FILED

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DEPARTMENT OF REAL ESTATE
BY:

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)

No. H-38166 LA

SOLARO FINANCIAL INCORPORATED, JOHN MATTHEW SOLARO, individually and as former designated officer of Solaro Financial Incorporated, and JULIAN MARK GOMEZ,

Respondents.

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 September 24, 2012, and the findings of fact set forth herein are based on one or more of the following: (1) Respondents' express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

1.

On May 23, 2012, 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, return receipt requested, to Respondent JULIAN MARK GOMEZ on May 25, 2012, and by regular mail on June 26, 2012.

On September 24, 2012, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2.

From July 15, 2005 through July 15, 2009, Respondent JULIAN MARK GOMEZ ("Respondent") was licensed by the Department as a real estate salesperson, License No. 01511740. Respondent's license has expired. The Department retains jurisdiction pursuant to Code Section 10103.

3.

In or around January, 2009, Respondent induced lender Sal C. to make several loans to prospective purchasers of real property. Respondent provided Sal C. with falsified notes secured by a deed of trust on real property. Based on Respondent's misrepresentations and promises, Sal C. provided the following amounts to Respondent for loans to borrowers:

Borrower	Amount	Date Note Due
Michael D.	\$15,000	Jan. 19, 2009
Evelyn C.	\$12,000	Jan. 28, 2009
David R and Lizette M.	\$30,000	June 25, 2009
Jose G.	\$35,000	August 28, 2009

4.

Respondent's representations to Sal C. were false and misleading and were known by Respondent to be false and misleading when made or were made by such Respondent with no reasonable grounds for believing said representations to be true, and/or said Respondent should have known at the time through the exercise of reasonable diligence that such representations were false and misleading. In truth and in fact: 1) Respondent forged the notes and deeds of trust that were provided to Sal C.; 2) Respondent absconded Sal C.'s funds and used the funds for his own personal benefit; and 3) Respondent stopped communicating with Sal C. after the notes became due.

DETERMINATION OF ISSUES

1.

Respondent's conduct, acts and/or omissions, as set forth above, constitute grounds for the suspension or revocation of the license and license rights of Respondent JULIAN MARK GOMEZ pursuant to Code Sections 10176(a) (making any substantial misrepresentation), 10176(b) (making any false promises of a character likely to influence, persuade or induce), and 10176(i) conduct... which constitutes fraud or dishonest dealing).

2.

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

ORDER

The license and license rights of Respondent JULIAN MARK GOMEZ 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 on

January 2, 2013.

Real Estate Commissioner

WAYNE S. BELL Chief Counsel Department of Real Estate 320 West Fourth Street, Suite 350 Los Angeles, California 90013-1105



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Respondents.

NO. H-38166 LA

DEFAULT ORDER

Respondent, JULIAN MARK GOMEZ, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter as to JULIAN MARK GOMEZ.

IT IS SO ORDERED.

Real Estate Commissioner

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By: DOLORES WEEKS Regional Manager

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