulations.

8 DESIST AND REFRAIN ORDER

9 Based on the Findings of Fact and Conclusions of Law stated herein, ADB
10 REALTY AND INVESTMENTS, INC., ADB INC., WLD, NFA, DE BARROS and ORTIZ,
11 whether doing business under your own name, or any other name or fictitious name, ARE
12 HEREBY ORDERED to:

13 1. Immediately desist and refrain from charging, demanding, claiming,
14 collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code,
15 for any of the services you offer to others, unless and until you demonstrate and provide
16 evidence satisfactory to the Commissioner that you are properly licensed by the Department as a
17 real estate broker, and that ADB REALTY AND INVESTMENTS, INC., ADB INC., WLD, DE
18 BARROS and ORTIZ:

19 (A) Have an advance fee agreement which has been submitted to the
20 Department and which is in compliance with Sections 2970 and 2972 of the Regulations;

21 (B) Have placed all previously collected advance fees into a trust account
22 for that purpose and are in compliance with Section 10146 of the Code;

23 (C) Have provided an accounting to trust fund owner-beneficiaries
24 pursuant to Section 2972 of the Regulations; and

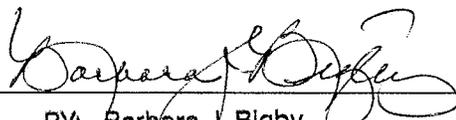
25 (D) Are in compliance with California law, as amended effective as of
26 October 11, 2009, with respect to loan modification and/or forbearance services. Under the
27 amended law, you can only collect advance fees for loan modification or other mortgage loan

1 forbearance services related to commercial loans and loans for residential properties
2 containing five or more dwelling units.

3 2. Immediately desist and refrain from demanding, claiming, collecting and/or
4 receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and
5 under any conditions, with respect to the performance of loan modification or any other form of
6 mortgage loan forbearance services in connection with loans on residential property containing
7 four or fewer dwelling units.

8 DATED: 8/9/2010

9 JEFF DAVI
10 Real Estate Commissioner

11
12 By 
13 BY: Barbara J. Bigby
14 Chief Deputy Commissioner

15 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a
16 real estate broker or real estate salesperson without a license or who advertises using words
17 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
18 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
19 imprisonment in the county jail for a term not to exceed six months, or by both fine and
20 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
21 (\$60,000)."

19 cc: ANTHONY DEBARROS
20 ADB INC.
21 3172 - T STREET
22 SACRAMENTO, CA 95816

WHOLESALE LENDING DIVISION
NATIONAL FORECLOSURE ALTERNATIVE
2414 - 16TH STREET
SACRAMENTO, CA 95816

22 ARMANDO ORTIZ
23 945 UNIVERSITY AVENUE #201
24 SACRAMENTO, CA 95825

ADB REALTY & INVESTMENTS INC.
30141 AGOURA ROAD #215
AGOURA HILLS, CA 91301