



1 attempting to engage practices constituting violations of the California Business and Professions  
2 Code ("Code") and/or Title 10, California Code of Regulations ("Regulations"). Based on the  
3 findings of that investigation, set forth below, the Commissioner hereby issues the following  
4 Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section  
5 10086 of the Code.

6 Whenever acts referred to below are attributed to AMERICA INVESTORS, LLC,  
7 those acts are alleged to have been done by AMERICA INVESTORS, LLC, acting by and/or  
8 through one or more agents, associates, affiliates, and/or co-conspirators including, but not limited  
9 to, RUBEN SANTILLAN, JUAN ROBERTO ROMERO ASCENCIO and ALBERTO A.  
10 ROMERO, and any other persons unknown at this time.

#### 11 FINDINGS OF FACT

12 1. AMERICA INVESTORS, LLC is not now, and has never been licensed by the  
13 Department in any capacity. AMERICA INVESTORS, LLC is registered as a corporation with  
14 the California Secretary of State. JUAN ROBERTO ROMERO ASCENCIO is a managing  
15 member of AMERICA INVESTORS, LLC.

16 2. RUBEN FLORES SANTILLAN is presently licensed or has license rights  
17 under the Real Estate Law, Part 1 of Division 4 of the Code, as a real estate broker. During all  
18 times mentioned herein, RUBEN FLORES SANTILLAN was not licensed by the Department to  
19 do business as AMERICAN INVESTORS, LLC.

20 3. JUAN ROBERTO ROMERO ASCENCIO is presently licensed or has license  
21 rights under the Real Estate Law, Part 1 of Division 4 of the Code, as a real estate salesperson.

22 4. ALBERTO A. ROMERO is presently licensed or has license rights under the  
23 Real Estate Law, Part 1 of Division 4 of the Code, as a real estate salesperson.

24 5. For an unknown period of time beginning no later than June, 2008, and  
25 continuing through January 31, 2009, AMERICA INVESTORS, LLC solicited borrowers and  
26 negotiated to do one or more of the following acts for another or others, for or in expectation of  
27 compensation: negotiate the purchase, sale or exchange of real property; negotiate one or more



1 ROBERTO ROMERO ASCENCIO and ALBERTO A. ROMERO, or any other persons unknown  
2 at this time, solicited borrowers and performed services for those borrowers and/or those  
3 borrowers' lenders in connection with loans secured directly or collaterally by one or more liens  
4 on real property, and charged, demanded or collected advance fees for the services to be provided,  
5 which acts require a real estate broker license under Sections 10131(d) and 10131.2 of the Code,  
6 during a period of time when AMERICA INVESTORS, LLC, JUAN ROBERTO ROMERO  
7 ASCENCIO and ALBERTO A. ROMERO were not licensed by the Department as real estate  
8 brokers, in violation of Section 10130 of the Code.

9 DESIST AND REFRAIN ORDER

10 Based upon the FINDINGS OF FACT AND CONCLUSIONS OF LAW stated  
11 herein, it is ordered that:

- 12
- 13 (A) AMERICA INVESTORS, LLC immediately desist and refrain from  
14 performing any acts within the State of California for which a real  
15 estate broker license is required, unless AMERICA INVESTORS,  
16 LLC is so licensed.
- 17 (B) JUAN ROBERTO ROMERO ASCENCIO, whether doing business  
18 under AMERICAN INVESTORS, LLC, or any other unlicensed  
19 fictitious name(s), immediately desist and refrain from performing  
20 any acts within the State of California for which a real estate broker  
21 license is required, unless JUAN ROBERTO ROMERO ASCENCIO  
22 is so licensed.
- 23 (C) ALBERTO A. ROMERO, whether doing business under  
24 AMERICAN INVESTORS, LLC, or any other unlicensed fictitious  
25 name(s), immediately desist and refrain from performing any acts  
26 within the State of California for which a real estate broker license is  
27 required, unless ALBERTO A. ROMERO is so licensed.

IT IS FURTHER ORDERED THAT AMERICA INVESTORS LLC, JUAN  
ROBERTO ROMERO ASCENCIO and ALBERTO A. ROMERO immediately desist and refrain  
from:

1. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modifications or any other form of mortgage loan forbearance service

1 in connection with loans on residential property containing four or  
fewer dwelling units (Section 10085.6 of the Code).

- 2 2. charging, demanding, claiming, collecting and/or receiving advance  
3 fees, as that term is defined in Section 10026 of the Code, for any  
4 other real estate related services offered by you to others, unless and  
5 until you demonstrate and provide evidence satisfactory to the  
Commissioner that you are properly licensed by the Department as a  
real estate broker.

6 Based on the Findings of Fact and Conclusions of Law stated herein, you, RUBEN  
7 FLORES SANTILLAN, whether doing business under AMERICA INVESTORS I.L.C. or any  
8 other unlicensed fictitious business name, ARE HEREBY ORDERED to:

- 9 1. Immediately desist and refrain from charging, demanding, claiming,  
10 collecting and/or receiving advance fees, as that term is defined in  
11 Section 10026 of the Code, in any form, and under any conditions, with  
12 respect to the performance of loan modification or any other form of  
13 mortgage loan forbearance services in connection with loans on  
residential property containing four or fewer dwelling units (Section  
10085.6 of the Code).
- 14 2. Immediately desist and refrain from charging, demanding, claiming,  
15 collecting and/or receiving advance fees, as that term is defined in  
16 Section 10026 of the Code, for any of the other real estate related  
17 services you offer to others, unless and until you demonstrate and  
provide evidence satisfactory that:
- 18 (1) you have an advance fee agreement which has been submitted to  
the Department and which is in compliance with Section 10085 of  
19 the Code and Section 2970 of the Regulations;
- 20 (2) you have placed all previously collected advance fees into a trust  
account for that purpose and are in compliance with Section 10146  
21 of the Code; and
- 22 (3) you have provided an accounting to trust fund owner-beneficiaries  
pursuant to Section 2972 of the Regulations.

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3. Immediately desist and refrain from performing any and all acts requiring a real estate license in California unless and until such time as you are no longer in violation of Section 10159.5 (fictitious name) of the Code and Section 2731 of the Regulations.

DATED: 9/17, 2010.

JEFF DAVI  
Real Estate Commissioner



Notice: Business and Professions Code Section 10139 provides that "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars (\$60,000)."

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