



1 Commissioner has also determined that as of February 15, 2010, you have failed to satisfy the  
2 completion of 45 hours of approved educational courses condition.

3 NOW, THEREFORE, IT IS ORDERED under authority of the Order issued in  
4 this matter that the real estate broker license heretofore issued to Respondent and the exercise of  
5 any privileges thereunder is hereby suspended until such time as you provide proof satisfactory  
6 to the Department of compliance with the "condition" referred to above, or pending final  
7 determination made after hearing (see "Hearing Rights" set forth below).

8 IT IS FURTHER ORDERED that all license certificates and identification cards  
9 issued by Department which are in the possession of Respondent be immediately surrendered by  
10 personal delivery or by mailing in the enclosed, self-addressed envelope  
11 to:


12 Department of Real Estate  
13 Attn: Flag Section  
14 P. O. Box 187000  
15 Sacramento, CA 95818-7000

16 HEARING RIGHTS: You have the right to a hearing to contest the  
17 Commissioner's determination that you are in violation of the Order issued in this matter. If you  
18 desire a hearing, you must submit a written request. The request may be in any form, as long as  
19 it is in writing and indicates that you want a hearing. Unless a written request for a hearing,  
20 signed by or on behalf of you, is delivered or mailed to the Department at 320 W. 4<sup>th</sup> Street,  
21 Room 350, Los Angeles, California 90013, within 20 days after the date that this Order was  
22 mailed to or served on you, the Department will not be obligated or required to provide you with  
23 a hearing.

24 This Order shall be effective immediately.

25 DATED: 4/21, 2010.

26 JEFF DAVI  
27 Real Estate Commissioner

  
By: Barbara J. Bigby  
Chief Deputy Commissioner



1 NOW, THEREFORE, IT IS ORDERED under authority of the  
2 Order issued in this matter that the real estate broker license  
3 heretofore issued to Respondent and the exercise of any  
4 privileges thereunder is hereby suspended until such time as you  
5 provide proof satisfactory to the Department of compliance with  
6 the "condition" referred to above, or pending final  
7 determination made after hearing (see "Hearing Rights" set forth  
8 below).

9 IT IS FURTHER ORDERED that all license certificates  
10 and identification cards issued by Department which are in the  
11 possession of Respondent be immediately surrendered by personal  
12 delivery or by mailing in the enclosed, self-addressed envelope  
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15 Attn: Flag Section  
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22 in any form, as long as it is in writing and indicates that you  
23 want a hearing. Unless a written request for a hearing, signed  
24 by or on behalf of you, is delivered or mailed to the Department  
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26 within 20 days after the date that this Order was mailed to or  
27 served on you, the Department will not be obligated or required

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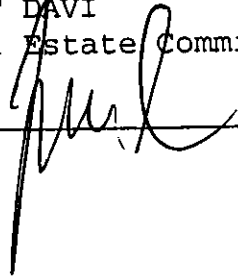
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to provide you with a hearing.

This Order shall be effective immediately.

DATED: 3/24/200

JEFF DAVI  
Real Estate Commissioner



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Department of Real Estate  
320 West 4th Street, Ste. 350  
Los Angeles, California 90013-1105  
Telephone: (213) 576-6982 (office)

**FILED**

APR 15 2009

DEPARTMENT OF REAL ESTATE  
BY: [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )

No. H-34675 LA

GRANADA HILLS ASSETS AND )  
INVESTMENTS MANAGERMENTS INC. )  
doing business as One World )  
Realty, One World Finance, and )  
Fast Escrow Services; and )  
NAPOLEON B. OLARTE, individually )  
and as designated officer of )  
Granada Hills Assets and )  
Investments Managements Inc., )

STIPULATION  
AND  
AGREEMENT

Respondents. )

It is hereby stipulated by and between Respondents  
GRANADA HILLS ASSETS AND INVESTMENTS MANAGERMENTS INC. and  
NAPOLEON B. OLARTE, individually and as designated officer of  
Granada Hills Assets and Investments Managements Inc., (sometimes  
collectively referred to as "Respondents"), represented by Larry  
L. Nash, Esq., and the Complainant, acting by and through Elliott  
Mac Lennan, Counsel for the Department of Real Estate, as follows  
for the purpose of settling and disposing of the Accusation

1 ("Accusation") filed on January 28, 2008, in this matter:

2 1. All issues which were to be contested and all  
3 evidence which was to be presented by Complainant and Respondents  
4 at a formal hearing on the Accusation, which hearing was to be  
5 held in accordance with the provisions of the Administrative  
6 Procedure Act ("APA"), shall instead and in place thereof be  
7 submitted solely on the basis of the provisions of this  
8 Stipulation and Agreement ("Stipulation").

9 2. Respondents have received, read and understand the  
10 Statement to Respondent, the Discovery Provisions of the APA and  
11 the Accusation filed by the Department of Real Estate in this  
12 proceeding.

13 3. Respondents timely filed a Notice of Defense  
14 pursuant to Section 11506 of the Government Code for the purpose  
15 of requesting a hearing on the allegations in the Accusation.  
16 Respondents hereby freely and voluntarily withdraw said Notice of  
17 Defense. Respondents acknowledge that they understand that by  
18 withdrawing said Notice of Defense they thereby waive their right  
19 to require the Commissioner to prove the allegations in the  
20 Accusation at a contested hearing held in accordance with the  
21 provisions of the APA and that they will waive other rights  
22 afforded to them in connection with the hearing such as the right  
23 to present evidence in their defense and the right to cross-  
24 examine witnesses.  
25

26 ///

27

1 4. This Stipulation is based on the factual  
2 allegations contained in the Accusation. In the interest of  
3 expedience and economy, Respondents choose not to contest these  
4 allegations, but to remain silent and understand that, as a  
5 result thereof, these factual allegations, without being admitted  
6 or denied, will serve as a prima facie basis for the disciplinary  
7 action stipulated to herein. The Real Estate Commissioner shall  
8 not be required to provide further evidence to prove said factual  
9 allegations.

10 5. This Stipulation is made for the purpose of  
11 reaching an agreed disposition of this proceeding and is  
12 expressly limited to this proceeding and any other proceeding or  
13 case in which the Department of Real Estate ("Department"), the  
14 state or federal government, or any agency of this state, another  
15 state or federal government is involved.

16 6. It is understood by the parties that the Real  
17 Estate Commissioner may adopt this Stipulation as his Decision in  
18 this matter thereby imposing the penalty and sanctions on  
19 Respondents' real estate licenses and license rights as set forth  
20 in the "Order" herein below. In the event that the Commissioner  
21 in his discretion does not adopt the Stipulation, it shall be  
22 void and of no effect and Respondents shall retain the right to a  
23 hearing and proceeding on the Accusation under the provisions of  
24 the APA and shall not be bound by any stipulation or waiver made  
25 herein.  
26  
27



1                   7. The Order or any subsequent Order of the Real  
2 Estate Commissioner made pursuant to this Stipulation shall not  
3 constitute an estoppel, merger or bar to any further  
4 administrative or civil proceedings by the Department of Real  
5 Estate with respect to any matters which were not specifically  
6 alleged to be causes for Accusation in this proceeding but do  
7 constitute a bar, estoppel and merger as to any allegations  
8 actually contained in the Accusations against Respondent herein.

9                   8. Respondents understand that by agreeing to this  
10 Stipulation, Respondents agree to pay, pursuant to Business and  
11 Professions Code Section 10148, the cost of the audit. The  
12 amount of said cost for the audit is \$4,958.40.

13                   9. Respondents have received, read, and understand the  
14 "Notice Concerning Costs of Subsequent Audit". Respondents  
15 further understand that by agreeing to this Stipulation, the  
16 findings set forth below in the Determination of Issues become  
17 final, and the Commissioner may charge Respondents for the cost  
18 of any subsequent audit conducted pursuant to Business and  
19 Professions Code Section 10148 to determine if the violations  
20 have been corrected. The maximum cost of the subsequent audit  
21 will not exceed \$4,958.40.

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27

DETERMINATION OF ISSUES

1 By reason of the foregoing, it is stipulated and agreed  
2 that the following determination of issues shall be made:  
3

4 I.

5 The conduct, acts or omissions of GRANADA HILLS ASSETS  
6 AND INVESTMENTS MANagements INC. and NAPOLEON B. OLARTE, as  
7 described in Paragraph 4, above, are in violation of Sections  
8 10145, 10148, 10160, 10161.8, 10176(a) and 10176(e) of the  
9 Business and Professions Code ("Code") and Sections 2726, 2753,  
10 2831, 2831.1, 2832(a) and 2835 of Title 10, Chapter 6 of the  
11 California Code of Regulations ("Regulations") and is a basis for  
12 discipline of Respondents' license and license rights as  
13 violation of the Real Estate Law pursuant to Code Sections  
14 10177(d) and 10177(g).  
15

16 ORDER

17 WHEREFORE, THE FOLLOWING ORDER is hereby made:

18 I.

19 The license and licensing rights of Respondents GRANADA  
20 HILLS ASSETS AND INVESTMENTS MANagements INC. and NAPOLEON B.  
21 OLARTE, under the Real Estate Law, are suspended for a period of  
22 sixty (60) days from the effective date of this Decision;  
23 provided, however, that sixty (60) days of said suspension shall  
24 be stayed for two (2) years upon the following terms and  
25 conditions:

26 ///

1           A. Provided, however, that if Respondents request, the  
2 initial thirty (30) days of said suspension (or a portion  
3 thereof) shall be stayed for two (2) years upon condition that:

4           1. Each Respondent pays a monetary penalty pursuant to  
5 Section 10175.2 of the Business and Professions Code at the rate  
6 of \$83.33 per day for each day of the suspension for a monetary  
7 penalty of \$2,500, or \$5,000 total.

8           2. Said payment shall be in the form of a cashier's  
9 check or certified check made payable to the Recovery Account of  
10 the Real Estate Fund. Said check must be received by the  
11 Department prior to the effective date of the Decision in this  
12 matter.

13           3. No further cause for disciplinary action against  
14 the real estate license of Respondents occur within two (2) years  
15 from the effective date of the Decision in this matter.

16           4. If Respondents fail to pay the monetary penalty in  
17 accordance with the terms of the Decision, the Commissioner may,  
18 without a hearing, order the immediate execution of all or any  
19 part of the stayed suspension, in which event the Respondent  
20 shall not be entitled to any repayment nor credit, prorated or  
21 otherwise, for money paid to the Department under the terms of  
22 this Decision.

23           5. If Respondents pay the monetary penalty and if no  
24 further cause for disciplinary action against the real estate  
25 license of Respondent occurs within two (2) years from the  
26

27

1 effective date of the Decision, the stay hereby granted shall  
2 become permanent.

3 B. The remaining thirty (30) days of the sixty (60)  
4 day suspension shall be stayed for two (2) years upon the  
5 following terms and conditions:

6 (a) Respondents shall obey all laws, rules and  
7 regulations governing the rights, duties and responsibilities of  
8 a real estate licensee in the State of California; and

9 (b) That no final subsequent determination be made  
10 after hearing or upon stipulation, that cause for disciplinary  
11 action occurred within two (2) years from the effective date of  
12 this Decision. Should such a determination be made, the  
13 Commissioner may, in his discretion, vacate and set aside the  
14 stay order and reimpose all or a portion of the stayed  
15 suspension. Should no such determination be made, the stay  
16 imposed herein shall become permanent.

17  
18 II.

19 Pursuant to Section 10148 of the Business and  
20 Professions Code, Respondents GRANADA HILLS ASSETS AND  
21 INVESTMENTS MANagements INC. and NAPOLEON B. OLARTE shall pay  
22 the Commissioner's reasonable cost for (a) the audit which led to  
23 this disciplinary action (b) a subsequent audit to determine if  
24 Respondents are now in compliance with the Real Estate Law. The  
25 cost of the audit which led to this disciplinary action is  
26 \$4,958.40. In calculating the amount of the Commissioner's  
27

1 reasonable cost, the Commissioner may use the estimated average  
2 hourly salary for all persons performing audits of real estate  
3 brokers, and shall include an allocation for travel time to and  
4 from the auditor's place of work. Said amount for the prior and  
5 subsequent audits shall not exceed \$9,916.80.

6 Respondents shall pay such cost within 60 days of  
7 receiving an invoice from the Commissioner detailing the  
8 activities performed during the audit and the amount of time  
9 spent performing those activities.

10 The Commissioner may suspend the license of Respondents  
11 pending a hearing held in accordance with Section 11500, et seq.,  
12 of the Government Code, if payment is not timely made as provided  
13 for herein, or as provided for in a subsequent agreement between  
14 the Respondent and the Commissioner. The suspension shall remain  
15 in effect until payment is made in full or until Respondents  
16 enter into an agreement satisfactory to the Commissioner to  
17 provide for payment, or until a decision providing otherwise is  
18 adopted following a hearing held pursuant to this condition.

19  
20 III.

21 All licenses and licensing rights of Respondent  
22 NAPOLEON B. OLARTE are indefinitely suspended unless or until  
23 Respondent provides proof satisfactory to the Commissioner, of  
24 having taken and successfully completed the continuing education  
25 course on trust fund accounting and handling specified in  
26 paragraph (3) of subdivision (a) of Section 10170.5 of the  
27

1 Business and Professions Code. Proof of satisfaction of this  
2 requirement includes evidence that Respondent has successfully  
3 completed the trust fund account and handling continuing  
4 education course by the effective date of the Decision or within  
5 120 days prior to the effective date of the Decision.

6 IV.

7 Respondent NAPOLEON B. OLARTE shall, within nine (9)  
8 months from the effective date of this Decision, present evidence  
9 satisfactory to the Real Estate Commissioner that Respondent has,  
10 since the most recent issuance of an original or renewal real  
11 estate license, taken and successfully completed the continuing  
12 education requirements of Article 2.5 of Chapter 3 of the Real  
13 Estate Law for renewal of a real estate license. If Respondent  
14 fails to satisfy this condition, the Commissioner may order the  
15 suspension of the restricted license until Respondent presents  
16 such evidence. The Commissioner shall afford Respondent the  
17 opportunity for a hearing pursuant to the Administrative  
18 Procedure Act to present such evidence.

19 V.

20 Respondent NAPOLEON B. OLARTE shall within six months  
21 from the effective date of the restricted license, take and pass  
22 the Professional Responsibility Examination administered by the  
23 Department including the payment of the appropriate examination  
24 fee. If Respondent fails to satisfy this condition, the  
25 Commissioner may order suspension of the restricted license until  
26 respondent passes the examination.  
27

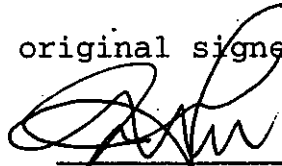


MAILING AND FACSIMILE

1 Respondents (1) shall mail the original signed  
2 signature page of the stipulation herein to Elliott Mac Lennan:  
3 Attention: Legal Section, Department of Real Estate, 320 W.  
4 Fourth St., Suite 350, Los Angeles, California 90013-1105.  
5 Respondents shall also (2) facsimile a copy of signed signature  
6 page, to the Department at the following telephone/fax number:  
7 (213) 576-6917, Attention: Elliott Mac Lennan.  
8

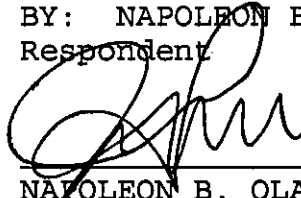
9 A facsimile constitutes acceptance and approval of the  
10 terms and conditions of this stipulation. Respondents agree,  
11 acknowledge and understand that by electronically sending to the  
12 Department a facsimile copy of Respondents' actual signature as  
13 it appears on the stipulation that receipt of the facsimile copy  
14 by the Department shall be as binding on Respondents as if the  
15 Department had received the original signed stipulation.  
16

17 DATED: 1-30-07



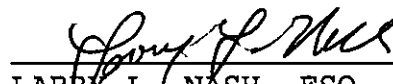
18 GRANADA HILLS ASSETS AND  
19 INVESTMENTS MANagements INC., a  
20 corporate real estate broker,  
21 BY: NAPOLEON B. OLARTE D.O.,  
22 Respondent

21 DATED: 1-30-07



22 NAPOLEON B. OLARTE, individually  
23 and as designated officer of  
24 Granada Hills Assets and  
25 Investments Managements Inc.,  
26 Respondent

25 DATED: 1/30/07



26 LARRY L. NASH, ESQ.  
27 Attorney for Respondents  
Approved as to form and content



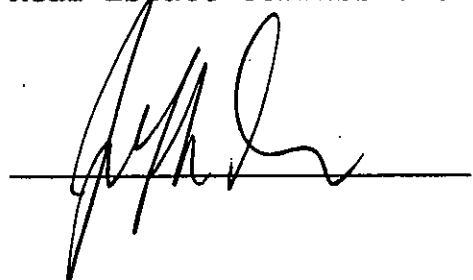
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The foregoing Stipulation and Agreement is hereby  
adopted as my Decision as to Respondents GRANADA HILLS ASSETS AND  
INVESTMENTS MANagements INC. and NAPOLEON B. OLARTE, individually  
and as designated officer of Granada Hills Assets and Investments  
Managements Inc. and shall become effective at 12 o'clock noon on  
May 15, 2009.

IT IS SO ORDERED 4-8, 2009.

JEFF DAVI  
Real Estate Commissioner



*Sachs*

1 Department of Real Estate  
2 320 West 4th Street, Ste. 350  
3 Los Angeles, California 90013-1105  
4 Telephone: (213) 576-6982 (office)

**FILED**

OCT = 3 2008

DEPARTMENT OF REAL ESTATE  
BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

11	In the Matter of the Accusation of	)	No. H-34675 LA
12	GRANADA HILLS ASSETS AND	)	
13	INVESTMENTS MANAGEMENT INC. doing	)	
14	business as One World Realty,	)	
15	One World Finance, and Fast	)	
16	Escrow Services; and	)	
17	NAPOLEON B. OLARTE, individually	)	
18	and as designated officer of	)	
	Granada Hills Assets And	)	
	Investments Management Inc.,	)	
		)	
	Respondents.	)	

ORDER VACATING DECISION AND SETTING ASIDE DEFAULT

20 On July 14, 2008, a Default Order was filed.  
21 Thereafter, on August 13, 2008, a Decision was rendered herein  
22 revoking the real estate broker license of Respondents GRANADA  
23 HILLS ASSETS AND INVESTMENTS MANAGEMENT INC. doing business as  
24 One World Realty, One World Finance, and Fast Escrow Services;  
25 and NAPOLEON B. OLARTE, individually and as designated officer of  
26

1 Granada Hills Assets And Investments Management Inc. The Decision  
2 was effective on October 1, 2008.

3 On September 18, 2008, good cause was presented to set  
4 aside the Default Order of July 14, 2008, and to vacate the  
5 Decision of August 13, 2008, and to have the matter referred to  
6 the Office of Administrative Hearings as a contested matter.

7 NOW, THEREFORE, IT IS ORDERED that the Default Order of  
8 July 14, 2008, is set aside and the Decision of August 13, 2008,  
9 is vacated and that the Matter of the Accusation filed herein on  
10 January 28, 2008, is referred to the Office of Administrative  
11 Hearings.

12 This Order shall become effective immediately.

13 DATED: OCT 01 2008

14  
15 JEFF DAVI  
16 Real Estate Commissioner

17 

18  
19 By WAYNE S. BELL  
20 Chief Counsel

*Sachs*

**FILED**

SEP 11 2008

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-34675 LA
	)	
GRANADA HILLS ASSETS AND	)	
INVESTMENTS MANAGEMENT INC.	)	
doing business as One World	)	
Realty, One World Finance, and	)	
Fast Escrow Services; and	)	
NAPOLEON B. OLARTE,	)	
individually and as designated	)	
officer of Granada Hills Assets	)	
and Investments Management	)	
Inc.,	)	
	)	
Respondents	)	

*Order vacated*

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 July 14, 2008, and the findings of fact set forth herein are based on one or more of the following:

(1) Respondent GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC.'s and NAPOLEON B. OLARTE's express admissions; (2) affidavits; and (3) Department Audit Reports LA 060253 (4) other evidence.

## FACTUAL FINDINGS

1.

On January 15, 2008, Robin Trujillo made the Accusation in her 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, to Respondents' last known mailing addresses on file with the Department on January 28, 2008, by certified mail and by regular mail on May 21, 2008.

2.

On July 14, 2008, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondents GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC.'s ("GRANADA HILLS") and NAPOLEON B. OLARTE'S ("OLARTE") default was entered herein.

3.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

## LICENSE HISTORY

4.

A. At all times mentioned, GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC. ("GRANADA HILLS") and NAPOLEON B. OLARTE were licensed or had license rights issued by the Department of Real Estate ("Department") as real estate brokers.

B. At all times mentioned, GRANADA HILLS was licensed by the Department as a corporate real estate broker by and through OLARTE, as the designated officer and broker responsible, pursuant to Code Section 10159.2 for supervising the activities requiring a real estate license conducted on behalf GRANADA HILLS of by GRANADA HILLS's officers, agents and employees. GRANADA HILLS was originally licensed on May 28, 2002.

C. At all times mentioned, NAPOLEON B. OLARTE ("OLARTE") was licensed or had license rights issued by the Department as a real estate broker. On May 10, 2005, OLARTE was originally licensed as a real estate broker. On May 28, 2006, OLARTE was licensed as the designated officer of GRANADA HILLS.

#### BROKERAGE

GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC.

5.

At all times mentioned, in the City of Northridge, County of Los Angeles, GRANADA HILLS and OLARTE acted as real estate brokers conducting licensed activities within the meaning of Code Section 10131(a) by operating a residential resale brokerage dba One World Realty.

#### FIRST CAUSE OF ACTION

GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC.  
AUDIT

6.

On August 7, 2007, the Department completed an audit examination of the books and records of GRANADA HILLS pertaining to the residential resale activities described in Finding 4, that require a real estate license. The audit examination covered a period of time beginning on January 1, 2005 to March 31, 2007. The audit examination revealed violations of the Code and the Regulations as set forth in the following Findings, and more fully discussed in Audit Report LA 060253 and the exhibits and workpapers attached to said audit report.

#### TRUST ACCOUNT

7.

During the audit period GRANADA HILLS did not maintain a trust account.

GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC.  
VIOLATIONS OF THE REAL ESTATE LAW

8.

In the course of activities described in Finding 5, above, and during the examination period described in Finding 6, Respondents GRANADA HILLS and OLARTE acted in violation of the Code and the Regulations in that they:

(a) Mixed and commingled trust funds and personal funds and made an unauthorized disbursement of beneficiary trust funds by issuing a check from his personal bank account, in violation of Code Sections 10145, 10176(e), 10176(i) and 10177(g) and Regulation 2835. On July 12, 2005, Marcy R. Keegin drafted a check made payable to World One in the amount of \$15,000, check number 116, representing the earnest money deposit for the 26129 Ravenhill Road, Santa Clarita. On July 22, 2005, OLARTE drafted check number 993, not from a trust account but from his general account, account number 24401-40099, account, made payable to Escrow Advantage for the Ravenhill Road property as the earnest money deposit.

(b) Failed to maintain a control record in the form of a columnar record in chronological order of all "Trust Funds Received, Not Placed Broker's Trust Account", in violation of Code Section 10145 and Regulation 2831.

(c) Failed to maintain a separate record for each beneficiary or transaction, thereby failing to account for all trust funds received, deposited and disbursed, as required by Code Section 10145 and Regulation 2831.1.

(d) Failed to place trust funds, including earnest money deposits and rents into the hands of the owner of the funds, a neutral escrow depository or into a trust fund account in the name of the trustee at a bank or other financial institution, as required by Code Section 10145 and Regulation 2832(a).

(e) Misrepresented that they held earnest money deposit from buyer Nilsa Quintana, in violation of Code Section 10176(a).

(f) Failed to retain the salesperson license certificate for salespersons employed under GRANADA HILL's license, in violation of Code Section 10160 and Regulation 2753.

(g) Failed to maintain signed broker-salesperson agreements with salespersons employed under GRANADA HILL's license, in violation of Code Section 10161.8 and Regulation 2726.

SECOND CAUSE OF ACTION

JUAN VALDEZ SALE TRANSACTION  
3451 San Felipe Court, Palmdale, California

9.

The audit examination at Audit Report Issue Two also discovered that seller Juan Valdez ("Valdez") listed his 3451 San Felipe Court, Palmdale, California property for sale with World One Realty, a fictitious business name of GRANADA HILLS. Valdez sold the subject property to Ana Gladiz Moran for \$360,000. On information and belief, through Escrow Network, the unlicensed escrowholder owned by or affiliated with GRANADA HILLS and/or OLARTE, escrow closed on or about May 15, 2006. Per the HUD-1 Settlement Statement of June 1, 2006, Valdez was to receive cash of \$43,181.77 on or around June 1, 2006, as was explained to him by OLARTE. Having not been paid, on June 20, 2006, Valdez met with OLARTE and sought payment. OLARTE claimed that Escrow Network was not an affiliated entity although it shared office space with GRANADA HILLS, yet OLARTE, not Escrow Network, wrote two checks on a Bank of America account in approximate amount of \$43,000 by which to pay Valdez. After deposit by Valdez, said checks returned non-sufficient funds. To date, Valdez has not received payment for the sale of his property.

JUAN VALDEZ SALE TRANSACTION  
VIOLATIONS OF THE REAL ESTATE LAW BY GRANADA HILLS and OLARTE

10.

A. 10176(a) for the substantial misrepresentation that the \$43,000 checks issued to Valdez were valid as issued.

B. 10176(i) for fraud and dishonest dealing in connection with the sale of 3451 San Felipe Court, Palmdale.

C. 10177(g) for negligence in connection with he sale of 3451 San Felipe Court, Palmdale.



THIRD CAUSE OF ACTION  
NEGLIGENCE

11.

The overall conduct of Respondents GRANADA HILLS and OLARTE in (1) abandoning GRANADA HILLS'S office (2) for not retaining client files, and (3) for the negligent preparation, representation and handling of Fernanda F. De Sousa mortgage loan documentation including the Fannie Mae Form 1003 Uniform Residential Loan Application constitutes negligence.

DETERMINATION OF ISSUES

1.

The conduct of Respondents GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC. and NAPOLEON B. OLARTE, as described in Finding 8, herein above, is in violation of Code Sections 10145, 10160, 10176(e) and Regulations 2726, 2753, 2831, 2831.1, 2832(a) and 2835 and is cause for disciplinary action pursuant to Code Sections 10176(a) and 10176(e), 10176(i), 10177(d) and 10177(g).

2.

The conduct of Respondents GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC. and NAPOLEON B. OLARTE, as described in Findings 9 and 10, herein above, is in violation of Code Sections 10176(a), 10176(i) and 10177(g). Cause for disciplinary action exists pursuant to the aforesaid sections.

3.

The conduct of Respondents GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC. and NAPOLEON B. OLARTE, as described in Finding 11, herein above, constitutes negligence or incompetence, and is cause for disciplinary action pursuant to Code Section 10177(g).

4.

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

ORDER

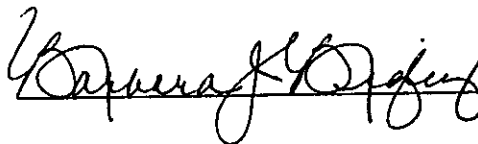
*Order Vacated*

The real estate broker license and license rights of Respondent GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC. and NAPOLEON B. OLARTE, 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 October 1, 2008

DATED: 8/13, 2008

JEFF DAVI  
Real Estate Commissioner



BY: Barbara J. Bigby  
Chief Deputy Commissioner

1 Department of Real Estate  
2 320 West 4th Street, Ste. 350  
3 Los Angeles, California 90013-1105

4 (213) 576-6982

**FILED**

JUL 14 2008

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )

No. H-34675 LA

12 GRANADA HILLS ASSETS AND )  
13 INVESTMENTS MANAGEMENT INC. doing )  
14 business as One World Realty, One )  
15 World Finance, and Fast Escrow )  
16 Services; and NAPOLEON B. OLARTE, )  
17 individually and as designated )  
18 officer of Granada Hills Assets )  
19 and Investments Management Inc., )

20 Respondents )

21 DEFAULT ORDER

22 Respondents GRANADA HILLS ASSETS AND INVESTMENTS  
23 MANAGEMENT INC. doing business as One World Realty, One World  
24 Finance, and Fast Escrow Services; and NAPOLEON B. OLARTE,  
25 individually and as designated officer of Granada Hills Assets  
26 and Investments Management Inc., having failed to file a Notice  
27 of Defense within the time required by Section 11506 of the

1 Government Code, are now in default. It is, therefore, ordered  
2 that a default be entered on the record in this matter.

3  
4 IT IS SO ORDERED

July 14, 2008

JEFF DAVI  
Real Estate Commissioner

Dolores Weeks

8 By: DOLORES WEEKS  
Regional Manager

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1 ELLIOTT MAC LENNAN, (CSB#066674)  
2 Department of Real Estate  
3 320 West 4th Street, Ste. 350  
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6911 (direct)  
6 -or- (213) 576-6982 (office)

**FILED**

JAN 28 2008

DEPARTMENT OF REAL ESTATE

BY: *H. [Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )

No. H-34675 LA

12 GRANADA HILLS ASSETS AND )  
13 INVESTMENTS MANAGEMENT INC. doing )  
14 business as One World Realty, )  
15 One World Finance, and Fast )  
16 Escrow Services; and )  
17 NAPOLEON B. OLARTE, individually )  
18 and as designated officer of )  
19 Granada Hills Assets And )  
20 Investments Management Inc., )

A C C U S A T I O N

21 Respondents. )

22 The Complainant, Robin Trujillo, a Deputy Real Estate  
23 Commissioner of the State of California, for cause of Accusation  
24 against GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC. dba  
25 One World Realty aka World One aka World One Realty and aka One  
26 World, and One World Finance, Fast Escrow Services, and Escrow  
27 Network, and NAPOLEON B. OLARTE, individually and as designated  
officer of Granada Hills Assets And Investments Management Inc.,  
alleges as follows:

1.

1 The Complainant, Robin Trujillo, acting in her official  
2 capacity as a Deputy Real Estate Commissioner of the State of  
3 California, makes this Accusation against GRANADA HILLS ASSETS  
4 AND INVESTMENTS MANAGEMENT INC. and NAPOLEON B. OLARTE.  
5

2.

6  
7 All references to the "Code" are to the California  
8 Business and Professions Code and all references to "Regulations"  
9 are to Title 10, Chapter 6, California Code of Regulations.  
10

#### LICENSE HISTORY

3.

11  
12 A. At all times mentioned, GRANADA HILLS ASSETS AND  
13 INVESTMENTS MANAGEMENT INC. ("GRANADA HILLS") and NAPOLEON B.  
14 OLARTE were licensed or had license rights issued by the  
15 Department of Real Estate ("Department") as real estate brokers.  
16

17 B. At all times mentioned, GRANADA HILLS was licensed  
18 by the Department as a corporate real estate broker by and  
19 through OLARTE, as the designated officer and broker responsible,  
20 pursuant to Code Section 10159.2 for supervising the activities  
21 requiring a real estate license conducted on behalf GRANADA HILLS  
22 of by GRANADA HILLS's officers, agents and employees, including  
23 OLARTE. GRANADA HILLS was originally licensed on May 28, 2002.  
24

25 C. At all times mentioned, NAPOLEON B. OLARTE  
26 ("OLARTE") was licensed or had license rights issued by the  
27 Department as a real estate broker. On May 10, 2005, OLARTE was

1 originally licensed as a real estate broker. On May 28, 2006,  
2 OLARTE was licensed as the designated officer of GRANADA HILLS.

3 BROKERAGE

4 GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC.

5 4.

6 At all times mentioned, in the City of Northridge,  
7 County of Los Angeles, GRANADA HILLS and OLARTE acted as real  
8 estate brokers conducting licensed activities within the meaning  
9 of Code Section 10131(a) by operating a residential resale  
10 brokerage dba One World Realty.

11 FIRST CAUSE OF ACTION

12 GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC.

13 AUDIT

14 5.

15 On August 7, 2007, the Department completed an audit  
16 examination of the books and records of GRANADA HILLS pertaining  
17 to the residential resale activities described in Paragraph 4,  
18 that require a real estate license. The audit examination  
19 covered a period of time beginning on January 1, 2005 to March  
20 31, 2007. The audit examination revealed violations of the Code  
21 and the Regulations as set forth in the following paragraphs, and  
22 more fully discussed in Audit Report LA 060253 and the exhibits  
23 and workpapers attached to said audit report.  
24

25 ///

26 ///

27

TRUST ACCOUNT

6.

During the audit period GRANADA HILLS did not maintain a trust account.

GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC.

VIOLATIONS OF THE REAL ESTATE LAW

7.

In the course of activities described in Paragraphs 4 and 6, above, and during the examination period described in Paragraph 5, Respondents GRANADA HILLS and OLARTE acted in violation of the Code and the Regulations in that they:

(a) Mixed and commingled trust funds and personal funds and made an unauthorized disbursement of beneficiary trust funds by issuing a checks from his personal bank account, in violation of Code Sections 10145, 10176(e), 10176(i) and 10177(g) and Regulation 2835. On July 12, 2005, Marcy R. Keegin drafted a check made payable to World One in the amount of \$15,000, check number 116, representing the earnest money deposit for the 26129 Ravenhill Road, Santa Clarita. On July 22, 2005, OLARTE drafted check number 993, not from a trust account but from his general account, account number 24401-40099, account, made payable to Escrow Advantage for the Ravenhill Road property as the earnest money deposit.

(b) Failed to maintain a control record in the form of a columnar record in chronological order of all "Trust Funds



1 Received, Not Placed Broker's Trust Account", in violation of  
2 Code Section 10145 and Regulation 2831.

3 (c) Failed to maintain a separate record for each  
4 beneficiary or transaction, thereby failing to account for all  
5 trust funds received, deposited and disbursed, as required by  
6 Code Section 10145 and Regulation 2831.1.

7 (d) Failed to place trust funds, including earnest  
8 money deposits and rents into the hands of the owner of the  
9 funds, a neutral escrow depository or into a trust fund account  
10 in the name of the trustee at a bank or other financial  
11 institution, as required by Code Section 10145 and Regulation  
12 2832(a).

13 (e) After notice and subpoena on October 16, 2007,  
14 failed to produce or retain all records of GRANADA HILL's  
15 activity during the audit period requiring a real estate broker  
16 license, as required by Code Section 10148.

17 (f) Misrepresented that they held earnest money deposit  
18 from buyer Nilsa Quintana, in violation of Code Section 10176(a).

19 (g) Failed to retain the salesperson license  
20 certificate for salespersons employed under GRANADA HILL's  
21 license, in violation of Code Section 10160 and Regulation 2753.

22 (h) Failed to maintain signed broker-salesperson  
23 agreements with salespersons employed under GRANADA HILL's  
24 license, in violation of Code Section 10161.8 and Regulation  
25 2726.  
26  
27

DISCIPLINE STATUTES AND REGULATIONS

8.

The conduct of Respondents GRANADA HILLS and OLARTE, described in Paragraph 7, above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
7(a)	Code Section 10145, 10176(e), 10176(i) and 10177(g) and Regulation 2835
7(b)	Code Section 10145 and Regulation 2831
7(c)	Code Section 10145 and Regulation 2831.1
7(d)	Code Section 10145 and Regulation 2832(a)
7(e)	Code Section 10148
7(f)	Code Section 10176(a)
7(g)	Code Sections 10160 and Regulation 2753

1 7(h)

Code Sections 10161.8 and

2 Regulation 2726

3 The foregoing violations constitute cause for the suspension or  
4 revocation of the real estate license and license rights of  
5 GRANADA HILLS and OLARTE, under the provisions of Code Sections  
6 10176(a), 10176(e), 10176(i), 10177(d) and/or 10177(g).

7 SECOND CAUSE OF ACTION

8 JUAN VALDEZ SALE TRANSACTION

9 3451 San Felipe Court, Palmdale, California

10 8.

11 The audit examination at Audit Report Issue Two also  
12 discovered that seller Juan Valdez ("Valdez") listed his 3451 San  
13 Felipe Court, Palmdale, California property for sale with World  
14 One Realty, a fictitious business name of GRANADA HILLS. Valdez  
15 sold the subject property to Ana Gladiz Moran for \$360,000. On  
16 information and belief, through Escrow Network, the unlicensed  
17 escrowholder owned by or affiliated with GRANADA HILLS and/or  
18 OLARTE, escrow closed on or about May 15, 2006. Per the HUD-1  
19 Settlement Statement of June 1, 2006, Valdez was to receive cash  
20 of \$43,181.77 on or around June 1, 2006, as was explained to him  
21 by OLARTE. Having not been paid, on June 20, 2006, Valdez met  
22 with OLARTE and sought payment. OLARTE claimed that Escrow  
23 Network was not an affiliated entity although it shared office  
24 space with GRANADA HILLS, yet OLARTE, not Escrow Network, wrote  
25 two checks on a Bank of America account in approximate amount of  
26  
27

1 \$43,000 by which to pay Valdez. After deposit by Valdez, said  
2 checks returned non-sufficient funds. To date, Valdez has not  
3 received payment for the sale of his property.

4 JUAN VALDEZ SALE TRANSACTION

5 VIOLATIONS OF THE REAL ESTATE LAW BY GRANADA HILLS and OLARTE

6 9.

7 A. 10176(a) for the substantial misrepresentation that  
8 the \$43,000 checks issued to Valdez were valid as issued.

9 B. 10176(i) for fraud and dishonest dealing in  
10 connection with the sale of 3451 San Felipe Court, Palmdale.

11 c. 10177(g) for negligence in connection with he sale  
12 of 3451 San Felipe Court, Palmdale.

13 NEGLIGENCE

14 10.

15 The overall conduct of Respondents GRANADA HILLS and  
16 OLARTE constitutes negligence. This conduct and violation are  
17 cause for the suspension or revocation of the real estate license  
18 and license rights of said Respondents pursuant to Code Sections  
19 10177(d) and/or 10177(g).  
20

21 SUPERVISION AND COMPLIANCE

22 11.

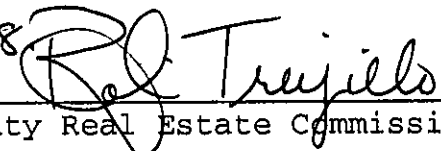
23 The overall conduct of Respondent OLARTE constitutes a  
24 failure on his part, as officer designated by a corporate broker  
25 licensee, to exercise the reasonable supervision and control over  
26 the licensed activities of GRANADA HILLS as required by Code  
27

1 Section 10159.2, and to keep GRANADA HILLS in compliance with the  
2 Real Estate Law, and is cause for the suspension or revocation of  
3 the real estate license and license rights of OLARTE pursuant to  
4 the provisions of Code Sections 10177(d), 10177(g) and 10177(h).

5 WHEREFORE, Complainant prays that a hearing be  
6 conducted on the allegations of this Accusation and that upon  
7 proof thereof, a decision be rendered imposing disciplinary  
8 action against the license and license rights of Respondents  
9 GRANADA HILLS ASSETS AND INVESTMENTS MANAGEMENT INC. and NAPOLEON  
10 B. OLARTE, individually and as designated officer of Granada  
11 Hills Assets And Investments Management Inc., under the Real  
12 Estate Law (Part 1 of Division 4 of the Business and Professions  
13 Code) and for such other and further relief as may be proper  
14 under other applicable provisions of law.

15 Dated at Los Angeles, California

16 this 15 day of January 2008

17   
18 Deputy Real Estate Commissioner

19  
20  
21  
22  
23  
24  
25 cc: Granada Hills Assets And Investments Management Inc.  
26 c/o Napoleon B. Olarte D.O.  
27 Robin Trujillo  
Sacto  
Audits - Robert S. Brody