Department of Real Estate
320 W. 4th St., Room 350
Los Angeles, California 90013

Telephone: (213) 576-6982

FILED
FEB 1 0 2010
DEPARTMENT OF REAL ESTATE
By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of J & B CAPITAL CORPORATION, and EPIMENIO V. LOPEZ individually and as designated officer of the corporation, Respondents.	No. H-35968 LA L-2009 060 193 STIPULATION AND AGREEMENT

It is hereby stipulated by and between EPIMENIO V. LOPEZ (sometimes referred to as Respondent), and his attorney, Mary E. Work, and the Complainant, acting by and through James R. Peel, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on May 13, 2009, in this matter.

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing was to be held in accordance with the provisions of the

Administrative Procedure Act ("APA"), shall instead and in place thereof be submitted solely on the basis of the provisions of this Stipulation and Agreement ("Stipulation").

2. Respondent has received, read and understands the Statement to Respondent, the Discovery Provisions of the Administrative Procedure Act ("APA") and the Accusation filed by the Department of Real Estate in this proceeding.

3. On May 26, 2009, Respondent filed a Notice of Defense pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notices of Defense. Respondent acknowledges that he understands that by withdrawing said Notice of Defense he will thereby waive his right to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that he will waive other rights afforded to him in connection with the hearing, such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

4. This Stipulation is based on the factual allegations contained in the Accusation filed in this proceeding. In the interest of expedience and economy, Respondent chooses not to contest these factual allegations, but to remain silent and understands that, as a result thereof, these factual statements, will serve as a prima facie basis for

the disciplinary action stipulated to herein. The Real Estate Commissioner shall not be required to provide further evidence to prove such allegations.

5. This Stipulation and Respondent's decision not to contest the Accusation is made for the purpose of reaching an agreed disposition of this proceeding and is expressly limited to this proceeding and any other proceeding or case in which the Department of Real Estate ("Department"), the state or federal government, or an agency of this state, another state or the federal government is involved.

6. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation as his decision in this matter thereby imposing the penalty and sanctions on Respondent's real estate licenses and license rights as set forth in the below "Order". In the event that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall be void and of no effect, and Respondent shall retain the right to a hearing on the Accusation under all the provisions of the APA and shall not be bound by any stipulation or waiver made herein.

7. The Order or any subsequent Order of the Real Estate Commissioner made pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or civil proceedings by the Department of Real Estate with respect to any conduct which was not specifically alleged to be causes for accusation in this proceeding.

DETERMINATION OF ISSUES

By reason of the foregoing stipulations and waivers and solely for the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that the following determination of issues shall be made:

The conduct, acts and/or omissions of Respondent EPIMENIO V. LOPEZ, as set forth in the Accusation, constitutes cause for the suspension or revocation of all of the real estate licenses and license rights of Respondent under the provisions of Section 10177(h) of the Business and Professions Code ("Code").

ORDER

Respondent EPIMENIO V. LOPEZ is hereby publicly reproved.

DATED: Oct. 1, 2009

James R. Peel
JAMES R. PEEL, Counsel for the Department of Real Estate

* * *

I have read the Stipulation and Agreement, discussed it with my Counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights, including the

right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by Respondent, to the Department at the following telephone/fax number: (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his or her actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

Further, if the Respondent is represented, the Respondent's Counsel can signify his or her agreement to the terms and conditions of the Stipulation and Agreement by submitting that signature via fax.

DATED: _____ _____
EPIMENIO V. LOPEZ
Respondent

DATED: _____ _____
MARY E. WORK
Counsel for Respondent

right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by Respondent, to the Department at the following telephone/fax number: (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his or her actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

Further, if the Respondent is represented, the Respondent's Counsel can signify his or her agreement to the terms and conditions of the Stipulation and Agreement by submitting that signature via fax.

DATED: 9/28/09

EPIMENIO V. LOPEZ
Respondent

DATED: 9/28/09

MARY E. WORK
Counsel for Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision and Order in this matter, and shall become effective at 12 o'clock noon on March 2, 2010.

IT IS SO ORDERED 10-21-09.

JEFF DAVI
Real Estate Commissioner

FILED
FEB 10 2010
DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of J & B CAPITAL CORPORATION, and EPIMENIO V. LOPEZ, individually and as designated officer of the corporation, Respondents,	No. H-35968 LA

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On May 13, 2009, an Accusation was filed in this matter against Respondent J & B CAPITAL CORPORATION.

On September 15, 2009, Respondent petitioned the Commissioner to voluntarily surrender its real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent J & B CAPITAL CORPORATION's petition for voluntary surrender of its 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 September 15, 2009 (attached as Exhibit "A" hereto). Respondent's license certificates, pocket cards and any branch office license certificate 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
Attn: Licensing Flag Section
P. O. Box 187000
Sacramento, CA 95818-7000

This Order shall become effective at 12 o'clock noon on MAR - 2 2010

DATED: OCT 2 1 2009

JEFF DAVI
Real Estate Commissioner

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of J & B CAPITAL CORPORATION, Respondent.	No. H-35968 LA

DECLARATION

My name is Robert Jahanbin and I am currently an officer of J & B CAPITAL CORPORATION which is licensed as a real estate broker and/or has license rights with respect to said license. I am authorized and empowered to sign this declaration on behalf of J & B CAPITAL CORPORATION. I am acting on behalf of J & B CAPITAL CORPORATION in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code) J & B CAPITAL CORPORATION wishes to voluntarily surrender its real estate license issued

Exhibit "A"

by the Department of Real Estate ("Department") pursuant to Business and Professions Code Section 10100.2.

I understand that by so voluntarily surrendering its license, J & B CAPITAL CORPORATION can only have it reinstated in accordance with the provisions of Section 11522 of the Government Code. I also understand that by so voluntarily surrendering its license, J & B CAPITAL CORPORATION agrees to the following:

(1) The filing of this Declaration shall be deemed as its petition for voluntary surrender.

(2) It shall also be deemed to be an understanding and agreement by J & B CAPITAL CORPORATION that it waives all rights it has to require the Commissioner to prove the allegations contained in the Accusation filed in this matter at a hearing held in accordance with the provisions of the Administrative Procedure Act (Government Code Sections 11400 et seq.), and that it also waives other rights afforded to it in connection with the hearing such as the right to discovery, the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

(3) I further agree on behalf of J & B CAPITAL CORPORATION that upon acceptance by the Commissioner, as evidenced by an appropriate order, all affidavits and all relevant evidence obtained by the Department in this matter prior to the Commissioner's acceptance, and all allegations contained in the Accusation filed in the Department Case No. H-35968 LA may be considered by the Department to be true and correct for the

purpose of deciding whether to grant relicensure of J & B CAPITAL CORPORATION's license pursuant to Government Code Section 11522.

(4) J & B CAPITAL CORPORATION freely and voluntarily surrenders all of its licenses and license rights under the Real Estate Law.

(5) This Declaration is not an admission by J & B CAPITAL CORPORATION as to the allegations in the Accusation. This Declaration is made for the purpose of reaching a resolution of allegations contained in Case No. H-35968 LA and is expressly limited to this proceeding and any other proceeding where the Department of Real Estate is a party and shall not be admissible nor can be relied upon by any third parties for any purpose.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that I am acting freely and voluntarily on behalf of J & B CAPITAL CORPORATION to surrender its license and all license rights attached thereto.

This Declaration is executed on 9/15, 2009, at Laguna Hills, California.

J & B CAPITAL CORPORATION
By: Robert Jahanbin

purpose of deciding whether to grant relicensure of J & B CAPITAL CORPORATION's license pursuant to Government Code Section 11522.

(4) J & B CAPITAL CORPORATION freely and voluntarily surrenders all of its licenses and license rights under the Real Estate Law.

(5) This Declaration is not an admission by J & B CAPITAL CORPORATION as to the allegations in the Accusation. This Declaration is made for the purpose of reaching a resolution of allegations contained in Case No. H-35968 LA and is expressly limited to this proceeding and any other proceeding where the Department of Real Estate is a party and shall not be admissible nor can be relied upon by any third parties for any purpose.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that I am acting freely and voluntarily on behalf of J & B CAPITAL CORPORATION to surrender its license and all license rights attached thereto.

This Declaration is executed on _____, 2009, at _____, California.

J & B CAPITAL CORPORATION
By: Robert Jahanbin

JAMES R. PEEL, Counsel (SBN 47055)
Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, CA 90013-1105

Telephone: (213) 576-6982
-or- (213) 576-6913 (Direct)

FILED
MAY 13 2009
DEPARTMENT OF REAL ESTATE
BY

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of J & B CAPITAL CORPORATION, and EPIMENIO V. LOPEZ individually and as designated officer of the corporation, Respondents.	No. H-35968 LA A C C U S A T I O N

The Complainant, Robin L. Trujillo, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against J & B CAPITAL CORPORATION and EPIMENIO V. LOPEZ, individually and as designated officer of the corporation, alleges as follows:

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I

The Complainant, Robin L. Trujillo, acting in her official capacity as a Deputy Real Estate Commissioner of the State of California, makes this Accusation against J & B CAPITAL CORPORATION and EPIMENIO V. LOPEZ.

II

J & B CAPITAL CORPORATION and EPIMENIO V. LOPEZ, individually and as designated officer of said corporation (hereinafter referred to as "Respondents"), are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code).

III

Respondent J & B CAPITAL CORPORATION was originally licensed as a real estate broker on February 7, 2008. Pursuant to Code Section 10159.2, Respondent EPIMENIO V. LOPEZ is responsible for the supervision and control of the activities conducted on behalf of the corporation by its officers and employees as necessary to secure full compliance with the provisions of the real estate law, including the supervision of salespersons licensed to the corporation in the performance of acts for which a real estate license is required.

IV

At all times material herein, Respondents engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California, within the meaning of Sections 10131(d), 10131(e) and 10131.2 of the

Code, including soliciting borrowers and lenders and negotiating loans and loan modifications on real property including the collection of advance fees.

V

In connection with Respondents' activities as a real estate broker, as described above, Respondents acted in violation of the Real Estate Law as follows:

(1) Violated Section 10146 of the Code by collecting advance fees from the public and failing to deposit the fees into a real estate broker trust account.

(2) Violated Code Section 10085 and Regulation 2970 by failing to submit to the Commissioner not less than ten calendar days before publication or other use, all materials to be used in advertising, promoting, soliciting and negotiating an agreement calling for the payment of an advance fee including the form of advance fee agreement proposed for use.

(3) Violated Regulation 2731 by using the unlicensed fictitious business name Nationwide Home Savers.

VI

The conduct, acts and/or omissions of Respondents, J & B CAPITAL CORPORATION, and EPIMENIO V. LOPEZ, as alleged above, subjects their real estate licenses and license rights to suspension or revocation pursuant to Sections 10177(d) and/or 10177(g) of the Code.

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VII

The conduct, acts and/or omissions of Respondent EPIMENIO V. LOPEZ, in failing to ensure full compliance with the Real Estate Law is in violation of Section 10159.2 of the Code and subjects his real estate licenses and license rights to suspension or revocation pursuant to Sections 10177(d), 10177(g) and/or 10177(h) of the Code.

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 licenses and license rights of Respondents J & B CAPITAL CORPORATION, and EPIMENIO V. LOPEZ, under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California
this 29 day of April, 2009.

ROBIN L. TRUJILLO
Deputy Real Estate Commissioner

cc: J & B Capital Corporation
Epimenio V. Lopez
Robin L. Trujillo
Phillip Ihde
Sacto.