

1 STEPHANIE K. SESE, Counsel
2 (SBN 225003)
3 Department of Real Estate
4 P. O. Box 187007
5 Sacramento, CA 95818-7007
6 Telephone: (916) 227-0868 (Direct)
7 -or- (916) 227-0789 (Main Office)
8 -or- (916) 227-9458 (Fax)

FILED

JAN 15 2013

DEPARTMENT OF REAL ESTATE

By K. Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

11 In the Matter of the Accusation of)
12)
13 ELISEO JARA, JR.,)
14 SERGIO JARA,)
15 ARLENE JEANETTE MOJARDIN,) NO. H-2805 FR
16 LUCIA YOLANDA CHAVEZ,)
JOSEPH SHAWN CHAVEZ, and) ACCUSATION
RICARDO FABIAN SALINAS,)
Respondents.)

17 The Complainant, Brenda Smith, a Deputy Real Estate Commissioner of the State
18 of California, for cause of Accusation against ELISEO JARA, JR., SERGIO JARA, ARLENE
19 JEANETTE MOJARDIN, LUCIA YOLANDA CHAVEZ, JOSEPH SHAWN CHAVEZ, and
20 RICARDO FABIAN SALINAS (hereinafter "Respondents"), is informed and alleges as follows:

21 1.

22 The Complainant makes this Accusation against Respondents in her official
23 capacity.

24 2.

25 Respondents are presently licensed and/or have license rights under the Real
26 Estate Law, Part 1 of Division 4 of the Business and Professions Code (hereinafter "Code") as
27 either real estate brokers or real estate salespersons.

1 3.

2 On or about July 12, 2012, in the United States District Court for the Eastern
3 District of California, Case No. CR00213, Respondents and each of them were indicted on at
4 least one or more of the following felony allegations: 18 U.S.C. §1349 (conspiracy to commit
5 bank fraud, mail fraud, and wire fraud); 18 U.S.C. §1344 (bank fraud); 18 U.S.C. §1341 (mail
6 fraud); 18 U.S.C. §1343 (wire fraud); and 18 U.S.C. §1957 (money laundering and aiding and
7 abetting).

8 4.

9 On or about November 13, 2012, a diligent search was made of the records of the
10 Department of Real Estate (hereinafter "Department"), relating to Respondent ELISEO JARA,
11 JR. (hereinafter "ELISEO"), Real Estate Broker License No. 01229810. As a result of said
12 search, no record was discovered having been received from or on behalf of Respondent
13 ELISEO notifying the Department, in writing, of any arrest, conviction, indictment, or license
14 disciplinary action.

15 5.

16 On or about November 13, 2012, a diligent search was made of the records of the
17 Department relating to Respondent SERGIO JARA (hereinafter "JARA"), Real Estate
18 Salesperson License No. 01306508. As a result of said search, no record was discovered having
19 been received from or on behalf of Respondent JARA notifying the Department, in writing, of
20 any arrest, conviction, indictment, or license disciplinary action.

21 6.

22 On or about November 13, 2012, a diligent search was made of the records of
23 the Department relating to Respondent LUCIA YOLANDA CHAVEZ (hereinafter "LUCIA"),
24 Real Estate Salesperson License No. 01230265. As a result of said search, no record was
25 discovered having been received from or on behalf of Respondent LUCIA notifying the
26 Department, in writing, of any arrest, conviction, indictment, or license disciplinary action.

27 ///

1 7.

2 On or about November 13, 2012, a diligent search was made of the records
3 of the Department relating to Respondent ARLENE JEANETTE MOJARDIN (hereinafter
4 "MOJARDIN"), Real Estate Salesperson License No. 01700707. As a result of said search, no
5 record was discovered having been received from or on behalf of Respondent MOJARDIN
6 notifying the Department, in writing, of any arrest, conviction, indictment, or license
7 disciplinary action.

8 8.

9 On or about November 13, 2012, a diligent search was made of the records of the
10 Department relating to Respondent JOSEPH SHAWN CHAVEZ (hereinafter "CHAVEZ"),
11 Real Estate Salesperson License No. 01702126. As a result of said search, no record was
12 discovered having been received from or on behalf of Respondent CHAVEZ, notifying the
13 Department, in writing, of any arrest, conviction, indictment, or license disciplinary action.

14 9.

15 On or about November 13, 2012, a diligent search was made of the records of
16 the Department relating to Respondent RICARDO FABIAN SALINAS (hereinafter
17 "SALINAS"), Real Estate Salesperson License No. 01709691. As a result of said search, no
18 record was discovered having been received from or on behalf of Respondent SALINAS
19 notifying the Department, in writing, of any arrest, conviction, indictment, or license
20 disciplinary action.

21 PRIOR DISCIPLINARY ACTIONS

22 10.

23 Effective March 29, 2004, in Case No. H-1616 FR, before the Department, the
24 Real Estate Commissioner revoked Respondent JARA's real estate salesperson license and
25 granted a restricted real estate salesperson license pursuant to Sections 490 and 10177(b) of the
26 Code.

27 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

11.

Effective September 19, 2005, in Case No. H-1772 FR, before the Department, the Real Estate Commissioner denied Respondent JARA's application for a real estate broker license pursuant to Sections 480(a) and 10177(b) of the Code.

12.

The facts alleged in Paragraphs 3 through 9 above indicate Respondents' failure to comply with Sections 10186.2(a)(1)(A) and 10186.2(a)(2) (failure to report in writing to the Department the bringing of an indictment or information charging a felony against Respondent within 30 days) of the Code, and constitute cause under Section 10177(d) (willful disregard or violation of the Real Estate Law; Part 1 of Division 4 of the Business and Professions Code) for revocation of all licenses and license rights of Respondents under said Real Estate Law.

13.

Section 10106 of the Code provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, the Commissioner may request the Administrative Law Judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of Respondents under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), and for such other and further relief as may be proper under other provisions of law.


BRENDA SMITH
Deputy Real Estate Commissioner

Dated at Fresno, California,
this 9 day of January 2013