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1 LISSETE GARCIA, Counsel (SBN 211552)
Bureau of Real Estate
2 320 West 4th Street, Suite 350
Los Angeles, California 90013-1105
3
4 Telephone: (213) 576-6982
(Direct) (213) 576-6914
5 Fax: (213) 576-6917
6
7

FILED

NOV 05 2013

BUREAU OF REAL ESTATE

By John Alquist

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) CalBRE No. H-38161 LA
12) OAH No. 2013010735
13 JORGE A. CAMACHO and)
ALEX JOSE CAMACHO,) FIRST AMENDED ACCUSATION
14 Respondents.)
15)

16 This First Amended Accusation amends the Accusation
17 filed on May 24, 2012. The Complainant, Robin Trujillo, a
18 Deputy Real Estate Commissioner of the State of California, for
19 cause of Accusation against ALEX JOSE CAMACHO ("Respondent"), is
20 informed and alleges as follows:

21 1.

22 The Complainant, Robin Trujillo, a Deputy Real Estate
23 Commissioner of the State of California, makes this First
24 Amended Accusation in her official capacity.
25

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1 2.

2 Business and Professions Code ("Code") Section 10130
3 states that it is unlawful for any person to engage in the
4 business of, act in the capacity of, advertise as, or assume to
5 act as a real estate broker or a salesperson in this state
6 without first obtaining a real estate license from the Bureau
7 (formerly Department) of Real Estate ("Bureau").
8

9 3.

10 Pursuant to Code Section 10131, a real estate broker
11 is defined as a person who: (a) sells or offers to sell, buys or
12 offers to buy, solicits prospective sellers or purchasers of,
13 solicits or obtains listing of, or negotiates the purchase, sale
14 or exchange of real property or a business opportunity; or (d)
15 solicits borrowers or lenders for or negotiates loans or
16 collects payment or performs services for borrowers or lenders
17 or note owners in connection with loans secured directly or
18 collaterally by liens on real property or on a business
19 opportunity.
20

21 4.

22 Code Section 10131.2 defines a real estate broker as a
23 person who engages in the business of claiming, demanding,
24 charging, receiving, collecting or contracting for the
25 collection of an advance fee in connection with any employment
26 undertaken to promote the sale or lease of real property or of a

1 business opportunity by advance fee listing, advertisement or
2 other offering to sell, lease, exchange or rent property or a
3 business opportunity, or to obtain a loan or loans thereon.

4 5.

5 Code Section 10085.5(a) states:

6 "It shall be unlawful for any person to claim, demand,
7 charge, receive, collect, or contract for an advance fee (1) for
8 soliciting lenders for borrowers in connection with loans to be
9 secured directly or collaterally by a lien on real property,
10 before the borrower becomes obligated to complete the loan or,
11 (2) for performing any other activities for which a license is
12 required, unless the person is a licensed real estate broker and
13 has complied with the provisions of this part."

14 CAUSE OF ACCUSATION

15 (UNLICENSED ACTIVITIES/ADVANCE FEE VIOLATION)

16 6.

17 From August 30, 2010, through the present, Respondent
18 ALEX JOSE CAMACHO has been licensed by the Bureau, License No.
19 01883672.
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21 7.

22 Premier Modification Group and Bessie Corona have
23 never been licensed in any capacity by the Bureau.
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8.

Premier Modification Group is a California corporation formed on or about March 9, 2009. Respondent ALEX JOSE CAMACHO is the Chief Executive Officer and a director of Premier Modification Group.

9.

For an unknown period of time beginning no later than January 27, 2010, Respondent, while doing business as Premier Modification Group, solicited and offered loan services to consumers, including services to assist them in negotiating with lenders, foreclosure forbearance, or obtaining a loan modification through advertisements on the internet. Respondent engaged in the business of claiming, demanding, charging receiving, collecting or contracting for the collection of advance fees, within the meaning of Code Section 10026 including, but not limited to, the following loan activities with respect to loans which were secured by liens on real property.

10.

On or about January 27, 2010, borrower Angelica Nunez ("Nunez") responded to an advertisement on the internet for loan modification and negotiation services. Jorge A. Camacho and Bessie Corona, while acting on behalf of Premier Modification Group, solicited loan modification and negotiation services in

1 connection with a loan secured by a lien on real property to
2 Nunez. Nunez paid advance fees of \$2,300 to Premier
3 Modification Group for said services. Respondent's agents,
4 partners, or employees, made misrepresentations to Nunez in
5 order to induce Nunez to enter into the advance fee agreement
6 including, among others, that Premier Modification Group could
7 obtain a loan modification for Nunez and possibly obtain a lower
8 fixed interest rate on Nunez's mortgage. Premier Modification
9 Group failed to perform the loan modification and negotiation
10 services that had been promised to Nunez. Premier Modification
11 Group failed to provide an accounting of any services done for
12 Nunez or any accounting of the advance fees collected from
13 Nunez. Premier Modification Group refused Nunez's request for a
14 refund of her advance fees.
15

16 11.

17 The activities described in Paragraph 10, above,
18 require a real estate license under Code Sections 10131(d) and
19 10131.2. The conduct, acts and/or omissions of Respondent ALEX
20 JOSE CAMACHO, while doing business as Premier Modification
21 Group, occurred while Respondent ALEX JOSE CAMACHO was not
22 licensed by the Bureau in any capacity, which is in violation of
23 Code Section 10130 and constitutes grounds for the suspension or
24 revocation of the license and license rights of Respondent ALEX
25 JOSE CAMACHO pursuant to Code Sections 10177(d) or 10177(g).
26

1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this First Amended Accusation
3 and that upon proof thereof, a decision be rendered imposing
4 disciplinary action against all licenses and/or license rights
5 of Respondent ALEX JOSE CAMACHO under the Real Estate Law (Part
6 1 of Division 4 of the Business and Professions Code), for the
7 cost of investigation and enforcement as permitted by law, and
8 for such other and further relief as may be proper under other
9 provisions of law.
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11 Dated at Los Angeles, California

12 this 31 day of October, 2013.

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15 _____
16 ROBIN TRUJILLO
17 Deputy Real Estate Commissioner
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23 cc: Alex Jose Camacho
24 Robin Trujillo
25 Sacto
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