Department of Real Estate
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FILED

JUL 26 2012

DEPARTMENT OF REAL ESTATE
BY: _____

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

To: RONALDO ROMERO BAUTISTA, JOHN MARCELO, and 1ST PRIORITY GROUP, INC.	No. H-38296 LA ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner ("Commissioner") of the Department of Real Estate ("Department") of the State of California caused an investigation to be made of the activities of RONALDO ROMERO BAUTISTA ("BAUTISTA"), JOHN MARCELO ("MARCELO"), and 1ST PRIORITY GROUP, INC. ("1ST PRIORITY"). Based on that investigation the Commissioner has determined that BAUTISTA, MARCELO, and 1ST PRIORITY have engaged in, are engaging in acts or attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming to act as real estate brokers in the State of California within the meaning of Business and Professions Code Sections 10131(d) (advertising, soliciting borrowers for, and offering to negotiate loans or perform loan modification services for borrowers in connection with loans secured by liens on real property) and 10131.2 (collecting advance fees in connection with those services).

In addition, based on that investigation, the Commissioner has determined that BAUTISTA, MARCELO, and 1ST PRIORITY have engaged in or are engaging in acts or are attempting to engage in practices constituting violations of the California Business and Professions Code ("Code"). Based on the findings of that investigation, set forth below, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

FINDINGS OF FACT

1. From April 14, 2005, through the present, BAUTISTA has been licensed as a real estate salesperson, license no. 01483154. From January 7, 2009, through April 13, 2011, BAUTISTA was licensed under the employment of broker, Premier Advantage Properties, Inc.

2. 1ST PRIORITY and MARCELO have never been licensed by the Department in any capacity. At all times relevant herein, BAUTISTA was the president and chief executive officer of 1ST PRIORITY. MARCELO was the chief financial officer and a director of 1ST PRIORITY.

3. On or about July 26, 2009, MARCELO, while acting on behalf of BAUTISTA and 1ST PRIORITY, solicited loan modification and negotiation services to borrower Arlene F. Arlene F. paid an advance fee of $2,490 to 1ST PRIORITY pursuant to an advance fee agreement for loan modification and negotiation services in connection with a loan secured by a lien on real property. 1ST PRIORITY failed to perform the loan modification and negotiation services that had been promised to Arlene F.

CONCLUSIONS OF LAW

Based on the information contained in Paragraphs 1 through 3, above, RONALDO ROMERO BAUTISTA, JOHN MARCELO, and 1ST PRIORITY GROUP, INC. violated Code Section 10130 by engaging in activities requiring a real estate license without first obtaining a broker license from the Department or acting as a salesperson under the employment of a licensed real estate broker.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS HEREBY ORDERED THAT RONALDO ROMERO BAUTISTA, JOHN MARCELO, and 1ST PRIORITY GROUP, INC., whether doing business under their own name or any other fictitious business names, immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required, including:

(i) soliciting borrowers and/or performing services for borrowers or lenders in connection with loans secured directly or collaterally by one or more liens on real property, and

(ii) charging, demanding, or collecting a fee for any of the services you offer to others, unless and until you obtain a real estate broker license issued by the Department, and until you demonstrate and provide evidence satisfactory to the Commissioner that you are in full compliance with all of the requirements of the Code and Commissioner's Regulations relating to charging, collecting, and accounting for fees.

DATED: July 17, 2012.

Real Estate Commissioner

By WAYNE S. BELL
Chief Counsel

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)."

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