

1 Department of Real Estate  
2 320 West 4th Street, Suite 350  
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

**FILED**

NOV - 7 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-35025 LA  
12 DE HDL INC.; and JORGE RICARDO ) L-2008070852  
13 CRUZ, individually, and as )  
14 designated broker-officer of ) STIPULATION AND AGREEMENT  
15 DE HDL Inc., )  
16 Respondents. )

17 It is hereby stipulated by and between JORGE RICARDO  
18 CRUZ, individually, and as designated broker-officer of DE HDL  
19 Inc., (sometimes referred to as "Respondent"), and the  
20 Complainant, acting by and through Cheryl Keily, Counsel for the  
21 Department of Real Estate, as follows for the purpose of  
22 settling and disposing of the Accusation filed on June 11, 2008,  
23 in this matter.

24 1. All issues which were to be contested and all  
25 evidence which was to be presented by Complainant and Respondent  
26 at a formal hearing on the Accusation, which hearing was to be  
27 held in accordance with the provisions of the Administrative  
Procedure Act (APA), shall instead and in place thereof be

1 submitted solely on the basis of the provisions of this  
2 Stipulation and Agreement.

3           2. Respondent has received, read and understands the  
4 Statement to Respondent, the Discovery Provisions of the APA and  
5 the Accusation filed by the Department of Real Estate  
6 ("Department") in this proceeding.

7           3. On July 3, 2008, Respondent filed a Notice of  
8 Defense, pursuant to Section 11506 of the Government Code for  
9 the purpose of requesting a hearing on the allegations in the  
10 Accusation. Respondent hereby freely and voluntarily withdraws  
11 said Notice of Defense. Respondent acknowledges that he  
12 understands that by withdrawing said Notice of Defense he will  
13 thereby waive his right to require the Commissioner to prove the  
14 allegations in the Accusation at a contested hearing held in  
15 accordance with the provisions of the APA and that he will waive  
16 other rights afforded to him in connection with the hearing,  
17 such as the right to present evidence in defense of the  
18 allegations in the Accusation and the right to cross-examine  
19 witnesses.

20           4. Respondent, pursuant to the limitations set forth  
21 below, hereby admits that the factual allegations set forth in  
22 the Accusation filed in this proceeding are true and correct and  
23 the Real Estate Commissioner shall not be required to provide  
24 further evidence of such allegations.

25           5. It is understood by the parties that the Real  
26 Estate Commissioner may adopt the Stipulation and Agreement as  
27 his decision in this matter, thereby imposing the penalty and





1 California Administrative Procedure Act (including but not  
2 limited to Sections 11506, 11508, 11509 and 11513 of the  
3 Government Code), and I willingly, intelligently and voluntarily  
4 waive those rights, including the right of requiring the  
5 Commissioner to prove the allegations in the Accusation at a  
6 hearing at which I would have the right to cross-examine  
7 witnesses against me and to present evidence in defense and  
8 mitigation of the charges.

9           Respondent can signify acceptance and approval of the  
10 terms and conditions of this Stipulation and Agreement by faxing  
11 a copy of its signature page, as actually signed by Respondent,  
12 to the Department at the following telephone/fax number (213)  
13 576-6917. Respondent agrees, acknowledges, and understands that  
14 by electronically sending to the Department a fax copy of his  
15 actual signature as it appears on the Stipulation and Agreement,  
16 that receipt of the faxed copy by the Department shall be as  
17 binding on Respondent as if the Department had received the  
18 original signed Stipulation and Agreement.

19  
20 DATED: \_\_\_\_\_

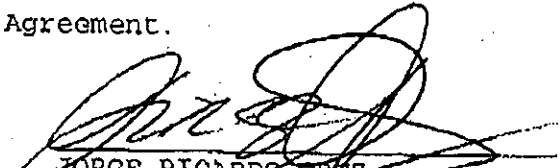
\_\_\_\_\_  
21 JORGE RICARDO CRUZ,  
22 Respondent

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1 California Administrative Procedure Act (including but not  
 2 limited to Sections 11506, 11508, 11509 and 11513 of the  
 3 Government Code), and I willingly, intelligently and voluntarily  
 4 waive those rights, including the right of requiring the  
 5 Commissioner to prove the allegations in the Accusation at a  
 6 hearing at which I would have the right to cross-examine  
 7 witnesses against me and to present evidence in defense and  
 8 mitigation of the charges.

9            Respondent can signify acceptance and approval of the  
 10 terms and conditions of this Stipulation and Agreement by faxing  
 11 a copy of its signature page, as actually signed by Respondent,  
 12 to the Department at the following telephone/fax number (213)  
 13 576-6917. Respondent agrees, acknowledges, and understands that  
 14 by electronically sending to the Department a fax copy of his  
 15 actual signature as it appears on the Stipulation and Agreement,  
 16 that receipt of the faxed copy by the Department shall be as  
 17 binding on Respondent as if the Department had received the  
 18 original signed Stipulation and Agreement.

19  
 20 DATED: 10/20/08

  
 21 JORGE RICARDO CRUZ  
 22 Respondent

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The foregoing Stipulation and Agreement is hereby  
adopted as my Decision in this matter and shall become effective  
at 12 o'clock noon on December 1, 2008.

IT IS SO ORDERED 10/31, 2008.

  
JEFF DAVI  
Real Estate Commissioner

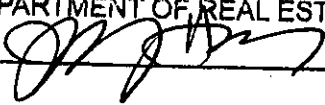
BY: Barbara J. Bigby  
Chief Deputy Commissioner

2/2/08

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**FILED**

OCT 22 2008

DEPARTMENT OF REAL ESTATE  
BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-35025 LA
	)	L-2008070852
<u>DE HDL INC.</u> ; and JORGE RICARDO	)	
CRUZ, individually, and as	)	
designated broker-officer of	)	
DE HDL Inc.,	)	
	)	
Respondents.	)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On June 11, 2008, an Accusation was filed in this matter against Respondents DE HDL INC. and JORGE RICARDO CRUZ.

On September 9, 2008, Respondent DE HDL INC. petitioned the Commissioner to voluntarily surrender its real estate license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent DE HDL INC.'s petition for voluntary surrender of its real estate license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated September 9, 2008 (attached as Exhibit "A" hereto). Respondent's license certificate(s), pocket



1 card(s) and any branch office license certificate(s) shall be  
2 sent to the below listed address so that they reach the  
3 Department on or before the effective date of this Order:

4 DEPARTMENT OF REAL ESTATE  
5 Attn: Licensing Flag Section  
6 P. O. Box 187000  
7 Sacramento, CA 95818-7000

8 This Order shall become effective at 12 o'clock noon  
9 on November 12, 2008.

10 DATED: 10/17, 2008

11 JEFF DAVI  
12 Real Estate Commissioner

13   
14 \_\_\_\_\_

15 BY: Barbara J. Bigby  
16 Chief Deputy Commissioner

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Exhibit "A"

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of )	No. H-35025 LA
DE HDL INC.; and JORGE )	
RICARDO CRUZ, individually, )	
and as designated officer of )	
DE HDL Inc., )	
Respondents. )	

DECLARATION

My name is LOUIE BUSTELLOS. DE HDL INC. is licensed as a real estate corporation and/or has license rights with respect to said license. I am currently an officer of DE HDL INC., and am authorized and empowered to sign this declaration on behalf of DE HDL INC.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government-Code) DE HDL INC. wishes to voluntarily surrender its real estate license issued by the

1 Department of Real Estate ("Department"), pursuant to the  
2 provisions of Business and Professions Code Section 10100.2.

3 I understand that DE HDL INC., by so voluntarily  
4 surrendering its license, can only have it reinstated in  
5 accordance with the provisions of Section 11522 of the Government  
6 Code. I also understand that by so voluntarily surrendering its  
7 license, DE HDL INC. agrees to the following:

8 1. The filing of this Declaration shall be deemed as  
9 the petition of DE HDL INC. for voluntary surrender.

10 2. It shall also be deemed to be an understanding and  
11 agreement by DE HDL INC. that it waives all rights it has to  
12 require the Commissioner to prove the allegations contained in  
13 the Accusation filed in this matter at a hearing held in  
14 accordance with the provisions of the Administrative Procedure  
15 Act (Government Code Sections 11400 et seq.), and that DE HDL  
16 INC. also waives other rights afforded to it in connection with  
17 the hearing such as the right to discovery, the right to present  
18 evidence in defense of the allegations in the Accusation and the  
19 right to cross-examine witnesses.


20 3. I further agree that upon acceptance by the  
21 Commissioner, as evidenced by an appropriate order, all  
22 affidavits and all relevant evidence obtained by the Department  
23 in this matter prior to the Commissioner's acceptance, and all  
24 allegations contained in the Accusation filed by the Department  
25 in Case No. H-35025 LA, may be considered by the Department to be  
26 true and correct for the purpose of deciding whether to grant  
27

1 relicensure or reinstatement of DE HDL INC.'s license pursuant to  
2 Government Code Section 11522.

3 4. I am acting freely and voluntarily on behalf of DE  
4 HDL INC. to surrender its license and all license rights attached  
5 thereto.

6 I declare under penalty of perjury under the laws of  
7 the State of California that the above is true and correct.

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9 9/9/00  
10 Date and Place

  
10 Louie Bustellos

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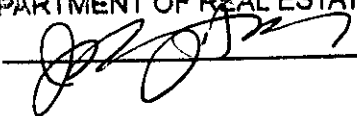
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1 CHERYL D. KEILY SBN# 94008  
2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982  
6 (Direct) (213) 576-5770

**FILED**

JUN 11 2008

DEPARTMENT OF REAL ESTATE  
BY: 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11	In the Matter of the Accusation of	)	No. H-35025 LA
12		)	
13	DE HDL INC.; and JORGE RICARDO	)	
14	CRUZ, individually, and	)	<u>A C C U S A T I O N</u>
15	as designated broker-officer	)	
16	of DE HDL Inc.,	)	
17		)	
18		)	
19	Respondents.	)	
20		)	

21 The Complainant, Robin Trujillo, a Deputy Real Estate  
22 Commissioner of the State of California, for cause of Accusation  
23 against RE HDL INC. (hereinafter referred to as "Respondent RE  
24 HDL INC.") and JORGE RICARDO CRUZ, individually, and as  
25 designated broker-officer of DE HDL Inc., (hereinafter referred  
26 to as "Respondent CRUZ"), is informed and alleges as follows:  
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1.

1 The Complainant, Robin Trujillo, a Deputy Real Estate  
2 Commissioner of the State of California, makes this Accusation  
3 in her official capacity.  
4

2.

5 Respondent DE HDL INC. is presently licensed and/or  
6 has license rights under the Real Estate Law (Part 1 of Division  
7 4 of the Business and Professions Code, hereinafter "Code"), as  
8 a real estate corporation acting by and through Respondent CRUZ  
9 as its designated broker-officer.  
10

3.

11 Respondent CRUZ is presently licensed and/or has  
12 license rights under the Real Estate Law (Part 1 of Division 4  
13 of the Code) as a real estate broker and designated broker-  
14 officer of DE HDL Inc.  
15

4.

16 All further references herein include Respondents DE  
17 HDL INC. and CRUZ, and also include officers, directors,  
18 employees, agents and real estate licensees employed by or  
19 associated with DE HDL INC. and CRUZ, and who at all times  
20 herein mentioned were engaged in the furtherance of the business  
21 or operations of Respondents DE HDL INC. and CRUZ and who were  
22 acting within the course and scope of their authority and  
23 employment.  
24

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5.

1  
2 From June 14, 2006, to the present Respondent CRUZ, as  
3 the officer designated by Respondent DE HDL INC. pursuant to  
4 Section 10211 of the Code, was responsible for the supervision  
5 and control of the activities conducted on behalf of Respondent  
6 RE HDL INC. by its officers and employees as necessary to secure  
7 full compliance with the Real Estate Law as set forth in Section  
8 10159.2 of the Code.

9  
6.

10 At all times herein mentioned, Respondents DE HDL INC.  
11 and CRUZ on behalf of others and in expectation of compensation,  
12 engaged in the business, acted in the capacity of, advertised or  
13 assumed to act as a real estate broker in the State of  
14 California within the meaning of Section 10131(d) of the Code,  
15 including soliciting borrowers and lenders and negotiating loans  
16 on real property.  
17

18  
7.

19 Respondent CRUZ ordered, caused, authorized or  
20 participated in the conduct of respondent DE HDL INC., as is  
21 alleged in this Accusation.

22  
8.

23 In connection with Respondents' activities as a real  
24 estate broker, as described above, Respondents DE HDL INC. and  
25 CRUZ acted in violation of the Real Estate Law, the Code and  
26 California Code of Regulations (hereinafter Regulations), Title  
27 10, Chapter 6, as follows:

1 (a) Respondents knowingly advertised, printed,  
2 displayed, published, distributed, or caused or permitted to be  
3 advertised, printed, displayed, published, distributed,  
4 statements or representations with regard to the rates, terms,  
5 or conditions for making, purchasing, or negotiating loans on  
6 real property which were false, misleading, or deceptive in  
7 violation of Code Section 10235 and Section 2848, subdivisions  
8 (4), (5), and (9), of the Regulations.

9 (b) Respondents placed one or more advertisements  
10 disseminated primarily in the State of California for the making  
11 or arranging of a loan, including a solicitation for borrowers  
12 or potential investors, that failed to disclose within the  
13 printed text of the advertisement, or the oral text in the case  
14 of a radio or television advertisement, the real estate broker  
15 license number under which the loan would be made or arranged in  
16 violation of Code sections 10235.5, 10236.4 and 17539.4 and  
17 Section 2847.3 of the Regulations.

18 (c) Respondents used a fictitious business name for  
19 activities requiring the issuance of a real estate license  
20 without filing an application for the use of such name with the  
21 Department as required by the provisions of Code Section  
22 10159.5.

23 9.

24 The conduct, acts and/or omissions of Respondents DE  
25 HDL INC. and CRUZ, as set forth above, are cause for the  
26 suspension or revocation of the licenses and license rights of  
27



1 Respondent DE HDL INC. and of Respondent CRUZ pursuant to Code  
2 Sections 10176(a), 10177(d) and/or 10177(g).

3 10.

4 The conduct, acts and/or omissions of Respondent CRUZ,  
5 as set forth above, are cause for the suspension or revocation  
6 of the licenses and license rights of Respondent CRUZ pursuant  
7 to Code sections 10159.2 and/or 10177(d), (g) and (h).

8 WHEREFORE, Complainant prays that a hearing be  
9 conducted on the allegations of this Accusation and that upon  
10 proof thereof, a decision be rendered imposing disciplinary  
11 action against all the licenses and license rights of Respondent  
12 DE HDL INC. and Respondent JORGE RICARDO CRUZ, individually, and  
13 as designated broker-officer of Respondent RE HDL Inc., under  
14 the Real Estate Law (Part 1 of Division 4 of the Business and  
15 Professions Code), and for such other and further relief as may  
16 be proper under other applicable provisions of law.

17 Dated at Los Angeles, California

18 this 4 day of June, 2008.

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23 \_\_\_\_\_  
24 Robin Trujillo  
25 Deputy Real Estate Commissioner

26 cc: DE HDL INC.  
27 JORGE RICARDO CRUZ  
Robin Trujillo  
Sacto.