

FILED
JUL 18 2012

DEPARTMENT OF REAL ESTATE
By *R. Mar*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of

ALFONSO CARPIO BARRETTO and
LOAN EXPRESS MORTGAGE AB, INC.,

Respondents.

No. H-11309 SF

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on June 26, 2012, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license and/or license rights on grounds of the entry of a civil judgment against Respondents for fraud, misrepresentation or deceit related to a transaction for which a real estate license was required.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1

On January 19, 2012, E. J. Haberer, II, made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondents' last known mailing address on file with the Department on January 21, 2012.

On June 26, 2012, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondents' default was entered herein.

2

Respondent ALFONSO CARPIO BARRETTO is presently licensed and/or has license rights under the Real Estate Law, Part I of Division 4, of the California Business and Professions Code ("the Code") as a real estate broker and is the designated officer/broker for Respondent LOAN EXPRESS MORTGAGE AB, INC.

3

Respondent LOAN EXPRESS MORTGAGE AB, INC. is presently licensed and/or has license rights under the Code as a corporate real estate broker.

4

On or about May 5, 2011, Respondent ALFONSO CARPIO BARRETTO'S license and/or license rights were suspended indefinitely, Case No. R-4391, pursuant to Section 10475 of the Code on the grounds that the Department of Real Estate's Recovery Account paid a claim based on the judgment against Respondents listed in Paragraph 5, below.

5

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

DETERMINATION OF ISSUES

1

Cause for disciplinary action against Respondents exist with reference to the facts set out in Paragraph 5, above, pursuant to Business and Professions Code Section 10177.5 (fraud in civil action).

2

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondents ALFONSO CARPIO
BARRETTO and LOAN EXPRESS MORTGAGE AB, INC., under the provisions of Part I of
Division 4 of the Business and Professions Code are revoked.

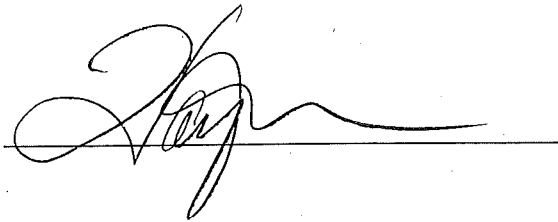
This Decision shall become effective at 12 o'clock noon on

AUG - 8 2012

DATED: _____

7/17/2012

REAL ESTATE COMMISSIONER



1 Department of Real Estate
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916) 227-0789

FILED
JUN 26 2012

DEPARTMENT OF REAL ESTATE
By *R. Mar*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 ***

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

16 Respondents, ALFONSO CARPIO BARRETTO and LOAN EXPRESS
17 MORTGAGE AB, INC., having failed to file a Notice of Defense within the time required by
18 Section 11506 of the Government Code, are now in default. It is, therefore, ordered that a
19 default be entered on the record in this matter.

20 IT IS SO ORDERED June 26, 2012.

21 REAL ESTATE COMMISSIONER

22
23 By: *Joe M. Carrillo*
24 JOE M. CARRILLO
25 Northern Regional Manager
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