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FILED

JAN 21 2012

DEPARTMENT OF REAL ESTATE

By R. Max

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

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12 In the Matter of the Accusation of)
13 ALFONSO CARPIO BARRETTO and) No. H-11309 SF
14 LOAN EXPRESS MORTGAGE AB, INC.,) ACCUSATION
15 Respondents.)
16)

17 The Complainant, E. J. HABERER, II, a Deputy Real Estate Commissioner of
18 the State of California, for cause of Accusation against ALFONSO CARPIO BARRETTO,
19 ("BARRETTO") and LOAN EXPRESS MORTGAGE AB, INC., ("LOAN EXPRESS"),
20 (collectively "Respondents"), is informed and alleges as follows:

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22 The Complainant makes this Accusation in his official capacity.

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24 BARRETTO is presently licensed and/or has license rights under the Real Estate
25 Law, Part 1 of Division 4 of the Business and Professions Code ("the Code") as a real estate
26 broker. At all times relevant herein, BARRETTO was the designated officer/broker for LOAN
27 EXPRESS. As the designated officer/broker, BARRETTO was responsible pursuant to Section

1 10159.2 of the Code for the supervision of the activities of the officers, agents, real estate
2 licensees and employees of LOAN EXPRESS for which a license is required.

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4 LOAN EXPRESS is presently licensed and/or has license rights under the Real
5 Estate Law, Part 1 of Division 4 of the Business and Professions Code ("the Code") as a
6 corporate real estate broker.

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8 On or about May 5, 2011, BARRETTO's real estate broker license and LOAN
9 EXPRESS' corporate real estate broker license were suspended indefinitely, Case No. R-4703,
10 pursuant to Section 10475 of the Code on the grounds that the Department of Real Estate's
11 Recovery Account paid a claim based on the judgment against Respondents listed in Paragraph
12 5, below.

13 5

14 On or about April 27, 2009, in the Superior Court of the State of California,
15 County of Santa Clara, Case No. 1-08-CV-118953, a civil judgment was entered against
16 Respondents based on grounds of fraud, misrepresentation or deceit related to a transaction for
17 which a real estate license was required.

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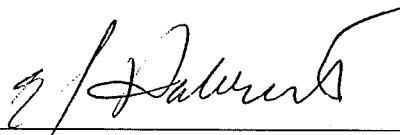
19 The facts set forth above constitute cause under Section 10177.5 (fraud in civil
20 action) of the Code for the suspension or revocation of all licenses and license rights of
21 Respondents under the Real Estate Law.

22 COST RECOVERY

23 7

24 Section 10106 of the Code provides, in pertinent part, that in any order issued in
25 resolution of a disciplinary proceeding before the department, the commissioner may request the
26 administrative law judge to direct a licensee found to have committed a violation of this part to
27 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this Accusation and that upon proof thereof, a decision be rendered revoking all licenses and
3 license rights of Respondent(s) under the Real Estate Law (Part 1 of Division 4 of the Business
4 and Professions Code), for the cost of investigation and enforcement as permitted by law, and for
5 such other and further relief as may be proper under other provisions of law.

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9 E. J. HABERER, II
Deputy Real Estate Commissioner

10 Dated at Oakland, California,
11 this 19 day of January, 2012.
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