

1 DEPARTMENT OF REAL ESTATE
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FILED
JAN 31 2011
DEPARTMENT OF REAL ESTATE

By 

8 STATE OF CALIFORNIA

9 DEPARTMENT OF REAL ESTATE

10 To:)
11) NO. H-37050 LA
12 ASSOCIATES UNITED, INC.,)
13 ALBERTO A. ROMERO, and) ORDER TO DESIST AND
14 RICARDO DEVIVO.) REFRAIN
15)
16) (B&P Code Section 10086)

16 The Commissioner ("Commissioner") of the California Department of Real Estate
17 ("Department") caused an investigation to be made of the activities of ASSOCIATES UNITED,
18 INC., ALBERTO A. ROMERO and RICARDO DEVIVO. Based on that investigation, the
19 Commissioner has determined that ASSOCIATES UNITED, INC., ALBERTO A. ROMERO and
20 RICARDO DEVIVO have engaged in, are engaging in, or are attempting to engage in acts or
21 practices as real estate brokers in the State of California within the meaning of Section 10131(d)
22 (performing services for borrowers in connection with loans secured by real property) and Section
23 10131.2 (advance fee handling) of the Business and Professions Code.

24 In addition, based on that investigation, the Commissioner has determined that
25 ASSOCIATES UNITED, INC., ALBERTO A. ROMERO and RICARDO DEVIVO have
26 engaged in or are engaging in acts or are attempting to engage practices constituting violations of
27 the California Business and Professions Code ("Code"). Based on the findings of that

1 investigation, set forth below, the Commissioner hereby issues the following Findings of Fact,
2 Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the
3 Code.

4 Whenever acts referred to below are attributed to ASSOCIATES UNITED, INC.
5 those acts are alleged to have been done by and/or through one or more agents, associates,
6 affiliates, and/or co-conspirators including, but not limited to, ALBERTO A. ROMERO and
7 RICARDO DEVIVO, and any other persons unknown at this time.

8 FINDINGS OF FACT

9 1. ASSOCIATES UNITED, INC. is not now, and has never been licensed by the
10 Department in any capacity. ASSOCIATES UNITED, INC. is registered as a corporation with the
11 California Secretary of State. ALBERTO A. ROMERO is the CEO and CFO of ASSOCIATES
12 UNITED, INC.

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

15 3. RICARDO DEVIVO is not now, and has never been licensed by the
16 Department in any capacity.

17 4. For an unknown period of time beginning no later than October 16, 2006, and
18 continuing through January 31, 2009, ASSOCIATES UNITED, INC., ALBERTO A. ROMERO
19 and RICARDO DEVIVO solicited borrowers and negotiated to do one or more of the following
20 acts for another or others, for or in expectation of compensation: negotiate the purchase, sale or
21 exchange of real property; negotiate one or more loans for, or perform services for, borrowers
22 and/or lenders in connection with loans secured directly or collaterally by one or more liens on
23 real property; and charge, demand or collect an advance fee for any of the services offered.

24 5. ASSOCIATES UNITED, INC. operated out of the office address located at
25 15718 Paramount Blvd., Paramount, California 90723.

26 6. At all times mentioned herein, in the State of California, ASSOCIATES
27 UNITED, INC., ALBERTO A. ROMERO and RICARDO DEVIVO engaged in the business of

1 claiming, demanding, charging receiving, collecting or contracting for the collection of advance
2 fees, within the meaning of Section 10026 of the Code including, but not limited to, the following
3 loan activities with respect to loans which were secured by liens on real property.

4 7. On or about December 26, 2008, ASSOCIATES UNITED, INC., ALBERTO A.
5 ROMERO and RICARDO DEVIVO solicited loan modification and negotiation services to
6 Telesforo L. and Maria E. L. ASSOCIATES UNITED, INC., ALBERTO A. ROMERO and
7 RICARDO DEVIVO charged Telesforo L. and Maria L. an advance fee of \$1,800 pursuant to the
8 provisions of an agreement pertaining to loan solicitation, negotiation, and modification services
9 to be provided by ASSOCIATED UNITED, INC. with respect to a loan secured by real property
10 located in the city of Long Beach, California.

11 CONCLUSIONS OF LAW

12 8. Based on the findings of fact contained in Paragraphs 1 through 7,
13 ASSOCIATES UNITED, INC. acting by and/or through one or more agents, associates,
14 representatives, and/or co-conspirators including, but not limited to, ALBERTO A. ROMERO and
15 RICARDO DEVIVO, or any other persons unknown at this time, solicited borrowers and
16 performed services for those borrowers and/or those borrowers' lenders in connection with loans
17 secured directly or collaterally by one or more liens on real property, and charged, demanded or
18 collected advance fees for the services to be provided, which acts require a real estate broker
19 license under Sections 10131(d) and 10131.2 of the Code, during a period of time when
20 ASSOCIATES UNITED, INC., ALBERTO A. ROMERO and RICARDO DEVIVO were not
21 licensed by the Department as real estate brokers, in violation of Section 10130 of the Code.

22 DESIST AND REFRAIN ORDER

23 Based upon the FINDINGS OF FACT AND CONCLUSIONS OF LAW stated
24 herein, it is ordered that: ASSOCIATES UNITED, INC., ALBERTO A. ROMERO and
25 RICARDO DEVIVO immediately desist and refrain from performing any acts within the State of
26 California for which a real estate broker license is required, unless ASSOCIATES UNITED, INC.,
27 ALBERTO A. ROMERO and RICARDO DEVIVO are so licensed.

1 IT IS FURTHER ORDERED THAT ASSOCIATES UNITED, INC., ALBERTO

2 A. ROMERO and RICARDO DEVIVO immediately desist and refrain from:

- 3
- 4 1. charging, demanding, claiming, collecting and/or receiving advance
5 fees, as that term is defined in Section 10026 of the Code, in any form,
6 and under any conditions, with respect to the performance of loan
7 modifications or any other form of mortgage loan forbearance service
8 in connection with loans on residential property containing four or
9 fewer dwelling units (Section 10085.6 of the Code).
- 10 2. charging, demanding, claiming, collecting and/or receiving advance
11 fees, as that term is defined in Section 10026 of the Code, for any
12 other real estate related services offered by you to others, unless and
13 until you demonstrate and provide evidence satisfactory to the
14 Commissioner that you are properly licensed by the Department as a
15 real estate broker.

16 DATED: 1-26, 2011.

17 JEFF DAVI
18 Real Estate Commissioner

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

25 cc: Associates United, Inc./Ricardo Devivo
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