

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

4 Telephone: (213) 576-6982

**FILED**

JUL 31 2009

DEPARTMENT OF REAL ESTATE

BY: 

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \* \* \*

12	In the Matter of the Accusation of )	NO. H-35709 LA
13	)	
14	BROADWAY FINANCIAL GROUP INC., )	L-2009050094
15	and <u>RUBEN GOMEZ BECERRA, indi-</u> )	
16	<u>vidually, and as designated</u> )	<u>STIPULATION AND AGREEMENT</u>
17	<u>officer for Broadway Financial</u> )	
18	<u>Group Inc.,</u> )	
19	)	
20	Respondents.)	

21 It is hereby stipulated by and between RUBEN GOMEZ  
22 BECERRA, individually, and as designated broker-officer of  
23 Broadway Financial Group Inc., (sometimes referred to as  
24 "Respondent"), and the Complainant, acting by and through  
25 Cheryl Keily, Counsel for the Department of Real Estate, as  
26 follows for the purpose of settling and disposing of the  
27 Accusation filed on February 19, 2009, in this matter.

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

9           2. Respondent has received, read and understands the  
10 Statement to Respondent, the Discovery Provisions of the APA and  
11 the Accusation filed by the Department of Real Estate  
12 ("Department") in this proceeding.  
13

14           3. On February 26, 2009, Respondent filed a Notice of  
15 Defense, pursuant to Section 11506 of the Government Code for  
16 the purpose of requesting a hearing on the allegations in the  
17 Accusation. Respondent hereby freely and voluntarily withdraws  
18 said Notice of Defense. Respondent acknowledges that he  
19 understands that by withdrawing said Notice of Defense he will  
20 thereby waive his right to require the Commissioner to prove the  
21 allegations in the Accusation at a contested hearing held in  
22 accordance with the provisions of the APA and that he will waive  
23 other rights afforded to him in connection with the hearing,  
24 such as the right to present evidence in defense of the  
25 allegations in the Accusation and the right to cross-examine  
26 witnesses.  
27

1           4. Respondent, pursuant to the limitations set forth  
2 below, hereby admits that the factual allegations set forth in  
3 the Accusation filed in this proceeding are true and correct and  
4 the Real Estate Commissioner shall not be required to provide  
5 further evidence of such allegations.  
6

7           5. It is understood by the parties that the Real  
8 Estate Commissioner may adopt the Stipulation and Agreement as  
9 his decision in this matter, thereby imposing the penalty and  
10 sanctions on Respondent's real estate licenses and license  
11 rights as set forth in the below "Order". In the event that  
12 the Commissioner in his discretion does not adopt the  
13 Stipulation and Agreement, it shall be void and of no effect,  
14 and Respondent shall retain the right to a hearing and  
15 proceeding on the Accusation under all the provisions of the  
16 APA and shall not be bound by any admission or waiver made  
17 herein.  
18

19           6. The Order or any subsequent Order of the Real  
20 Estate Commissioner made pursuant to this Stipulation and  
21 Agreement shall not constitute an estoppel, merger or bar to any  
22 further administrative or civil proceedings by the Department of  
23 Real Estate with respect to any matters which were not  
24 specifically alleged to be causes for accusation in this  
25 proceeding.  
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DETERMINATION OF ISSUES

By reason of the foregoing stipulations, admissions and waivers and solely for the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that the following determination of issues shall be made:

The conduct of Respondent is in violation of Business and Professions Code ("Code") Section 10159.2, and is grounds for the suspension or revocation of all of the real estate licenses and license rights of Respondent under the provisions of Code Section 10177 subdivision (h).

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

1. The real estate broker license of Respondent RUBEN GOMEZ BECERRA is hereby publicly reprovred.

DATED: June 30, 2009

Cheryl D. Keily  
CHERYL D. KEILY, Counsel  
DEPARTMENT OF REAL ESTATE


\* \* \*

I have read the Stipulation and Agreement, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the

1 Government Code), and I willingly, intelligently and  
2 voluntarily waive those rights, including the right of  
3 requiring the Commissioner to prove the allegations in the  
4 Accusation at a hearing at which I would have the right to  
5 cross-examine witnesses against me and to present evidence in  
6 defense and mitigation of the charges.  
7

8           Respondent can signify acceptance and approval of the  
9 terms and conditions of this Stipulation and Agreement by  
10 faxing a copy of its signature page, as actually signed by  
11 Respondent, to the Department at the following telephone/fax  
12 number (213) 576-6917. Respondent agrees, acknowledges, and  
13 understands that by electronically sending to the Department a  
14 fax copy of his actual signature as it appears on the  
15 Stipulation and Agreement, that receipt of the faxed copy by  
16 the Department shall be as binding on Respondent as if the  
17 Department had received the original signed Stipulation and  
18 Agreement.  
19

20  
21 DATED: 6/26/09

  
RUBEN GOMEZ BECERRA,  
Respondent

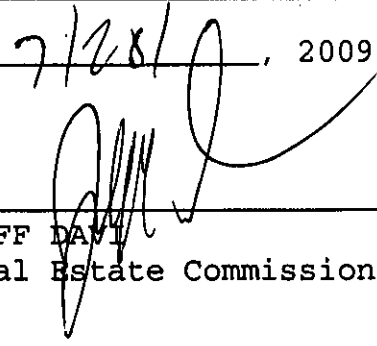
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\* \* \*

The foregoing Stipulation and Agreement is hereby  
adopted as my Decision in this matter and shall become  
effective at 12 o'clock noon on August 20, 2009.

IT IS SO ORDERED 7/28/09, 2009.

  
\_\_\_\_\_  
JEFF DAVI  
Real Estate Commissioner

**FILED**

BEFORE THE DEPARTMENT OF REAL ESTATE

JUN 19 2009

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

\* \* \* \*

BY: 

In the Matter of the Accusation of )  
 )  
BROADWAY FINANCIAL GROUP )  
INC. and RUBEN GOMEZ BECERRA, )  
 individually, and as desig- )  
 nated officer of Broadway )  
 Financial Group Inc., )  
 )  
 Respondents. )  
 )

No. H-35709 LA

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 May 28, 2009, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision suspends or revokes one or more real estate licenses on the ground of the violation of the Real Estate Law (commencing with Section 10000 of the Business and Professions Code (Code)) Chapter 1 (commencing with Section 11000 of the Code) of Part 2 or the rules and regulations of the commissioner for the administration and enforcement of the Real Estate Law and Chapter 1 (commencing with Section 11000 of the Code) of Part 2.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension 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.

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FINDINGS OF FACT

I

On February 18, 2009, 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 Respondent's last known mailing address on file with the Department on February 19, 2009.

Respondent failed to file a Notice of Defense within the time required by Section 11506 of the Government Code. Respondent's default was entered herein.

II

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Code as a corporate real estate broker.

III

Prior to Respondent's licensure on January 15, 2008, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker for others in the State of California, within the meaning of Code Sections 10131(d) and 10131.2 as follows:

(a) On or about October 12, 2007, Respondent charged, received, collected or contracted for the collection of a fee of \$6,200 for the performance of loan modification services with respect to a loan which is secured by a lien on real property, which are acts requiring a real estate license under the provisions of Code Section 10131(d) and 10131.2.

IV

The evidence established that Respondent engaged in activities which require a license under the provision of Code Sections 10131(d) and 10131.2 during a period of time when Respondent was not licensed by the Department. Said conduct, acts and omissions are in violation of Code Section 10130.

///



V

On or about October 2, 2008, Department representatives went to the address of Respondent's current business and mailing address for the purpose of inspecting the site. The Department representatives determined that Respondent did not occupy or maintain a place of business.

VI

The evidence established that Respondent left and/or abandoned its business and mailing addresses, and, thereafter failed to maintain on file with the Commissioner of the Department a new address for the principal place of business for its real estate brokerage activities.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent exists pursuant to Code Sections 10130, 10162, 10177(d) and 10177(g).

II

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

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ORDER

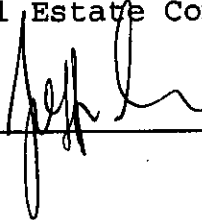
The licenses and license rights of Respondent BROADWAY  
FINANCIAL GROUP INC. under the provisions of Part I of Division  
4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock  
noon July 9, 2009.

DATED: \_\_\_\_\_

6-16-09.

JEFF DAVI  
Real Estate Commissioner

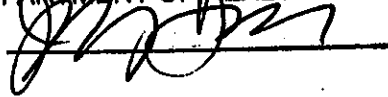
  
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1 Department of Real Estate  
2 320 West Fourth Street, Suite 350  
3 Los Angeles, California 90013-1105  
4 (213) 576-6982

**FILED**

MAY 28 2009

DEPARTMENT OF REAL ESTATE

BY: 

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9  
10 STATE OF CALIFORNIA

11 \* \* \* \*

12 In the Matter of the Accusation of )  
13 )  
14 BROADWAY FINANCIAL GROUP INC., )  
15 and RUBEN GOMEZ BECERRA, individually, )  
16 and as designated officer of Broadway Financial )  
Group Inc., )  
Respondent. )

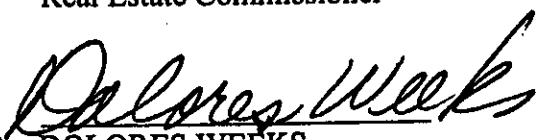
NO. H-35709 LA

DEFAULT ORDER

17 Respondent, BROADWAY FINANCIAL GROUP INC., having failed to file a  
18 Notice of Defense within the time required by Section 11506 of the Government Code, is now  
19 in default. It is, therefore, ordered that a default be entered on the record in this matter.

20 IT IS SO ORDERED May 28, 2009

23 JEFF DAVI  
24 Real Estate Commissioner

25   
26 By: DOLORES WEEKS  
27 Regional Manager

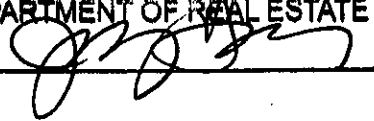
1 CHERYL D. KEILY SBN# 94008  
2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105

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

**FILED**

FEB 19 2009

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-35709 LA  
12 )  
13 BROADWAY FINANCIAL GROUP INC, ) A C C U S A T I O N  
14 and RUBEN GOMEZ BECERRA, )  
15 individually, and as desig- )  
16 nated officer of Broadway )  
17 Financial Group Inc, )  
18 Respondents. )

19 The Complainant, Robin Trujillo, a Deputy Real Estate  
20 Commissioner of the State of California, for cause of Accusation  
21 against BROADWAY FINANCIAL GROUP INC (hereinafter referred to as  
22 "Respondent BROADWAY FINANCIAL") and RUBEN GOMEZ BECERRA  
23 (hereinafter referred to as "Respondent BECERRA"), individually,  
24 and as designated officer of Respondent BROADWAY FINANCIAL, is  
25 informed and alleges as follows:

26 ///

27 ///

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 BROADWAY FINANCIAL is presently licensed  
6 and/or has license rights under the Real Estate Law (Part 1 of  
7 Division 4 of the Business and Professions Code, hereinafter  
8 "Code"), as a real estate corporation. Respondent BROADWAY  
9 FINANCIAL was first licensed by the Department as a corporate  
10 real estate broker on or about January 15, 2008, acting by and  
11 through Respondent BECERRA as its designated broker-officer.  
12

3.

13 Respondent BECERRA is presently licensed and/or has  
14 license rights under the Real Estate Law as a real estate  
15 broker. From on or about January 15, 2008, until December 5,  
16 2008, Respondent BECERRA was the designated broker-officer of  
17 BROADWAY FINANCIAL.  
18

4.

19 All further references to respondents herein include  
20 Respondents BROADWAY FINANCIAL and BECERRA, and also include  
21 officers, directors, employees, agents and real estate licensees  
22 employed by or associated with BROADWAY FINANCIAL and BECERRA,  
23 and who at all times herein mentioned were engaged in the  
24 furtherance of the business or operations of Respondents  
25  
26  
27

1 BROADWAY FINANCIAL and BECERRA, and who were acting within the  
2 course and scope of their authority and employment.

3 FIRST CAUSE OF ACCUSATION  
4 (Unlicensed Activity)

5 5.

6 Complainant hereby incorporates by reference the  
7 allegations set forth in Paragraphs 1 through 4, above.

8 6.

9 At a time prior to its licensure on January 15, 2008,  
10 Respondent BROADWAY FINANCIAL engaged in the business of, acted  
11 in the capacity of, advertised or assumed to act as real estate  
12 broker for others in the State of California, within the meaning  
13 of Code Sections 10131(d) and 10131.2 as follows:

14 Respondent BROADWAY FINANCIAL charged, received,  
15 collected or contracted for the collection of a fee for the  
16 performance of loan modification services with respect to a loan  
17 which is secured by a lien on real property, including but not  
18 limited to collecting a fee of \$6,200 on or about October 12,  
19 2007, pursuant to an agreement to perform loan modification  
20 services for another.

21 7.

22 The acts of Respondent BROADWAY FINANCIAL, as set  
23 forth above, require a license under the provisions of Code  
24 Sections 10131(d) and 10131.2.

25 ///

26 ///

27

8.

1 The conduct, acts and/or omissions, as set forth  
2 above, violate Code Section 10130, and are cause for the  
3 suspension or revocation of the licenses and license rights of  
4 Respondent BROADWAY FINANCIAL pursuant to Code Section 10177(d).  
5

6 SECOND CAUSE OF ACCUSATION  
7 (Office Abandonment)

8 9.

9 Complainant hereby incorporates by reference the  
10 allegations set forth in Paragraphs 1 through 4, above.

11 10.

12 The current business address and mailing address  
13 maintained by Respondent BROADWAY FINANCIAL with the Department  
14 is 17418 Chatsworth Street, Suite 102, Granada Hills, California  
15 91344. Respondent BROADWAY FINANCIAL is no longer located at  
16 this address nor has Respondent BROADWAY FINANCIAL informed the  
17 Real Estate Commissioner of any new address nor is Respondent  
18 BROADWAY FINANCIAL presently maintaining any definite place of  
19 business in the State of California which shall serve as its  
20 office for the transaction of business requiring a real estate  
21 license.

22 11.

23 On or about October 2, 2008, a Department  
24 representative went to the current business and mailing address  
25 of Respondent BROADWAY FINANCIAL, as indicated in Paragraph 10,  
26 above, for the purpose of physically inspecting the site. The  
27

1 Department representative determined that Respondent BROADWAY  
2 FINANCIAL did not occupy or maintain a place of business.

3 12.

4 At a time known to Respondent BROADWAY FINANCIAL, but  
5 unknown to the Department, Respondent left and/or abandoned its  
6 business and mailing address, as set forth in Paragraphs 10 and  
7 11, above; and thereafter, Respondent failed to maintain on file  
8 with the Commissioner of the Department a new address for the  
9 principal place of business for its real estate brokerage  
10 activities, in violation of Title 10, Chapter 6, Section 2715  
11 California Code of Regulations ("Regulations") and Code Section  
12 10162.

13 13.

14 From January 15, 2008 to December 5, 2008, Respondent  
15 BECERRA, as the officer designated by Respondent BROADWAY  
16 FINANCIAL pursuant to Section 10211 of the Code, was responsible  
17 for the supervision and control of the activities conducted on  
18 behalf of Respondent BROADWAY FINANCIAL by its officers and  
19 employees as necessary to secure full compliance with the Real  
20 Estate Law as set forth in Section 10159.2 of the Code.

21 14.

22 The conduct, acts and/or omissions of Respondent  
23 BROADWAY FINANCIAL, as set forth above, are cause for the  
24 suspension or revocation of the licenses and license rights of  
25 Respondent BROADWAY FINANCIAL pursuant to Code Sections 10165,  
26 10177(d) and/or 10177(g).  
27



1  
2 The conduct, acts and/or omissions of Respondent  
3 BECERRA, as set forth above, are cause for the suspension or  
4 revocation of the licenses and license rights of Respondent  
5 BECERRA pursuant to Code Sections 10165, 10177(d), 10177(h)  
6 and/or 10177(g).

7 WHEREFORE, Complainant prays that a hearing be  
8 conducted on the allegations of this Accusation and that upon  
9 proof thereof, a decision be rendered imposing disciplinary  
10 action against all the licenses and license rights of Respondent  
11 BROADWAY FINANCIAL GROUP INC and Respondent RUBEN GOMEZ BECERRA  
12 under the Real Estate Law (Part 1 of Division 4 of the Business  
13 and Professions Code), and for such other and further relief as  
14 may be proper under other applicable provisions of law.

15 Dated at Los Angeles, California

16 this 18 day of February, 2009.  
17  
18  
19

20   
21 \_\_\_\_\_  
22 Robin Trujillo  
23 Deputy Real Estate Commissioner  
24

25 cc: Broadway Financial Group Inc  
26 Ruben Gomez Becerra  
27 Robin Trujillo  
Sacto.