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2009

FILED
JUN 25 2010

DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-36072 LA
MICHAEL SOLIZ, dba)	OAH #2009110191
Solco Financial Services;)	<u>ORDER DENYING</u>
and ELIAS J. OCHOA,)	<u>RECONSIDERATION</u>
Respondents.)	

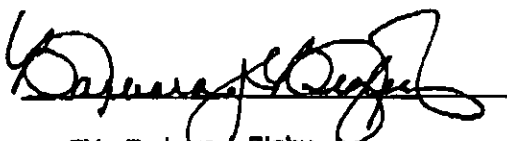
On May 27, 2010, a Decision was rendered in the above-entitled matter. The Decision was to become effective on June 17, 2010, but was stayed by separate order to June 25, 2010.

On June 14, 2010, Respondent MICHAEL SOLIZ petitioned for reconsideration of the Decision of May 27, 2010.

I have given due consideration to the petition of Respondent SOLIZ. I find no good cause to reconsider the Decision of May 27, 2010, and reconsideration is hereby denied.

IT IS SO ORDERED 6/24, 2010.

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Bigby
Chief Deputy Commissioner

5/20/10
1/14

FILED
JUN 16 2010
DEPARTMENT OF REAL ESTATE
[Signature]

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-36072 LA
)	OAH #2009110191
MICHAEL SOLIZ,)	
dba Solco Financial Services,)	
)	
Respondent.)	

ORDER STAYING EFFECTIVE DATE

On May 27, 2010, a Decision was rendered in the above-entitled matter to become effective June 17, 2010.

IT IS HEREBY ORDERED that the effective date of the Decision of May 27, 2010, is stayed for a period of 10 days to consider Respondent's petition for reconsideration.

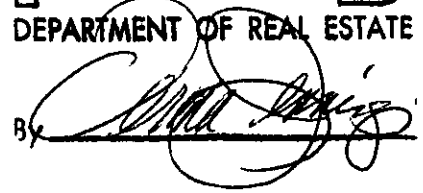
The Decision of May 27, 2010, shall become effective at 12 o'clock noon on June 25, 2010.

DATED: JUNE 16, 2010.

JEFF DAVI
Real Estate Commissioner

By: *[Signature]*
PHILLIP IHDE
Regional Manager

FILED
MAY 28 2010
DEPARTMENT OF REAL ESTATE

By 

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of) No. H-36072 LA
MICHAEL SOLIZ, dba) OAH #2009110191
Solco Financial Services;)
and ELIAS J. OCHOA,)
Respondents.)

DECISION

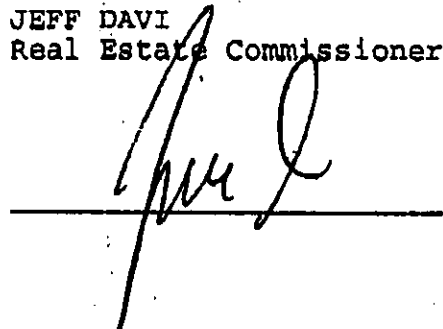
The Proposed Decision dated April 19, 2010, of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

Pursuant to Section 11517(c)(2) of the Government Code of the State of California, the Proposed Decision, page 8, Legal Conclusions paragraph 4, line 1, and paragraph 5, line 1, "salesperson" is amended to read "broker".

This Decision shall become effective at 12 o'clock noon on June 17, 2010.

IT IS SO ORDERED 5/27/2010 2010.

JEFF DAVI
Real Estate Commissioner



BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

MICHAEL SOLIZ,
d.b.a. Solco Financial Services,

and

ELIAS J. OCHOA,

Respondents.

Case No. H-36072 LA

OAH No. 2009110191

PROPOSED DECISION

This matter was heard by Vincent Nafarrete, Administrative Law Judge of the Office of Administrative Hearings, on March 25, 2010, in Los Angeles. Complainant was represented by James R. Peel, Counsel. Respondent Michael Soliz appeared and represented himself. No appearance was made by or on behalf of respondent Elias J. Ochoa.

Oral and documentary evidence having been received and the matter submitted for decision, the Administrative Law Judge finds as follows:

FACTUAL FINDINGS

1. (A) On April 25, 1986, the Department of Real Estate (Department) issued a real estate salesperson license and licensing rights to respondent Michael Soliz. On May 9, 1995, the Department issued real estate broker's license no. B00924484 and licensing rights to respondent Soliz. On July 1, 2005, in his capacity as a licensed real estate broker, respondent Soliz began doing business as Solco Financial Services with a main office and mailing address in Pasadena. Subsequently, Soliz changed the main office of his broker's license to La Habra and then to Temple City. Said broker's license expires on May 8, 2011, unless renewed, and is in full force and effect.

(B) In December 2005, respondent Soliz obtained a branch license for an office in Huntington Beach. In 2006, he obtained branch licenses for offices in

West Covina, Santa Fe Springs, Corona, and Long Beach, By June 2007, respondent's branch licenses were all cancelled.

(C) On March 15, 2006, respondent was licensed as the designated officer of E-Home Investors Corporation in Industry. On April 28, 2006, said officer license was cancelled. In 2006, respondent was licensed as the designated officer of J. J. Capacity Investments Corporation in Huntington Beach, ABC Mortgage Realty & Property Management in Corona, and Generic Corporation 1003 in Corona. On June 14, 2007, these three officer licenses were cancelled.

2. On May 22, 2002, the Department issued real estate salesperson license no. S01338985 and licensing rights to respondent Elias J. Ochoa (Ochoa or respondent Ochoa). He did not have an employing broker when he was first issued his salesperson license. On July 25, 2005, Ochoa's salesperson license was activated in the employ of a broker in San Diego. On March 24, 2006, said employment was discontinued. On May 1, 2006, Ochoa's salesperson license was activated in the employ of respondent Soliz. On June 14, 2007, Ochoa's employment with respondent Soliz was discontinued. Respondent Ochoa's salesperson license expires on May 12, 2010, unless renewed, and is in full force and effect.

3. Respondents Soliz and Ochoa hold real estate licenses and licensing rights under the Real Estate Law. Neither respondent has any prior disciplinary history on his real estate license.

Accusation

4. On June 22, 2009, Accusation, Case No. H-36072 LA, was made and filed by Maria Suarez in her official capacity as a Deputy Real Estate Commissioner, Department of Real Estate, State of California.

5. (A) On June 24, 2009, the Department served the Accusation, Statement to Respondent, and blank Notice of Defense by certified mail upon respondents Soliz and Ochoa at their addresses of record in Temple City and Murrieta, respectively. On July 6, 2009, Soliz filed a Notice of Defense, requesting a hearing. The Accusation package served upon Ochoa was returned as undeliverable as addressed and as unable to be forwarded.

(B) On July 16, 2009, the Department again served the Accusation, Statement to Respondent, and blank Notice of Defense by regular first class mail upon respondent Ochoa at his address of record in Murrieta. This second Accusation package was also returned as undeliverable as addressed and as unable to be forwarded.

(C) On March 1, 2010, the Department served a Notice of Hearing upon respondent Soliz. The Department also served respondent Ochoa with a Notice of Hearing at his address of record in Murrieta as well as a second address in Vista. The Notice of Hearing sent to respondent Ochoa at his address of record was returned as unclaimed and unable to be forwarded.

(D) At the noticed hearing on March 25, 2010, respondent Ochoa failed to appear and was found in default of this Accusation proceeding. The Department elected to proceed and to present evidence of the Accusation against respondent Ochoa pursuant to the provisions of Government Code section 11520, subdivision (a).

Solco Financial Services

6. (A) At all times relevant herein, respondent Soliz was licensed as a real estate broker. Doing business as Solco Financial Services, Soliz engaged in the business, acted in the capacity, advertised, and/or assumed to act as a real estate broker by soliciting borrowers and lenders and negotiating loans on real property. In addition, respondent Soliz engaged in the business of a real estate broker by selling or offering to sell, buying or offering to buy, soliciting prospective sellers or purchasers of, solicits or obtains listings of, or negotiating the purchase, sale, or exchange of real property in this state.

(B) At all times relevant herein, respondent Ochoa was licensed as a real estate salesperson and employed by respondent Soliz in his branch office in Corona.

7. (A) Beginning in October 1996 and continuing for approximately 10 years thereafter, respondent Soliz was employed as loan officer for Ames Home Loans and a branch or subsidiary of Countrywide Home Loans. He was a top loan producer for his employers.

(B) In May 2005, respondent Soliz obtained licensure as a real estate broker. From in or about July 2005 until November 2005, respondent Soliz was employed at Vision Funding in La Habra. While employed at Vision Funding, Soliz started his company Solco Financial Services and became acquainted with respondent Ochoa who was also employed there. In November 2005, Soliz quit working for Vision Funding and began concentrating on building the business of his company Solco Financial Services.

(C) In or about April 2006, Soliz was approached by Ochoa and a third person Joe Montoya about opening a real estate office in West Covina. Ochoa had obtained his real estate salesperson license a few months earlier and he and Montoya had formed a company that they planned to call ABC Mortgage Realty & Property Management, Inc., and had already opened offices in West Covina. Soliz agreed to

be the real estate broker for that West Covina office and to operate the office as a branch office of Solco Financial Services. On April 3, 2006, Soliz obtained a branch license for the West Covina office, allowed Ochoa to be the "producing branch manager" and Montoya to be a loan processor, and opened a bank account for the West Covina branch office with Ochoa as an authorized signatory on the bank account.

(D) Five months later, in September 2006, Ochoa and Montoya had a dispute over the sharing of revenue produced at the West Covina office. In October 2006, Ochoa located an office in Corona, negotiated and signed a lease, and took files from the West Covina office and relocated to the Corona office. On October 4, 2006, Soliz obtained a branch license of Solco Financial Services for this Corona office and allowed Ochoa to be the branch office manager there. Soliz had Ochoa pay the overhead expenses of the Corona office and allowed him to establish business relationships with escrow, appraisal, and lending offices. Ochoa hired Juana C. Hernandez as a loan processor for the Corona branch office; they knew each other from working together at Vision Funding. Hernandez was or is a notary public. Soliz remained doing business as a real estate broker in the main office of Solco Financial Services in Temple City and went to the Corona branch office on a monthly basis to review files.

Unauthorized Use of Consumers' Information

8. At all times relevant herein, Sandra Cortez was a close acquaintance of respondent Ochoa. She had known Ochoa since 1996 when they both worked for a car dealership. Cortez and Ochoa also had a personal relationship. In 2006, Cortez worked in Ochoa's office for a short time and provided him with her personal information. In early 2007, Cortez was looking to rent a house for herself and her children. Ochoa asked Cortez and her children to live with him in one of the properties that he owned or managed. Cortez accepted his offer. Cortez and Ochoa lived together for approximately one year. Before and while living with Cortez, Ochoa had access to her personal information, such as her Social Security and driver license numbers.

9. In or about late 2007, Cortez moved out of Ochoa's residence and began looking for a new place to rent. A prospective landlord checked Cortez's credit and advised her that he could not rent to her because the credit report showed that she had defaulted on several real estate loans. Cortez knew nothing of these loans; she had not purchased or owned any real estate or applied for or received any loans on any properties. As Cortez was to learn later, Ochoa had fraudulently and falsely used Cortez's personal information without her knowledge or consent to purchase and sell real estate and to obtain loans or financing for the properties, as set forth in Findings 10 - 13 below.

10. On or about July 24, 2006, respondent Ochoa used Cortez's personal information to purchase real property located at 38386 Birch Hill Court, Murrieta, California 92563 for \$624,000 in her name and to obtain a loan in her name of \$499,200 and additional financing of \$124,800 to consummate the purchase. Ochoa caused Cortez's signature to appear on the Purchase Agreement and Ochoa signed the Purchase Agreement on behalf of Solco Financial Services. Ochoa and/or Solco Financial Services earned a commission of \$19,020 on this fraudulent real estate transaction.

11. (A) On or about July 25, 2006, respondent Ochoa used Cortez's personal information to purchase real property located at 45859 Paseo Gallante, Temecula, California 92592 for \$544,000 in her name and to obtain a loan in her name of \$435,200 and additional financing of 108,000 to consummate the purchase. Ochoa caused Cortez's signature to appear on the Purchase Agreement and he signed the Purchase Agreement on behalf of Solco Financial Services. Ochoa and/or Solco Financial Services earned a commission of \$15,500 on this real estate purchase.

(B) Six months later, on or about January 16, 2007, respondent Ochoa sold the same real property located at 45859 Paseo Gallante, Temecula, California 92592 for \$640,000 in the name of Cortez as the seller. Ochoa caused Cortez's signature to appear on the Purchase Agreement and Ochoa was named on the Purchase Agreement as the real estate salesperson in the employ of Solco Financial Services. Ochoa and/or Solco Financial Services earned a commission of \$38,400 on this fraudulent real estate sale

12. In addition, on undetermined dates, respondent Ochoa used Cortez's personal information to purchase two parcels of real estate located at 29808 Rose Blossom, Murrieta, and 19840 Rotterdam, Riverside, in the name of Sandra Cortez as the buyer. Ochoa obtained loans and/or financing for these real estate purchases in the name of Cortez as the borrower.

13. Cortez did not purchase or own the properties or apply for any loans to purchase the properties described in Findings 10 – 12 above. She did not own or sell the property set forth in Finding 11 above. At no time relevant herein did Cortez give consent or permission to respondent Ochoa to represent her in any real estate transaction or to negotiate a real estate loan for her. After he purchased the properties in the name of Cortez, respondent Ochoa did not pay the loans. The loans went into default and the lenders foreclosed upon the properties. As a result, Cortez's credit rating was affected negatively.

14. At all times relevant herein, Leticia Almaraz was a customer of respondent Ochoa and Solco Financial Services. In December 2006, Almaraz wanted to obtain a home equity line of credit or second loan against her residence in Vista. She was referred by Cortez to Ochoa and went to his office at the branch office in Corona. Ochoa had Almaraz complete a loan application on which she disclosed

personal and financial information, such as her Social Security and driver license numbers. Ochoa advised Almaraz to refinance her existing home mortgage instead of applying for a second trust deed loan. Almaraz declined to refinance her existing home mortgage and cancelled the loan application that she had completed with Ochoa.

15. Eight months later, Almaraz received a telephone call from Home Q Servicing, a mortgage servicing company, and was informed that her mortgage payment was late. Almaraz was surprised by the telephone call because she had made timely payments on her home mortgage loan for her Vista residence. The mortgage servicing company forwarded real estate loan documents to Almaraz that showed that she purportedly was the owner of and borrower of a home loan mortgage upon a residence in Temecula. Almaraz became very upset because she had not purchased the Temecula residence or obtained a loan upon the property. She filed a report with the sheriff's department. Later, Almaraz learned that respondent Ochoa had fraudulently and falsely used her personal information without her knowledge or consent to purchase the Temecula residence and to obtain a mortgage loan for the real estate purchase in her name, as set forth in Findings 16 – 17 below.

16. (A) On or about January 16, 2007, respondent Ochoa used Almaraz's personal information to purchase real property located at 32334 Corte Parado, Temecula, California 92592 in her name for a purchase price of \$545,000. Ochoa caused Almaraz' signature to appear on the Residential Purchase Agreement and he signed the agreement as the real estate salesperson representing the purported buyer Almaraz and on behalf of the broker Solco Financial Services.

(B) On or about February 20, 2007, respondent Ochoa used Almaraz's personal information to fraudulently apply for a \$436,000 adjustable rate mortgage to purchase the residence at 32334 Corte Parado, Temecula, California 92592. Ochoa fraudulently signed the loan application, or caused the loan application to be signed, on behalf of Almaraz without her knowledge or consent. In addition, in her capacity as a notary public, Hernandez falsely and fraudulently certified that Almaraz appeared before her and signed the loan application.

(C) Subsequently, Ochoa obtained the \$436,000 home mortgage loan in the name of Almaraz as the purported buyer and purchased the Temecula residence in the name of Almaraz. Consequently, Ochoa and/or Solco Financial Services earned a broker fee on the real estate transaction of \$2,500 and broker fee or points on the loan of \$6,540.

17. Almaraz did not give consent or permission to respondent Ochoa or Solco Financial Services to purchase the Temecula or to apply for a home mortgage to purchase the residence. Almaraz did not give consent or permission to Ochoa to use her personal information to purchase any real estate or to apply for any loan for

her. As a result of Ochoa's fraudulent conduct, Almaraz's credit rating has been negatively affected.

18. (A) Respondent Soliz was not involved in obtaining or using any personal information of Almaraz or Cortez to fraudulently purchase properties or obtain fraudulent loans to purchase properties. He did not know that respondent Ochoa as the manager of the Corona branch of Solco Financial Services was engaged in the purchasing of properties and negotiating of loans by fraudulent and dishonest use of Almaraz's and Cortez's personal information.

(B) On or about June 11, 2007, Soliz closed the Corona branch office of Solco Financial Services purportedly due to "deteriorating market conditions" and returned Ochoa's real estate salesperson's license to him. When he closed the Corona branch office, Soliz was aware of at least four loans originated or negotiated by Ochoa on which purported borrowers had not made payments.

19. As the licensed broker of Solco Financial Services, respondent Soliz failed to supervise the real estate and mortgage loan activities of his Corona branch manager Ochoa. Soliz authorized Ochoa to operate the Corona branch office autonomously and to make all decisions in listing and selling properties and in originating loans. The Corona branch office was admittedly a busy office while it was open from October 2006 until June 2007 and Soliz allowed Ochoa to operate the branch office as he pleased. Soliz claims that he communicated with the branch office daily and visited said office once or twice every month at which times he reviewed files, loan applications, disclosures, and closing statements. He asserts that he did not notice anything amiss about the files and documents that he reviewed and did not receive any complaints about Ochoa or the Corona branch office. He allowed, however, respondent Ochoa and Hernandez to select files for his review and did not verify any information or signatures contained in the files and documents. Rather, Soliz relied upon Ochoa to perform his real estate activities in a professional manner and the lenders to conduct their due diligence and to follow quality control protocols in making loans. Soliz claims that Ochoa was adept at hiding his fraudulent activities. His claim was not persuasive. Respondent Soliz failed to exercise reasonable supervision over the activities of his branch manager and real estate salesperson Ochoa.

20. Respondent Soliz is not involved in any community activities. Since May 2008, he has not been active as a real estate broker and temporarily ceased doing real estate or mortgage loan business under Solco Financial Services pending the outcome of this administrative proceeding. He has been doing odd jobs and selling items on the internet. Soliz has been a real estate broker for 16 years.

21. It was not established that respondents Soliz and Ochoa solicited investors for residential real estate investments and then paid investors for use of their personal information and falsified information of investors to obtain financing for the

properties with knowledge that the investors would immediately default on the loans. Nor was it established that respondents acted as the selling broker and mortgage broker on any residential real estate investments or received compensation from sellers, lenders, or borrowers at the closings of any such transactions. No evidence was presented on these allegations which are set forth in Paragraphs 7 – 11 of the Accusation.

22. No evidence of mitigation or rehabilitation was introduced for or on behalf of respondent Ochoa.

* * * * *

Based on the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:

LEGAL CONCLUSIONS

1. Grounds exist to revoke or suspend the real estate salesperson license issued to respondent Ochoa under Business and Professions Code section 10176, subdivision (a), in that respondent made substantial misrepresentations, as set forth in Findings 2 – 17 and 22 above.

2. Grounds exist to revoke or suspend the real estate salesperson license issued to respondent Ochoa under Business and Professions Code sections 10176, subdivision (i), and 10177, subdivision (j), in that respondent engaged in fraud or dishonest dealing, as set forth in Findings 2 – 17 and 22 above.

3. Grounds exist to revoke or suspend the real estate salesperson license issued to respondent Ochoa under Business and Professions Code section 10177, subdivision (f), in that respondent acted in a fraudulent or dishonest manner that would have warranted the denial of his application for a real estate license, as forth in Findings 2 – 17 and 22 above.

4. Grounds exist to revoke or suspend the real estate ^{broker} salesperson license issued to respondent Soliz under Business and Professions Code section 10177, subdivision (h), in that respondent as a licensed broker failed to exercise reasonable supervision over the activities of his salesperson Ochoa, based on Findings 1 – 20 and Conclusions of Law 1 – 3 above.

5. Grounds exist to revoke or suspend the real estate ^{broker} salesperson license issued to respondent Soliz under Business and Professions Code section 10177,

subdivision (g), in that respondent as a licensed broker demonstrated negligence or incompetence in performing acts of a licensed broker in managing and supervising his branch manager and real estate salesperson Ochoa, Findings 1 – 20 and Conclusions of Law 1 – 4 above.

6. Rehabilitation—Respondent Ochoa's real estate license must be revoked as a matter of public protection and safety. He engaged in a pattern of deception and fraud which resulted in losses to lenders and lowered credit rating for two consumers. No evidence of mitigation or rehabilitation was presented on behalf of Ochoa.

Respondent Soliz requests that his real estate license or licenses not be revoked, arguing that he was not aware of the fraudulent and dishonest activities of his branch manager and real estate salesperson Ochoa and did not participate in any of Ochoa's illegal activities. The issue whether Soliz should be retained as a real estate license turns upon the evidence of his rehabilitation under the criteria of California Code of Regulations, title 10, section 2912.

Respondent Soliz has held real estate licenses for 24 years and has no disciplinary history. In this matter, Soliz did not personally participate or have knowledge of the fraudulent and dishonest real estate activities of his branch manager Ochoa, but he failed to reasonably supervise him. Soliz went to the Corona office only on a once or twice monthly basis and reviewed files selected by Ochoa and Ochoa's employee. Soliz did not verify information contained in the files or documents. He ostensibly let Ochoa operate his own real estate office in Corona. By failing to reasonably supervise Ochoa, Soliz facilitated the fraudulent and dishonest activities perpetrated by his branch manager and employee. The violations of Soliz's branch manager and employee are recent in time and resulted in substantial losses to lenders and loss of credit and heartache for two consumers. Soliz did not show that he has made any restitution, corrected his business practices as a broker, completed any real estate courses, or participated in any community activities. Under the criteria of the regulations, respondent cannot be considered rehabilitated from his violations for having failed to reasonably supervise his branch manager and real estate salesperson or engaging in negligence or incompetence by failing to perform his supervisory duties as a real estate broker. As such, respondent Soliz's real estate licenses must be likewise revoked as a matter of public protection and safety.

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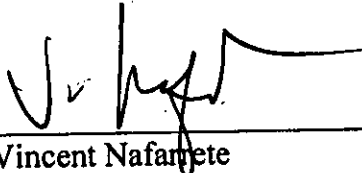
Wherefore, the following Order is hereby made:

ORDER

1. Accusation, Case No. H-36072 LA, issued by the Department of Real Estate against respondent Elias J. Ochoa is sustained. All real estate licenses and licensing rights of respondent Elias J. Ochoa are revoked, based on Conclusions of Law 1 – 3 and 6 above, jointly and for all.

2. Accusation, Case No. H-36072 LA, issued by the Department of Real Estate against respondent Michael Soliz, doing business as Solco Financial Services, is sustained. All real estate licenses and licensing rights of respondent Michael Soliz are revoked, based on Conclusions of Law 4 – 6 above, jointly and for all.

Dated: April 19, 2010



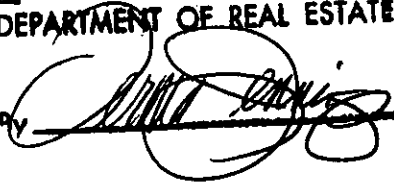
Vincent Nafarrete
Administrative Law Judge
Office of Administrative Hearings

SUED.
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JAMES R. PEEL, Counsel (SBN 47055)
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-or- (213) 576-6913 (Direct)

FILED
JUN 24 2008
DEPARTMENT OF REAL ESTATE


BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-36072 LA
MICHAEL SOLIZ, dba)
Solco Financial Services;) A C C U S A T I O N
and ELIAS J. OCHOA,)
Respondents.)

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against MICHAEL SOLIZ and ELIAS J. OCHOA, alleges as follows:

1. The Complainant, Maria Suarez, acting in her official capacity as a Deputy Real Estate Commissioner of the State of California, makes this Accusation against MICHAEL SOLIZ, dba Solco Financial Services; and ELIAS J. OCHOA.

2. MICHAEL SOLIZ and ELIAS J. OCHOA (hereinafter referred to as "Respondents") are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code).

///

1 3. At all times herein mentioned, Respondent MICHAEL
2 SOLIZ was licensed as a real estate broker, dba Solco Financial
3 Services.

4 4. At all times herein mentioned, Respondent ELIAS J.
5 OCHOA was licensed as a real estate salesperson employed by
6 Respondent SOLIZ.

7 5. At all times material herein, Respondents engaged
8 in the business of, acted in the capacity of, advertised or
9 assumed to act as a real estate broker in the State of
10 California, within the meaning of Section 10131(d) of the Code,
11 including soliciting borrowers and lenders and negotiating loans
12 on real property.

13 6. Respondents obtained and used the personal
14 information of the Borrowers, Leticia Almaraz and Sandra Cortez,
15 without their permission, consent or knowledge in order to
16 purchase and obtain loans for the properties involved. The
17 Borrowers' credit was negatively affected. The properties would
18 be foreclosed upon.

19 7. Respondents through family members and business
20 associates solicited investors for residential real estate
21 investments. Respondents would represent to the investors that if
22 they provided their personal information such as name and social
23 security number the investors would be compensated for the
24 information. The investors never signed, or consented to, or had
25 knowledge of what properties would be obtained using their
26 information.

27 ///

1 8. Respondents would use the information obtained to
2 obtain financing for the properties. Respondents would falsify
3 material information such as employment and income to qualify the
4 investors for the financing.

5 9. Respondents solicited Thomas Aubuchon, Jorge
6 Brambila and Nicholas Lombardo as investors along with others.

7 10. Respondents acted as the selling broker and
8 mortgage broker and received compensation from the sellers,
9 lenders and borrowers at closing for the loans.

10 11. The Borrowers immediately defaulted on the loans
11 indicating there was no intention to make the payments.

12 12. The Lenders relied upon the documentation they
13 received from Respondents and agreed to make the loans. If the
14 Lenders had known the true facts in this matter, the Lenders
15 would not have agreed to make the loans.

16 13. The Lenders have been damaged financially in this
17 matter as the Borrower has not made all required payments of
18 principal and interest due the Lenders. A foreclosure on the
19 property may have resulted from the default.

20 14. The conduct, acts and /or omissions of Respondents
21 MICHAEL SOLIZ and ELIAS J. OCHOA, as alleged above, subject their
22 real estate licenses and license rights to suspension or
23 revocation pursuant to Code Sections 10176(a), 10176(i),
24 10177(f), 10177(j) and/or 10177(g).

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1 15. The conduct, acts and/or omissions of Respondent
2 MICHAEL SOLIZ, as alleged above, subject his real estate licenses
3 and license rights to suspension or revocation pursuant to Code
4 Sections 10177(g) and 10177(h).
5

6 WHEREFORE, Complainant prays that a hearing be
7 conducted on the allegations of this Accusation and that upon
8 proof thereof, a decision be rendered imposing disciplinary
9 action against all licenses and license rights of Respondents
10 MICHAEL SOLIZ, dba Solco Financial Services; and ELIAS J. OCHOA
11 under the Real Estate Law (Part 1 of Division 4 of the Business
12 and Professions Code) and for such other and further relief as
13 may be proper under other applicable provisions of law.

14 Dated at Los Angeles, California

15 this 22nd day of June, 2009.
16

17
18 
19 _____
20 MARIA SUAREZ
21 Deputy Real Estate Commissioner
22
23

24 cc: Michael Soliz
25 Elias J. Ochoa
26 Phillip Ihde
27 Maria Suarez
Sacto.