

Said

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FILED

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DEPT. OF REAL ESTATE

By *[Signature]*

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of)	No. H-40977 LA
)	
13 JANETTE PARRA,)	<u>SECOND AMENDED</u>
14 LUIS ALEJANDRO CAMPOS,)	<u>ACCUSATION</u>
15 OMG REALTY INC,)	
16 LEADERSHIP GROUP INC,)	
17 DONALD GRANT CHERRY, individually)	
18 and as designated officer of OMG Realty Inc)	
19 and Leadership Group Inc, and)	
LUIS RAUL SANCHEZ,)	
)	
Respondents.)	

20 This Accusation amends the First Amended Accusation filed on
21 October 16, 2018. The Complainant, María Suárez, a Supervising Special Investigator of the
22 State of California, for cause of Accusation against JANETTE PARRA, LUIS ALEJANDRO
23 CAMPOS, OMG REALTY INC, LEADERSHIP GROUP INC, doing business as LR Financial
24 Consulting, DONALD GRANT CHERRY, individually and as designated officer of OMG
25 Realty Inc and Leadership Group Inc, and LUIS RAUL SANCHEZ, (“Respondents”), is
26 informed and alleges as follows:

27 Second Amended Accusation of Janette Parra, Luis Alejandro Campos, OMG Realty Inc, Leadership Group Inc,
Donald Grant Cherry, and Luis Raul Sanchez

1. 1

2 The Complainant, María Suárez, acting in her official capacity as a Supervising
3 Special Investigator of the State of California, makes this Accusation against JANETTE
4 PARRA, LUIS ALEJANDRO CAMPOS, OMG REALTY INC, LEADERSHIP GROUP INC,
5 DONALD GRANT CHERRY, and LUIS RAUL SANCHEZ.

2. 6

7 All references to the "Code" are to the California Business and Professions Code
8 and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

9 LICENSE HISTORY

3. 10

11 3(a) At all times mentioned, Respondent JANETTE PARRA ("PARRA")
12 was licensed and/or had license rights issued by the Department of Real Estate ("Department")
13 as a real estate salesperson. PARRA was originally licensed as a real estate salesperson on
14 May 25, 2011.

15 3(b) At all times mentioned, Respondent LUIS ALEJANDRO CAMPOS
16 ("CAMPOS") was licensed and/or had license rights issued by the Department as a real estate
17 salesperson. CAMPOS was originally licensed as a real estate salesperson on June 23, 2011.

18 3(c) At all times mentioned, Respondent OMG REALTY INC was licensed
19 and/or had license rights issued by the Department as a corporate real estate broker. OMG
20 REALTY INC was originally licensed as a corporate real estate broker on December 10, 2007.

21 3(d) At all times mentioned, Respondent LEADERSHIP GROUP INC was
22 licensed and/or had license rights issued by the Department as a corporate real estate broker.
23 LEADERSHIP GROUP INC was originally licensed as a corporate real estate broker on
24 December 10, 2007.

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5.

At all times mentioned, Respondents CAMPOS and SANCHEZ are owners of and have the authority to act on behalf of Respondent OMG REALTY INC, Respondent LEADERSHIP GROUP INC, and High Quality Investments LLC.

PRIOR LICENSE DISCIPLINE

6.

In aggravation, on or about August 26, 2011, the Department of Real Estate filed an Accusation against Respondents LEADERSHIP GROUP INC, CHERRY, and SANCHEZ in Case No. H-37480 LA. On or about April 9, 2012, Respondents and the Department of Real Estate entered into a Stipulation and Agreement in Case No. H-37480 LA, effective on or about June 14, 2012, where Respondents stipulated to the acts and omissions in the Accusation as grounds for disciplinary action in that: LEADERSHIP GROUP INC violated Code sections 10130 (Performing Licensed Activity Without Real Estate License), 10137 (Prohibited Employment Or Compensation Of Unlicensed Person), 10161.8 (Failure To Notify Commissioner Of Employment Of Salesperson), and 10177(d) (Willfully Disregarded Or Violated The Real Estate Law) and Regulations section 2726 (No Written Agreement With Salesperson); CHERRY violated Code sections 10159.2 (Designated Officer Responsibility To Supervise) and 10177(h) (Failure To Supervise) and Regulations section 2725 (Broker Supervision); and SANCHEZ violated Code sections 10130 (Performing Licensed Activity Without Real Estate License) and 10177(d) (Willfully Disregarded Or Violated The Real Estate Law). Respondents' real estate licenses were suspended for 60 days, stayed upon certain terms and conditions.

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1 UNSUCCESSFUL SHORT SALE OF 1520 3RD ST

2 7.

3 On or about June 3, 2015, seller R. Rojas entered into a Residential Listing
4 Agreement with broker Respondent OMG REALTY INC through salesperson Respondent
5 PARRA to short sell real property at 1520 3rd St, Duarte, CA 91010 ("3rd St house").

6 8.

7 On or about June 3, 2015, Respondent LEADERSHIP GROUP INC through
8 Respondent CAMPOS, as principal buyer, represented by broker Respondent OMG
9 REALTY INC through salesperson Respondent PARRA, submitted an offer to purchase the
10 3rd St house through a signed Residential Purchase Agreement. On or about June 3, 2015,
11 seller R. Rojas accepted the offer and signed the Residential Purchase Agreement.

12 9.

13 On or about August 3, 2015, Respondent PARRA submitted the Residential
14 Purchase Agreement from Respondents LEADERSHIP GROUP INC and CAMPOS to Wells
15 Fargo, N.A. ("Wells Fargo") for Wells Fargo's approval of a short sale for the 3rd St house.

16 10.

17 On or about April 8, 2016, High Quality Investments LLC, through Respondent
18 SANCHEZ, as principal buyer, represented by broker Respondent OMG REALTY INC through
19 salesperson Respondent PARRA, submitted an offer to purchase the 3rd St house through a
20 signed Residential Purchase Agreement.

21 11.

22 On or about April 11, 2016, Respondent PARRA submitted the Residential
23 Purchase Agreement from Respondent SANCHEZ and High Quality Investments LLC to Wells
24 Fargo for Wells Fargo's approval of a short sale for the 3rd St house.

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12.

Respondents PARRA, CAMPOS, OMG REALTY INC, LEADERSHIP GROUP INC, and SANCHEZ failed to disclose to Wells Fargo the fact that PARRA and CAMPOS are married as wife and husband. PARRA, CAMPOS, OMG REALTY INC, LEADERSHIP GROUP INC, and SANCHEZ also failed to disclose to Wells Fargo the fact that CAMPOS and SANCHEZ are owners of OMG REALTY INC, LEADERSHIP GROUP INC, and High Quality Investments LLC.

13.

Respondent PARRA failed to include the real estate license numbers for herself and Respondent OMG REALTY INC on some of the 3rd St house transaction documents, including but not limited to the Residential Listing Agreement and the Residential Purchase Agreements.

14.

Respondent PARRA failed to include the Short Sale Information And Advisory at the time of preparation or signing of the Residential Listing Agreement and failed to include the Short Sale Information And Advisory and Short Sale Addendum at the time of preparation or signing of Residential Purchase Agreements for the 3rd St house.

COMPLETED SHORT SALE OF 1818 OTTERBEIN AVE

15.

On or about March 30, 2016, seller H. Palafox entered into a Residential Listing Agreement with broker Respondent OMG REALTY INC through salesperson Respondent PARRA to short sell real property at 1818 Otterbein Ave, Rowland Heights, CA 91748 ("Otterbein house").

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1 16.

2 On or about April 1, 2016, High Quality Investments LLC, through Respondent
3 CAMPOS, as principal buyer, represented by broker Respondent OMG REALTY INC through
4 salesperson Respondent PARRA, submitted an offer to purchase the Otterbein house.

5 17.

6 On or about April 1, 2016, seller H. Palafox signed a document acknowledging
7 that, "I am aware that Janette Parra of OMG Realty, Inc., is wife of Luis Campos. Additionally,
8 I am aware that Luis Campos is one of the owners of the following companies:

9 1. OMG Realty, Inc. 2. Leadership Group, Inc. 3. High Quality Insurance Solutions, Inc.
10 4. High Quality Investments, Inc."

11 18.

12 On or about February 8, 2017, Respondents PARRA and CAMPOS signed a
13 document with the title "AFFIDAVIT OF 'ARM'S LENGTH TRANSACTION'" from Ocwen
14 Loan Servicing, LLC ("Ocwen") that provided, "This affidavit is to be executed before or at the
15 time closing of the sale of the Mortgaged Premises by all Borrower(s), purchaser(s), real estate
16 brokers representing any of the parties". PARRA and CAMPOS certified under the penalty of
17 perjury that: "(a) The sale of the Mortgaged Premises is an 'arm's length' transaction, between
18 parties who are unrelated and unaffiliated by family, marriage, or commercial enterprise", and
19 "(c) Neither the Borrower(s) nor the purchaser(s) will receive any funds or commissions from
20 the sale of the Mortgaged Premises."

21 19.

22 Respondents PARRA, CAMPOS, and OMG REALTY INC failed to disclose to
23 Ocwen the fact that PARRA and CAMPOS are married as wife and husband. PARRA,
24 CAMPOS, and OMG REALTY INC also failed to disclose to Ocwen the fact that CAMPOS is
25 an owner of OMG REALTY INC and High Quality Investments LLC.

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1 20.

2 Respondent PARRA altered the dates on some of the Otterbein house
3 transaction documents, including but not limited to the Residential Listing Agreement and the
4 Short Sale Information And Advisory.

5 21.

6 Respondent PARRA failed to include the real estate license numbers for herself
7 and Respondent OMG REALTY INC on some of the Otterbein house transaction documents,
8 including but not limited to the Residential Purchase Agreement.

9 22.

10 Respondent PARRA failed to include the Short Sale Information And Advisory
11 at the time of preparation or signing of the Residential Purchase Agreement for the Otterbein
12 house.

13 23.

14 On or about March 24, 2017, the Otterbein house transaction closed and High
15 Quality Investments LLC became the owner of the Otterbein house.

16 24.

17 On or about March 24, 2017, Respondent PARRA reviewed and initialed the
18 Otterbein house transaction documents.

19 25.

20 On or about March 24, 2017, the escrow company paid Respondent OMG
21 REALTY INC a commission for representing seller H. Palafox in the amount of \$10,700 and
22 another commission for representing buyer High Quality Investments LLC in the amount of
23 \$10,700, for a total of \$21,400 in commissions. On or about March 30, 2017, OMG
24 REALTY INC paid Respondent PARRA a commission for representing both seller H. Palafox
25 and buyer High Quality Investments LLC in the amount of \$9,750.

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1 RECORDS PRODUCED INTO RESPONSE TO SUBPOENA

2 26.

3 On or about June 15, 2017, the Department conducted an investigation at the
4 main office of Respondent OMG REALTY INC and obtained some of the 3rd St house and the
5 Otterbein house transaction documents from OMG REALTY INC.

6 27.

7 On or about January 3, 2018, the Department served Respondents OMG
8 REALTY INC and CHERRY with subpoenas for the 3rd St house and the Otterbein house
9 transaction documents.

10 28.

11 On or about January 25, 2018, Respondents OMG REALTY INC and CHERRY
12 provided the Department with the 3rd St house and the Otterbein house transaction documents.

13 29.

14 Respondents OMG REALTY INC, CHERRY, and PARRA altered the
15 Residential Listing Agreement and the Residential Purchase Agreements for the 3rd St house by
16 changing dates and adding the real estate license numbers for OMG REALTY INC and
17 PARRA. OMG REALTY INC, CHERRY, and PARRA altered the Residential Purchase
18 Agreement for the Otterbein house by adding the real estate license numbers for OMG
19 REALTY INC and PARRA. OMG REALTY INC and CHERRY submitted the altered
20 documents to the Department in response to the subpoenas.

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1 FIRST CAUSE OF ACTION

2 SUBSTANTIAL MISREPRESENTATION, FAILURE TO DISCLOSE MATERIAL FACTS

3 30.

4 The conduct, acts, or omissions of Respondents PARRA, CAMPOS, OMG
5 REALTY INC, LEADERSHIP GROUP INC, and SANCHEZ, as described in Paragraphs 7
6 through 29 above, constitute cause for the suspension or revocation of all the licenses, license
7 rights, and license endorsements of Respondents under the provisions of Code
8 sections 10176(a), 10176(b), 10176(c), 10176(i), 10177(d), and/or 10177(j).

9 SECOND CAUSE OF ACTION

10 SECRET OR UNDISCLOSED AMOUNT OF COMMISSION OR PROFIT

11 31.

12 The conduct, acts, or omissions of Respondent CAMPOS as described in
13 Paragraphs 15 through 25 above, constitute the claiming or taking of any secret or undisclosed
14 amount of compensation, commission, or profit from the Otterbein house transaction through
15 his ownership of Respondent OMG REALTY INC and marriage to Respondent PARRA and
16 constitute cause for the suspension or revocation of all the licenses, license rights, and license
17 endorsements of Respondent under the provisions of Code section 10176(g).

18 THIRD CAUSE OF ACTION

19 EMPLOYMENT OF SALESPERSON BY BROKER OTHER THAN BROKER OF RECORD

20 32.

21 The conduct, acts, or omissions of Respondents PARRA and OMG
22 REALTY INC as described in Paragraphs 7 through 25 above, are in violation of Code
23 sections 10137 and 10161.8, which constitute cause for the suspension or revocation of all the
24 licenses, license rights, and license endorsements of Respondents under the provisions of Code
25 sections 10137, 10177(d), and/or 10177(g).

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FOURTH CAUSE OF ACTION

USE OF UNLICENSED FICTITIOUS BUSINESS NAME

33.

Respondents PARRA and OMG REALTY INC used the unlicensed fictitious business name "OMG REALTY" in violation of Code section 10159.5 and Regulations section 2731, which constitutes cause for the suspension or revocation of all the licenses, license rights, and license endorsements of Respondents pursuant to the provisions of Code sections 10177(d) and/or 10177(g).

FIFTH CAUSE OF ACTION

NEGLIGENCE OR INCOMPETENCE

34.

The conduct, acts, or omissions of Respondents PARRA, CAMPOS, OMG REALTY INC, LEADERSHIP GROUP INC, and SANCHEZ as described in Paragraphs 7 through 29 above, constitute cause for the suspension or revocation of all the licenses, license rights, and license endorsements of Respondents under the provisions of Code section 10177(g).

SIXTH CAUSE OF ACTION

FAILURE TO SUPERVISE

35.

The conduct, acts, or omissions of Respondent CHERRY, as described in Paragraphs 7 through 34 above, in failing to ensure compliance of the Real Estate Law by Respondents PARRA, CAMPOS, OMG REALTY INC, LEADERSHIP GROUP INC, and SANCHEZ, is in violation of Code section 10159.2 and Regulations section 2725, and subjects all the licenses, license rights, and license endorsements of Respondent to suspension or revocation pursuant to Code sections 10177(d), 10177(g), and/or 10177(h).

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Code section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses, license rights, and license endorsements of Respondents JANETTE PARRA, LUIS ALEJANDRO CAMPOS, OMG REALTY INC, LEADERSHIP GROUP INC, DONALD GRANT CHERRY, and LUIS RAUL SANCHEZ under the Real Estate Law, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 30th day of January, 2020.



María Suárez
Supervising Special Investigator

cc: JANETTE PARRA
LUIS ALEJANDRO CAMPOS
OMG REALTY INC
LEADERSHIP GROUP INC
DONALD GRANT CHERRY
LUIS RAUL SANCHEZ
María Suárez
Sacto.