

FILED
NOV 23 2009
DEPARTMENT OF REAL ESTATE

By ca

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of

PEGASO REALTY, INC., a corporate real estate broker;

CENTRAL AMERICAN MORTGAGE CO., INC.,
a corporate real estate broker;

MARIO MENENDEZ, individually and as designated
officer of Pegaso Realty, Inc. and Central American
Mortgage Co., Inc.;

and LUIS ENRIQUE CAVERO,

Respondents.

No. H-35899 LA
L-2009061312

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On April 22, 2009, an Accusation was filed in this matter against Respondent
LUIS ENRIQUE CAVERO.

On October 27, 2009, Respondent LUIS ENRIQUE CAVERO, petitioned
the Commissioner to voluntarily surrender his real estate salesperson license pursuant to
Section 10100.2 of the Business and Professions Code.

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IT IS HEREBY ORDERED that Respondent LUIS ENRIQUE CAVERO's petition for voluntary surrender of his real estate salesperson license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated October 27, 2009 (attached as Exhibit "A" hereto). Respondent's license certificate(s), pocket card(s) and any branch office license certificate(s) shall be sent to the below listed address so that they reach the Department on or before the effective date of this Order:

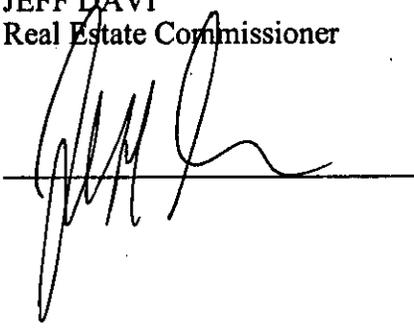
Department of Real Estate
Atten: Licensing Flag Section
P.O. Box 187000
Sacramento, CA 95818-7000

This Order shall become effective at 12 o'clock noon on

~~December 14, 2009.~~

DATED: 11-17-09

JEFF DAVI
Real Estate Commissioner



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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	DRE No. H-35899 LA
PEGASO REALTY, INC., a)	OAH No. L-2009061312
corporate real estate broker;)	
CENTRAL AMERICAN MORTGAGE CO.,)	
INC., a corporate real estate)	
broker;)	
MARIO MENENDEZ, individually)	
and as designated officer of)	
Pegaso Realty, Inc. and Central)	
American Mortgage Co., Inc.;)	
and LUIS ENRIQUE CAVERO,)	
Respondents.)	

DECLARATION

My name is LUIS ENRIQUE CAVERO, and I am currently licensed as a real estate salesperson and/or have license rights with respect to said license. I am represented by Oscar B. Valencia, Attorney at Law.

1 In lieu of proceeding in this matter in accordance
2 with the provisions of the Administrative Procedure Act
3 (Sections 11400 et seq., of the Government Code), I wish to
4 voluntarily surrender my real estate license issued by the
5 Department of Real Estate ("Department"), pursuant to Business
6 and Professions Code Section 10100.2.

7 I understand that by so voluntarily surrendering my
8 license, I may be relicensed as a broker or as a salesperson
9 only by petitioning for reinstatement pursuant to Section 11522
10 of the Government Code. I also understand that by so
11 voluntarily surrendering my license, I agree to the following:

12 1. The filing of this Declaration shall be deemed as
13 my petition for voluntary surrender.

14 2. It shall also be deemed to be an understanding and
15 agreement by me that I waive all rights I have to require the
16 Commissioner to prove the allegations contained in the
17 Accusation filed in this matter at a hearing held in accordance
18 with the provisions of the Administrative Procedure Act
19 (Government Code Sections 11400 et seq.), and that I also waive
20 other rights afforded to me in connection with the hearing such
21 as the right to discovery, the right to present evidence in
22 defense of the allegations in the Accusation and the right to
23 cross-examine witnesses.

24 3. I further agree that upon acceptance by the
25 Commissioner, as evidenced by an appropriate order, all
26 affidavits and all relevant evidence obtained by the Department
27 in this matter prior to the Commissioner's acceptance, and all
28

1 allegations contained in the accusation filed in the Department
 2 Case No. H-35899 LA, may be considered by the Department to be
 3 true and correct for the purpose of deciding whether to grant
 4 relicensure or reinstatement pursuant to Government Code
 5 Section 11522.

6 4. I freely and voluntarily surrender all my licenses
 7 and license rights under the Real Estate Law.

8 I declare under penalty of perjury under the laws of
 9 the State of California that the above is true and correct and
 10 that this declaration was executed on OCTOBER 27, 2009,
 11 at Los Angeles, California.

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 LUIS ENRIQUE CAVERO

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1 allegations contained in the Accusation filed in the Department
2 Case No. H-35899 LA, may be considered by the Department to be
3 true and correct for the purpose of deciding whether to grant
4 relicensure or reinstatement pursuant to Government Code
5 Section 11522.

6 4. I freely and voluntarily surrender all my licenses
7 and license rights under the Real Estate Law.

8 I declare under penalty of perjury under the laws of
9 the State of California that the above is true and correct and
10 that this declaration was executed on _____, 2009,
11 at _____, California.

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13 LUIS ENRIQUE CAVERO
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FILED
NOV 23 2009
DEPARTMENT OF REAL ESTATE

By ca

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of

PEGASO REALTY, INC., a corporate real estate broker;

CENTRAL AMERICAN MORTGAGE CO., INC.,
a corporate real estate broker;

MARIO MENENDEZ, individually and as designated
officer of Pegaso Realty, Inc. and Central American
Mortgage Co., Inc.;;

and LUIS ENRIQUE CAVERO,

Respondents.

No. H-35899 LA

L-2009061312

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On April 22, 2009, an Accusation was filed in this matter against Respondent
MARIO MENENDEZ.

On October 27, 2009, Respondent MARIO MENENDEZ, petitioned the
Commissioner to voluntarily surrender his real estate broker license pursuant to Section 10100.2
of the Business and Professions Code.

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IT IS HEREBY ORDERED that Respondent MARIO MENENDEZ' petition for voluntary surrender of his real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated October 27, 2009 (attached as Exhibit "A" hereto). Respondent's license certificate(s), pocket card(s) and any branch office license certificate(s) shall be sent to the below listed address so that they reach the Department on or before the effective date of this Order:

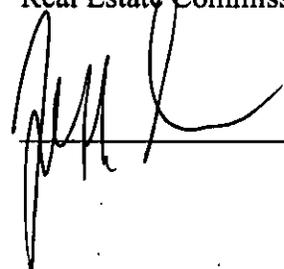
Department of Real Estate
Atten: Licensing Flag Section
P.O. Box 187000
Sacramento, CA 95818-7000

This Order shall become effective at 12 o'clock noon on

December 14, 2009.

DATED: 11-17-09

JEFF DAVI
Real Estate Commissioner



A handwritten signature in black ink, appearing to read 'JEFF DAVI', is written over a horizontal line. The signature is stylized and cursive.

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	DRE No. H-35899 LA
PEGASO REALTY, INC., a)	OAH No. L-2009061312
corporate real estate broker;)	
CENTRAL AMERICAN MORTGAGE CO.,)	
INC., a corporate real estate)	
broker;)	
MARIO MENENDEZ, individually)	
and as designated officer of)	
Pegaso Realty, Inc. and Central)	
American Mortgage Co., Inc.;)	
and LUIS ENRIQUE CAVERO,)	
Respondents.)	

DECLARATION

My name is MARIO MENENDEZ, and I am currently licensed as a real estate broker and/or have license rights with respect to said license. I am represented by Oscar B. Valencia, Attorney at Law.

1 In lieu of proceeding in this matter in accordance
2 with the provisions of the Administrative Procedure Act
3 (Sections 11400 et seq., of the Government Code), I wish to
4 voluntarily surrender my real estate license issued by the
5 Department of Real Estate ("Department"), pursuant to Business
6 and Professions Code Section 10100.2.

7 I understand that by so voluntarily surrendering my
8 license, I may be relicensed as a broker or as a salesperson
9 only by petitioning for reinstatement pursuant to Section 11522
10 of the Government Code. I also understand that by so
11 voluntarily surrendering my license, I agree to the following:

12 1. The filing of this Declaration shall be deemed as
13 my petition for voluntary surrender.

14 2. It shall also be deemed to be an understanding and
15 agreement by me that I waive all rights I have to require the
16 Commissioner to prove the allegations contained in the
17 Accusation filed in this matter at a hearing held in accordance
18 with the provisions of the Administrative Procedure Act
19 (Government Code Sections 11400 et seq.), and that I also waive
20 other rights afforded to me in connection with the hearing such
21 as the right to discovery, the right to present evidence in
22 defense of the allegations in the Accusation and the right to
23 cross-examine witnesses.

24 3. I further agree that upon acceptance by the
25 Commissioner, as evidenced by an appropriate order, all
26 affidavits and all relevant evidence obtained by the Department
27 in this matter prior to the Commissioner's acceptance, and all
28

1 allegations contained in the Accusation filed in the Department
 2 Case No. H-35899 LA, may be considered by the Department to be
 3 true and correct for the purpose of deciding whether to grant
 4 relicensure or reinstatement pursuant to Government Code
 5 Section 11522.

6 4. I freely and voluntarily surrender all my licenses
 7 and license rights under the Real Estate Law.

8 I declare under penalty of perjury under the laws of
 9 the State of California that the above is true and correct and
 10 that this declaration was executed on 10/29, 2009,
 11 at Los Angeles, California.

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 14 MARIO MENENDEZ
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IT IS HEREBY ORDERED that Respondent CENTRAL AMERICAN MORTGAGE CO., INC.'s petition for voluntary surrender of its corporate real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated October 27, 2009 (attached as Exhibit "A" hereto). Respondent's license certificate(s), pocket card(s) and any branch office license certificate(s) shall be sent to the below listed address so that they reach the Department on or before the effective date of this Order:

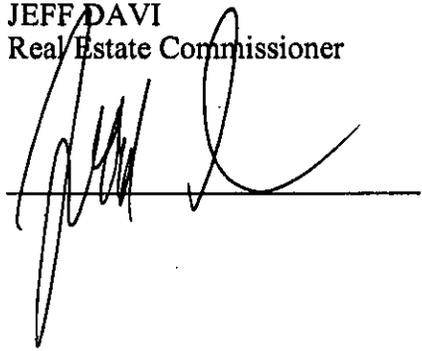
Department of Real Estate
Atten: Licensing Flag Section
P.O. Box 187000
Sacramento, CA 95818-7000

This Order shall become effective at 12 o'clock noon on

December 14, 2009.

DATED: 11-17-09

JEFF DAVI
Real Estate Commissioner



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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	DRE No. H-35899 LA
PEGASO REALTY, INC., a)	OAH No. L-2009061312
corporate real estate broker;)	
CENTRAL AMERICAN MORTGAGE CO.,)	
INC., a corporate real estate)	
broker;)	
MARIO MENENDEZ, individually)	
and as designated officer of)	
Pegaso Realty, Inc. and Central)	
American Mortgage Co., Inc.;)	
and LUIS ENRIQUE CAVERO,)	
Respondents.)	

My name is MARIO MENENDEZ and I am the designated broker-officer of CENTRAL AMERICAN MORTGAGE CO., INC., which is licensed as a real estate corporation and/or has license rights with respect to said license. I am authorized and empowered to sign this declaration on behalf of CENTRAL AMERICAN MORTGAGE CO., INC. I am acting on behalf of the corporation in this matter.

1 In lieu of proceeding in this matter in accordance
2 with the provisions of the Administrative Procedure Act
3 (Sections 11400 et seq., of the Government Code) CENTRAL
4 AMERICAN MORTGAGE CO., INC. wishes to voluntarily surrender its
5 real estate license issued by the Department of Real Estate
6 ("Department"), pursuant to Business and Professions Code
7 Section 10100.2.

8 I understand that CENTRAL AMERICAN MORTGAGE CO., INC.,
9 by so voluntarily surrendering its license, can only have it
10 reinstated in accordance with the provisions of Section 11522 of
11 the Government Code. I also understand that by so voluntarily
12 surrendering its license, CENTRAL AMERICAN MORTGAGE CO., INC.
13 agrees to the following:

14 The filing of this Declaration shall be deemed as its
15 petition for voluntary surrender. It shall also be deemed to be
16 an understanding and agreement by CENTRAL AMERICAN MORTGAGE CO.,
17 INC., that it waives all rights it has to require the
18 Commissioner to prove the allegations contained in the
19 Accusation filed in this matter at a hearing held in accordance
20 with the provisions of the Administrative Procedure Act
21 (Government Code Sections 11400 et seq.), and that it also
22 waives other rights afforded to it in connection with the
23 hearing such as the right to discovery, the right to present
24 evidence in defense of the allegations in the Accusation and the
25 right to cross-examine witnesses. I further agree on behalf of
26 CENTRAL AMERICAN MORTGAGE CO., INC., that upon acceptance by the
27 Commissioner, as evidenced by an appropriate order, all
28

1 affidavits and all relevant evidence obtained by the Department
2 in this matter prior to the Commissioner's acceptance, and all
3 allegations contained in the Accusation filed in the Department
4 Case No. H-35899 LA, may be considered by the Department to be
5 true and correct for the purpose of deciding whether or not to
6 grant reinstatement of CENTRAL AMERICAN MORTGAGE CO., INC., 's
7 license pursuant to Government Code Section 11522..

8 Respondent can signify acceptance and approval of the
9 terms and conditions of this Declaration by faxing a copy of its
10 signature page, as actually signed by Respondent, to the
11 Department at fax number (213) 576-6917. Respondent agrees,
12 acknowledges and understands that by electronically sending to
13 the Department a fax copy of its actual signature as it appears
14 on the Declaration, that receipt of the faxed copy by the
15 Department shall be as binding on Respondent as if the
16 Department had received the original signed Declaration.

17 I declare under penalty of perjury under the laws of
18 the State of California that the above is true and correct and
19 that I am acting freely and voluntarily on behalf of CENTRAL
20 AMERICAN MORTGAGE CO., INC. to surrender its license and all
21 license rights attached thereto.
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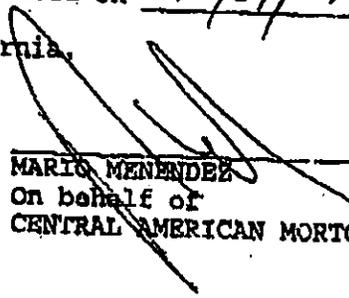
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I declare under penalty of perjury under the laws of
the State of California that the above is true and correct and
that this declaration was executed on 10/27/09, 2009,
at Los Angeles, California.


MARIO MENENDEZ
On behalf of
CENTRAL AMERICAN MORTGAGE CO., INC.

1 I declare under penalty of perjury under the laws of
2 the State of California that the above is true and correct and
3 that this declaration was executed on _____, 2009,
4 at _____, California.

5
6 _____
7 MARIO MENENDEZ
8 On behalf of
9 CENTRAL AMERICAN MORTGAGE CO., INC.
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IT IS HEREBY ORDERED that Respondent PEGASO REALTY, INC.'s petition for voluntary surrender of its corporate real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated October 27, 2009 (attached as Exhibit "A" hereto). Respondent's license certificate(s), pocket card(s) and any branch office license certificate(s) shall be sent to the below listed address so that they reach the Department on or before the effective date of this Order:

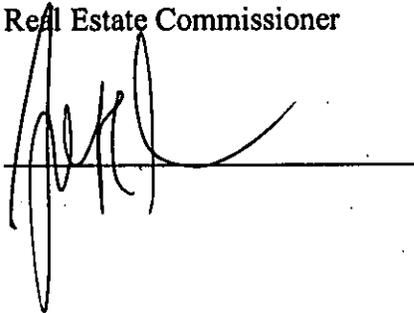
Department of Real Estate
Atten: Licensing Flag Section
P.O. Box 187000
Sacramento, CA 95818-7000

This Order shall become effective at 12 o'clock noon on

December 14, 2009.

DATED: 11-17-09

JEFF DAVI
Real Estate Commissioner



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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	DRE No. H-35899 LA
PEGASO REALTY, INC., a)	OAH No. L-2009061312
corporate real estate broker;)	
CENTRAL AMERICAN MORTGAGE CO.,)	
INC., a corporate real estate)	
broker;)	
MARIO MENENDEZ, individually)	
and as designated officer of)	
Pegaso Realty, Inc. and Central)	
American Mortgage Co., Inc.;)	
and LUIS ENRIQUE CAVERO,)	
Respondents.)	

My name is MARIO MENENDEZ and I am the designated broker-officer of PEGASO REALTY, INC., which is licensed as a real estate corporation and/or has license rights with respect to said license. I am authorized and empowered to sign this declaration on behalf of PEGASO REALTY, INC. I am acting on behalf of the corporation in this matter.

1 In lieu of proceeding in this matter in accordance
2 with the provisions of the Administrative Procedure Act
3 (Sections 11400 et seq., of the Government Code) PEGASO REALTY,
4 INC. wishes to voluntarily surrender its real estate license
5 issued by the Department of Real Estate ("Department"), pursuant
6 to Business and Professions Code Section 10100.2.

7 I understand that PEGASO REALTY, INC., by so
8 voluntarily surrendering its license, can only have it
9 reinstated in accordance with the provisions of Section 11522 of
10 the Government Code. I also understand that by so voluntarily
11 surrendering its license, PEGASO REALTY, INC. agrees to the
12 following:

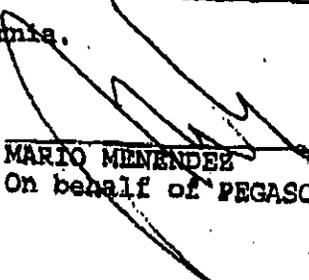
13 The filing of this Declaration shall be deemed as its
14 petition for voluntary surrender. It shall also be deemed to be
15 an understanding and agreement by PEGASO REALTY, INC., that it
16 waives all rights it has to require the Commissioner to prove
17 the allegations contained in the Accusation filed in this matter
18 at a hearing held in accordance with the provisions of the
19 Administrative Procedure Act (Government Code Sections 11400 et
20 seq.), and that it also waives other rights afforded to it in
21 connection with the hearing such as the right to discovery, the
22 right to present evidence in defense of the allegations in the
23 Accusation and the right to cross-examine witnesses. I further
24 agree on behalf of PEGASO REALTY, INC., that upon acceptance by
25 the Commissioner, as evidenced by an appropriate order, all
26 affidavits and all relevant evidence obtained by the Department
27 in this matter prior to the Commissioner's acceptance, and all
28

1 allegations contained in the Accusation filed in the Department
 2 Case No. H-35899 LA, may be considered by the Department to be
 3 true and correct for the purpose of deciding whether or not to
 4 grant reinstatement of PEGASO REALTY, INC.'s license pursuant to
 5 Government Code Section 11522.

6 Respondent can signify acceptance and approval of the
 7 terms and conditions of this Declaration by faxing a copy of its
 8 signature page, as actually signed by Respondent, to the
 9 Department at fax number (213) 576-6917. Respondent agrees,
 10 acknowledges and understands that by electronically sending to
 11 the Department a fax copy of its actual signature as it appears
 12 on the Declaration, that receipt of the faxed copy by the
 13 Department shall be as binding on Respondent as if the
 14 Department had received the original signed Declaration.

15 I declare under penalty of perjury under the laws of
 16 the State of California that the above is true and correct and
 17 that I am acting freely and voluntarily on behalf of PEGASO
 18 REALTY, INC. to surrender its license and all license rights
 19 attached thereto.
 20

21 I declare under penalty of perjury under the laws of
 22 the State of California that the above is true and correct and
 23 that this declaration was executed on 10/27, 2009,
 24 at Los Angeles, California.

25
 26 
 27 MARIO MENENDEZ
 28 On behalf of PEGASO REALTY, INC.

1 allegations contained in the Accusation filed in the Department
2 Case No. H-35899 LA, may be considered by the Department to be
3 true and correct for the purpose of deciding whether or not to
4 grant reinstatement of PEGASO REALTY, INC.'s license pursuant to
5 Government Code Section 11522.

6 Respondent can signify acceptance and approval of the
7 terms and conditions of this Declaration by faxing a copy of its
8 signature page, as actually signed by Respondent, to the
9 Department at fax number (213) 576-6917. Respondent agrees,
10 acknowledges and understands that by electronically sending to
11 the Department a fax copy of its actual signature as it appears
12 on the Declaration, that receipt of the faxed copy by the
13 Department shall be as binding on Respondent as if the
14 Department had received the original signed Declaration.

15 I declare under penalty of perjury under the laws of
16 the State of California that the above is true and correct and
17 that I am acting freely and voluntarily on behalf of PEGASO
18 REALTY, INC. to surrender its license and all license rights
19 attached thereto.

20
21 I declare under penalty of perjury under the laws of
22 the State of California that the above is true and correct and
23 that this declaration was executed on _____, 2009,
24 at _____, California.

25
26 _____
27 MARIO MENENDEZ
28 On behalf of PEGASO REALTY, INC.

SAC

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

FILED
APRIL 22, 2009
DEPARTMENT OF REAL ESTATE

By cm

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Accusation of) No. H-35899 LA
12)
13 PEGASO REALTY, INC., a) A C C U S A T I O N
14 corporate real estate broker;)
15)
16 CENTRAL AMERICAN MORTGAGE CO.,)
17 INC., a corporate real estate)
18 broker;)
19)
20 MARIO MENEDEZ, individually)
21 and as designated officer of)
22 Pegaso Realty, Inc. and Central)
23 American Mortgage Co., Inc.;)
24)
25 and LUIS ENRIQUE CAVERO,)
26)
27 Respondents.)
28)

23 The Complainant, Robin Trujillo, a Deputy Real Estate
24 Commissioner, for cause of Accusation against PEGASO REALTY,
25 INC., CENTRAL AMERICAN MORTGAGE CO., INC., MARIO MENEDEZ,
26 individually and as designated broker-officer of Pegaso Realty,
27 Inc. and Central American Mortgage Co., Inc., and LUIS ENRIQUE

1 CAVERO, is informed and alleges as follows:

2 1.

3 The Complainant, Robin Trujillo, a Deputy Real Estate
4 Commissioner of the State of California, makes this Accusation
5 in her official capacity.

6 Corporate Entities:

7 2.

8 Respondent PEGASO REALTY, INC. (hereinafter Respondent
9 "PEGASO REALTY") is presently licensed and/or has license rights
10 under the Real Estate Law (Part 1 of Division 4 of the Business
11 and Professions Code) as a corporate real estate broker.

12 Respondent PEGASO REALTY was originally licensed as a corporate
13 real estate broker by the Department of Real Estate (hereinafter
14 "Department") on or about June 1, 2002. At all times relevant
15 herein, Respondent PEGASO REALTY was authorized to act by and
16 through Respondent MARIO MENENDEZ (hereinafter Respondent
17 "MENENDEZ") as its designated broker pursuant to Business and
18 Professions Code (hereinafter "Code") Section 10159.2 to be
19 responsible for ensuring compliance with the Real Estate Law.

20 3.

21 Respondent CENTRAL AMERICAN MORTGAGE CO., INC.
22 (hereinafter Respondent "CENTRAL AMERICAN") is presently
23 licensed and/or has license rights under the Real Estate Law
24 (Part 1 of Division 4 of the Business and Professions Code) as a
25 corporate real estate broker. Respondent CENTRAL AMERICAN was
26 originally licensed as a corporate real estate broker by the
27 Department on or about May 12, 2003. At all times relevant
28

1 herein, Respondent CENTRAL AMERICAN was authorized to act by and
2 through Respondent MENENDEZ as its designated broker pursuant to
3 Code Section 10159.2 to be responsible for ensuring compliance
4 with the Real Estate Law.

5 Broker License:

6 4.

7 At all times herein mentioned, Respondent MARIO
8 MENENDEZ (hereinafter Respondent "MENENDEZ") was licensed and/or
9 has license rights under the Code as a real estate broker.
10 Respondent MENENDEZ was first licensed as a real estate broker
11 on or about June 26, 2002. Respondent MENENDEZ was licensed as
12 a salesperson prior to that time, from approximately June 29,
13 1995 through June 25, 2002. Beginning on or about June 1, 2006,
14 and continuing through the present time, Respondent MENENDEZ was
15 and is the designated broker-officer for Respondent PEGASO
16 REALTY. Beginning on or about May 12, 2003, and continuing
17 through the present time, Respondent MENENDEZ was and is the
18 designated broker-officer for Respondent CENTRAL AMERICAN
19 MORTGAGE CO., INC.

20 Salesperson License:

21 5.

22 At all times herein mentioned, Respondent LUIS ENRIQUE
23 CAVERO (hereinafter Respondent "CAVERO") was licensed and/or has
24 license rights under Code as a real estate salesperson acting in
25 the employ of Central American Mortgage Co., Inc. Respondent
26 CAVERO was first licensed as a real estate salesperson on
27 October 22, 2008.

1 6.

2 All further references to "Respondents" herein include
3 the parties identified in Paragraphs 2 through 5, above, and also
4 include the officers, directors, employees, agents and real
5 estate licensees employed by or associated with said parties and
6 who at all times herein mentioned were engaged in the
7 furtherance of the business or operations of said parties and
8 who were acting within the course and scope of their authority
9 and employment.

10 FIRST CAUSE OF ACCUSATION

11 (Use of Unauthorized Fictitious Business Name)

12 7.

13
14 Complainant hereby incorporates by reference the
15 allegations set forth in Paragraphs 1 through 6, above.

16 8.

17 Use of a fictitious business name for activities
18 requiring the issuance of a real estate license requires the
19 filing of an application for the use of such name with the
20 Department in accordance with the provisions of Code Section
21 10159.5.

22 9.

23 At all times relevant herein, PEGASO REALTY was
24 licensed by the Department under license number 01340879, with a
25 main office location at 14 N. Central Avenue, Suite A, Upland,
26 California 91786.

10.

At all times relevant herein, Respondent CENTRAL AMERICAN was licensed by the Department under license number 01375159, with a main office location at 14 N. Central Avenue, Upland, California 91786.

11.

Respondent MENENDEZ is the Chief Executive Officer, Chief Financial Officer, Secretary and agent for service of process of County Homeowners Recording, Inc. (hereinafter "CHR"). CHR is incorporated in the State of California. On or about October 1, 2007, pursuant to the provisions of the California Tax and Revenue Code, CHR's entity powers, rights and privileges were and remain suspended by the California Franchise Tax Board. CHR's main office address is the same as Respondents PEGASO REALTY and CENTRAL AMERICAN, at 14 N. Central Avenue, Upland, California 91786.

12.

During a period of time from approximately May 21, 2005, and continuing through the present, Respondents MENENDEZ, PEGASO REALTY and CENTRAL AMERICAN acted without Department authorization in using the fictitious business name "County Homeowners Recording, Inc." to engage in activities requiring the issuance of a real estate license in violation of Code Section 10159.5 and Section 2731 of Title 10, Chapter 6, California Code of Regulations (hereinafter "Regulations").

1 solicited and performed loan modification services with respect
2 to loans which were secured by liens on real property,
3 including, but not limited to, the following:

4 a. On or about April 17, 2008, Respondents collected
5 an advance fee of \$1,000 from Aidee Quiñones pursuant to the
6 provisions of a written agreement pertaining to loan
7 modification services to be provided by CHR with respect to a
8 loan secured by real property located at 9387 Nolina Drive,
9 Hesperia, California 92344. On April 25, 2008, Ms. Quiñones
10 paid an additional \$1,495 in cash to CHR for loan modification
11 services. CHR failed to perform the services promised or to
12 obtain a loan for Aidee Quiñones on more favorable terms.

13 b. On or about May 5, 2008, Respondents collected an
14 advance fee totaling \$2,500 from Blanca L. Padilla Ramirez
15 pursuant to the provisions of a written agreement pertaining to
16 loan modification services to be provided by Respondents with
17 respect to a loan secured by real property located at 12951
18 Fawnskin Street, Hesperia, California 92344. CHR failed to
19 perform the services promised or to obtain a loan for Blanca L.
20 Padilla Ramirez on more favorable terms.

21 c. On or about May 16, 2008, Respondents collected an
22 advance fee of \$1,995 from Jesus Fajardo pursuant to the
23 provisions of a written agreement pertaining to loan
24 modification services to be provided by CHR with respect to a
25 loan secured by real property located at 1076 E. 8th Street, #A,
26 Pomona, California 91766. CHR failed to perform the services
27 promised or to obtain a loan for Jesus Fajardo on more favorable
28 terms.

1 19.

2 Respondents collected the above-described advance fees
3 pursuant to the provisions of a document entitled "Service
4 Agreement," the written agreement described in Paragraph 18,
5 above, which document constitutes an advance fee agreement
6 within the meaning of Code Section 10085.

7 20.

8 Respondents PEGASO REALTY, CENTRAL AMERICAN, and
9 MENEDEZ failed to submit the written agreement referred to in
10 Paragraph 18, above, to the Commissioner ten days before using
11 it in violation of Code Section 10085 and Regulation 2970.

12 21.

13 The conduct, acts and/or omissions of Respondents
14 PEGASO REALTY, CENTRAL AMERICAN, MENEDEZ, and CAVARO as set
15 forth above, are cause for the suspension or revocation of the
16 licenses and license rights of Respondent PEGASO REALTY,
17 Respondent CENTRAL AMERICAN, Respondent MENEDEZ, and Respondent
18 CAVARO, pursuant to Code Sections 10085, 10177(d), 10177(f)
19 and/or 10177(g).

20
21 FOURTH CAUSE OF ACCUSATION
(Unlicensed Activity)

22
23 22.

24 Complainant hereby incorporates by reference the
25 allegations set forth in Paragraphs 1 through 21, above.

26 23.

27 The activities described in Paragraph 18, supra,
28 require a real estate license under Sections 10131(d) and

1 10131.2 of the Code. Respondents violated Section 10137 of the
2 Code by employing and/or compensating individuals who were not
3 licensed as a real estate salesperson or as a broker to perform
4 activities requiring a license as follows:

5 a. Respondents employed and/or compensated Baltazar
6 Diaz to perform some or all of the services alleged in Paragraph
7 18, subsection (a), above, though he was not licensed as a real
8 estate salesperson or broker.

9 b. Respondents employed and/or compensated
10 Maricarmen Flores to perform some or all of the services alleged
11 in Paragraph 18, subsections (b) and (c), above, though she was
12 not licensed as a real estate salesperson or broker.

13 24.

14 The conduct, acts and/or omissions of Respondents
15 PEGASO REALTY, CENTRAL AMERICAN, and MENENDEZ, as set forth in
16 Paragraph 23, above, violate Code Section 10137, and are cause
17 for the suspension or revocation of the licenses and license
18 rights of Respondent PEGASO, Respondent CENTRAL AMERICAN, and
19 Respondent MENENDEZ, pursuant to Code Sections 10137, 10177(d),
20 10177(h) and/or 10177(i).

21 25.

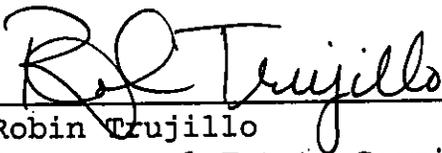
22 The conduct, acts and/or omissions, of Respondent
23 MENENDEZ, in allowing PEGASO REALTY and CENTRAL AMERICAN to
24 violate the Real Estate Law, as set forth above, constitutes a
25 failure by MENENDEZ, as the officer designated by a corporate
26 broker licensee, to exercise the supervision and control over
27
28

1 the activities of PEGASO REALTY and CENTRAL AMERICAN, as
2 required by Code Section 10159.2, and is cause to suspend or
3 revoke the real estate licenses and license rights of MENENDEZ
4 under Code Sections 10177(d), 10177(g) and/or 10177(h).

5 WHEREFORE, Complainant prays that a hearing be
6 conducted on the allegations of this Accusation and that upon
7 proof thereof, a decision be rendered imposing disciplinary
8 action against all the licenses and license rights of
9 Respondents PEGASO REALTY, INC., CENTRAL AMERICAN MORTGAGE CO.,
10 INC., MARIO MENEDEZ, individually and as designated broker-
11 officer of Pegaso Realty, Inc. and Central American Mortgage
12 Co., Inc., and LUIS ENRIQUE CAVERO, under the Real Estate Law
13 (Part 1 of Division 4 of the Business and Professions Code), and
14 for such other and further relief as may be proper under other
15 applicable provisions of law.

16 Dated at Los Angeles, California

17 this 20 day of April, 2009.

18
19 
20 Robin Trujillo
21 Deputy Real Estate Commissioner

22 cc: Pegaso Realty, Inc.
23 Central American Mortgage Co., Inc.
24 Mario Menendez
25 Luis Enrique Caverro
26 Robin Trujillo
27 Sacto
28