

III

From February 28, 2008 to July 15, 2008, Respondent was employed by real estate broker Citi One Realty Financial, Inc.

IV

During 2008, in expectation of compensation, Respondent solicited and negotiated a re-finance loan on real property for borrower Maria Elena Mendez ("Mendez").

V

Respondent misappropriated advance fees received from Mendez without the knowledge or permission of Mendez.

VI

Respondent's activities are acts requiring a real estate broker license under the provisions of Code Section 10131(d) and (e).

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 10177(f) and 10177(j), and Section 10177(d) for violation of Code Section 10130.

II

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

ORDER

The license and license rights of Respondent ESPERANZA SALOME MENDOZA 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
MAY 10 2011

DATED: _____

JEFF DAVI
Real Estate Commissioner

2/20/09
Ray

1 JAMES R. PEEL, Counsel (SBN 47055)
2 Department of Real Estate
3 320 West Fourth Street, Suite 350
4 Los Angeles, CA 90013-1105
5 Telephone: (213) 576-6982
6 -or- (213) 576-6913 (Direct)

FILED
AUG 31 2009
DEPARTMENT OF REAL ESTATE
[Signature]

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	No. H-36211 LA
12 ESPERANZA SALOME MENDOZA,)	<u>A C C U S A T I O N</u>
13)	
14 Respondent.)	

15 The Complainant, Maria Suarez, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against ESPERANZA SALOME MENDOZA, alleges as follows:

18 I

19 The Complainant, Maria Suarez, acting in her official
20 capacity as a Deputy Real Estate Commissioner of the State of
21 California, makes this Accusation against ESPERANZA SALOME
22 MENDOZA.

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II

ESPERANZA SALOME MENDOZA (hereinafter referred to as "Respondent") is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code). Respondent's license expired on February 5, 2009 and has not been renewed.

III

From February 28, 2008 to July 15, 2008 Respondent was licensed by the Department of Real Estate of the State of California as a real estate salesperson employed by real estate broker Citi One Realty Financial, Inc.

IV

During 2008, for or in expectation of compensation, Respondent solicited and negotiated a re-finance loan on real property for borrower Maria Elena Mendez ("Mendez").

V

Respondent violated Code Section 10145(c) by collecting trust funds/advance fees from Mendez and failing to turn the funds over to her employing broker. Respondent misappropriated the advance fees collected from Mendez without the knowledge or permission of Mendez.

VI

Respondent's activities are acts requiring a real estate broker license under the provisions of Code Section 10131(d) and (e).

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VII

The conduct of Respondent, as alleged above, subjects her real estate license and license rights to suspension or revocation pursuant to Sections 10177(f) and 10177(j) of the Code, and Section 10177(d) for violation of Code Sections 10130 and 10145(c).

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 Respondent ESPERANZA SALOME MENDOZA 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 13th day of August, 2009.


MARIA SUAREZ
Deputy Real Estate Commissioner

cc: Esperanza Salome Mendoza
Maria Suarez
Sacto.