

FILED

JUNE 6, 2012

DEPARTMENT OF REAL ESTATE

BY: Ca

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)	DRE No. H-37287 LA
)	
MARCORR CORPORATION;)	OAH No. 2011080777
JOSE DE JESUS CONTRERAS,)	
individually and as designated)	
officer of Marcorr Corporation;)	
MARIA EUGENIA ROSAS,)	
individually and as former)	
designated officer of Marcorr)	
Corporation; and)	
MARICELA CONTRERAS,)	
)	
Respondents.)	

DECISION

The Proposed Decision dated May 4, 2012, of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock noon on June 26, 2012.

IT IS SO ORDERED May 30, 2012.

Real Estate Commissioner



By WAYNE S. BELL
Chief Counsel

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:

MARCORR CORPORATION; JOSE DE
JESUS CONTRERAS, individually and as
designated officer of Marcorr Corporation;
MARIA EUGENIA ROSAS, individually and
as former designated officer of Marcorr
Corporation; and MARICELA
CONTRERAS;

Respondents.

Case No. H-37287 LA.

OAH No. 2011080777

PROPOSED DECISION

Howard W. Cohen, Administrative Law Judge with the Office of Administrative Hearings, heard this matter on March 27 and 28, 2012, in Los Angeles, California.

Lisete Garcia, Counsel for the Department of Real Estate (Department), appeared on behalf of complainant Maria Suarez, Deputy Real Estate Commissioner of the State of California.

Respondent Jose de Jesus Contreras (Jose Contreras or Jose) appeared on his own behalf and on behalf of respondent Marcorr Corporation. Respondent Maria Eugenia Rosas (Maria Rosas or Rosas) appeared on her own behalf. Arturo Santana, Jr., Attorney at Law, represented respondent Maricela Contreras (Maricela Contreras or Maricela), who was present.¹

Oral and documentary evidence was received, the record was closed, and the matter was submitted on March 28, 2012.

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¹ Because two of the individual respondents, Jose de Jesus Contreras and Maricela Contreras, have the same last name, they are sometimes referred to herein by their first names to avoid confusion.

FACTUAL FINDINGS

Parties and Jurisdiction

1. Complainant filed the Accusation in her official capacity. Respondents timely filed a notice of defense.
2. Respondent Marcorr Corporation was originally licensed as a real estate corporation on September 27, 2004. The license is scheduled to expire on September 26, 2012. Marcorr Corporation is licensed to do business as Vancouver Realty and as MBJ Mortgage.
3. The Department originally issued real estate broker license no. B/01272826 to respondent Jose Contreras on April 9, 2008. The license expired on April 8, 2012.² Jose Contreras has been licensed as the designated officer of Marcorr Corporation since May 1, 2008. The designation is scheduled to expire on September 26, 2012.
4. The Department originally issued real estate broker license no. B/00927625 to respondent Maria Rosas on December 18, 1992. The license is scheduled to expire on December 17, 2012. Maria Rosas was licensed as the designated officer of Marcorr Corporation from September 27, 2004, to April 30, 2008. She is currently the designated officer of Becker Properties, Inc., and Elite Home Loans, Inc.; those designations are scheduled to expire on January 3, 2013.
5. The Department originally issued real estate salesperson license no. S/01204600 to respondent Maricela Contreras on January 4, 1996. The license expired on February 20, 2012. From August 23, 2007, to July 30, 2008, Maricela Contreras was acting in the employ of real estate broker Elite Home Loans, Inc. From July 30, 2008, to July 21, 2009, Maricela Contreras was acting in the employ of respondent Marcorr Corporation.
6. Respondent Marcorr Corporation is a California corporation. Respondent Jose Contreras is the chief executive officer and a director of respondent Marcorr Corporation. Respondent Maricela Contreras is the chief financial officer and designated agent for service of process of respondent Marcorr Corporation.

The Adolfo Lane Property

7. In early 2008, Maricela Contreras advised her friend, Laura Rizzo, to "short sell" her house on Adolfo Lane in Victorville to Rizzo's daughter, Brenda Soto. Rizzo lived in the house with Soto; they each paid half of the first and second mortgages and household expenses. The house had lost value, and Rizzo believed that the short sale would lower the monthly mortgage payments.

² The expiration of a license issued by the Board does not deprive the Board of its authority to institute or continue a disciplinary proceeding against the licensee or take disciplinary action against the licensee. (Bus. & Prof. Code, § 118, subd. (b).)

8. Maricela assured Rizzo that she could short sell the property to Soto for \$160,000. Rizzo signed an exclusive listing agreement with Maricela and Vancouver Realty for the short sale. Maricela did not advertise the property for sale and did not present any offers to Rizzo other than Soto's. Rizzo and Soto each earned approximately minimum wage working as waitresses and Soto had outstanding debts; nevertheless, Jose Contreras, who was acting as the loan officer, prepared a loan pre-approval letter for Soto.

9. Ultimately, Soto was not approved for a loan and the short sale did not take place. The property was foreclosed on and sold to a third party in a trustee sale on February 6, 2009. Rizzo and Soto moved out in March or April 2009.

10. Maricela testified at hearing that, although she knew that a short sale must be an "arm's-length" transaction, she nevertheless suggested and proceeded to work on the short sale from Rizzo to Rizzo's daughter, Soto. Maricela testified, "I know I was not supposed to do it, but this is friendship."

11. Complainant alleged but did not establish that Maricela collected an advance fee of \$3,000, or that Rizzo and Soto paid Maricela \$2,500 for property taxes on the Adolfo Lane property. The alleged payments were the subject of less-than-credible, self-serving testimony from Rizzo, Soto, and Maricela; not only did Rizzo and Soto contradict Maricela, they also contradicted each other on relevant points.

a. Rizzo testified that Maricela charged her \$3,000 for the short sale, as reflected in an invoice dated February 2008; Soto testified that she saw her mother pay Maricela the \$3,000 in cash. Rizzo testified that she entered into the short sale agreement despite Maricela owing her \$14,000 from a 2006 transaction because, she testified, Maricela promised to repay her the \$14,000. Maricela testified that Rizzo never paid her a \$3,000 deposit. She testified that, in fact, the February 2008 invoice reflects her crediting \$3,000 to Rizzo, to be paid out of Maricela's commission on the short sale, thereby writing off a loan she had made to Rizzo in connection with the 2006 transaction. She testified that she herself made the December 2007 mortgage payments on the Adolfo Lane house and paid Rizzo's \$400 Macy's bill and other debts, for a total of \$6,903.21, leaving approximately \$7,000 owing on the 2006 transaction. Documentation presented in support of the various parties' positions was neither persuasive nor decisive.

b. Rizzo testified that she also paid Maricela \$2,500 in cash, to enable Maricela to pay the Adolfo Lane property taxes and pay down some of Soto's credit card debt. Soto contradicted this statement, testifying that Rizzo and she each only paid Maricela half of \$2,156, the actual property tax owed, not \$2,500. Maricela denied receiving either \$2,156 or \$2,500 from Rizzo and Soto.

c. Rizzo denied that she sought the short sale because she was having difficulty making mortgage payments and wanted to prevent foreclosure. This testimony explicitly contradicts allegations made in her civil complaint against Maricela and Marcorr (Complainant's Exhibit 8), and statements made in a letter signed by both Rizzo and Maricela,

dated August 14, 2008, notifying whomever it might concern that Rizzo was unable to continue making mortgage payments and that Rizzo was requesting a short sale.

12. Although complainant alleges that Rizzo paid Maricela \$450 for an appraisal in connection with the short sale, it was Soto who actually paid for an appraisal, and she paid the appraiser, not Maricela.

13. During the attempted short-sale transaction, Maria Rosas was Marcorr Corporation's designated officer. Rosas denied at hearing that she knew of the transaction.

14. Respondent Marcorr Corporation failed to submit a written agreement or solicitation for short sale services to the Department ten days before using it.

The Reyes Loan Modification

15. Elder Reyes, responding to a radio advertisement, contacted respondent Marcorr Corporation, doing business as Vancouver Realty, and asked Maricela Contreras to obtain a home loan modification for him. Maricela agreed to do so and, on October 29, 2008, collected an advance fee of \$3,000 from Reyes for loan modification services, in the form of a check made payable to Vancouver Realty. Marcorr did not furnish the Department with a written agreement for the loan modification services, nor did it furnish the Department with an accounting identifying a trust fund account into which the advance fee was deposited, a description of the services rendered, and the amounts allocated or disbursed from the advance fee. The advance fee was not, in fact, deposited in a trust account; it was deposited into Vancouver Realty's regular bank account, from which general business costs were paid.

16. Maricela eventually obtained a trial home loan modification from a bank, lowering Reyes's monthly payments from over \$2,000 to \$1,840 for several months. At some point, without Maricela having secured a permanent loan modification, Reyes sought a loan modification elsewhere and asked Maricela for a refund of the advance fee. She eventually refunded \$2,500 to Reyes, by check dated February 2, 2010; she kept \$500 as compensation for the services she had performed.

17. Respondent Jose Contreras testified at hearing that it was his mistake that Vancouver Realty asked for an advance fee. He acknowledged that there was no contract with Reyes for the loan modification, and that no accounting was provided to Reyes.

LEGAL CONCLUSIONS

1. Complainant bears the burden of proof. (*Parker v. City of Fountain Valley* (1981) 127 Cal.App.3d 99; *Pipkin v. Bd. of Supervisors* (1978) 82 Cal.App.3d 652.) The standard of proof is clear and convincing evidence to a reasonable certainty. (*Ettinger v. Bd. of Medical Quality Assurance* (1982) 135 Cal.App.3d 853.) Clear and convincing evidence means the evidence is "so clear as to leave no substantial doubt" and is "sufficiently strong to command the unhesitating assent of every reasonable mind." (*Mathieu v. Norrell Corp.* (2004)

115 Cal.App.4th 1174, 1190 [citing *Mock v. Michigan Millers Mutual Ins. Co.* (1992) 4 Cal.App.4th 306, 332-333].)

2. Any violation of licensing statutes and regulations may be cause for discipline against a licensee. (Bus. & Prof. Code, § 10085.) The Department may suspend or revoke a license where the licensee, in performing licensed acts, makes a substantial misrepresentation, makes false promises likely to influence, persuade, or induce, or engages in fraud or dishonest dealing. (Bus. & Prof. Code, § 10176, subds. (a), (b), (i).) The Department may suspend or revoke a license where the licensee has willfully disregarded or violated the Real Estate Law, demonstrated negligence or incompetence in performing licensed acts, or, “[a]s a broker licensee, failed to exercise reasonable supervision over the activities of his or her salespersons, or, as the officer designated by a corporate broker licensee, failed to exercise reasonable supervision and control of the activities of the corporation for which a real estate license is required.” (Bus. & Prof. Code, §10177, subds. (d), (g), (h).) The officer designated by a corporate broker licensee . . . shall be 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. (Bus. & Prof. Code, § 10159.2.)

3. An “advance fee” is a fee charged by a licensee for services requiring a license before the services are fully performed. (Bus. & Prof. Code, § 10026.) A person proposing to collect an advance fee must submit all materials to be used to solicit the advance-fee agreement to the Department 10 days before using those materials. (Bus. & Prof. Code, § 10085; Cal. Code Regs., title 10 (CCR), § 2970.) The materials shall not guaranty that a loan secured by real property will be obtained. (CCR, § 2970.) Any advance fees collected must be deposited in a trust account, and the licensee must provide a quarterly verified accounting of those funds to the principal. (Bus. & Prof. Code, § 10146; CCR, § 2972.)

4. Cause exists to suspend or revoke respondent Marcorr Corporation’s real estate licenses and license rights under Business and Professions Code sections 10176, subdivisions (a), (b), and (i), 10177, subdivisions (d) and (g), and 10085, and CCR section 2970, for the reasons set forth in Factual Findings 2 through 10 and 13 through 17, and Legal Conclusions 1 through 3.

5. Cause exists to suspend or revoke respondent Maricela Contreras’s real estate licenses and license rights under Business and Professions Code sections 10176, subdivisions (a), (b), and (i), 10177, subdivisions (d) and (g), and 10185, for the reasons set forth in Factual Findings 2 through 10 and 13 through 17, and Legal Conclusions 1 through 3.

6. Cause exists to suspend or revoke respondent Maria Rosas’s real estate licenses and license rights under Business and Professions Code section 10177, subdivisions (d), (g), and (h), for the reasons set forth in Factual Findings 2 through 10, 13, and 14, and Legal Conclusions 1 through 3.

7. Cause exists to suspend or revoke respondent Jose Contreras's real estate licenses and license rights under Business and Professions Code section 10177, subdivisions (d), (g), and (h), for the reasons set forth in Factual Findings 2 through 6, 8, and 15 through 17, and Legal Conclusions 1 through 3.

8. Under the circumstances of this case, respondents' violations warrant revocation of all licensing rights. The purpose of licensing proceedings is to protect the public. (*Hughes v. Board of Architectural Examiners* (1998) 17 Cal.4th 763, 785-786.) Respondent Maricela Contreras demonstrated a willingness to engage in multiple violations of the Real Estate Law, including making false promises, not placing trust funds in trust accounts, and engaging in fraudulent or dishonest conduct. The corporate licensee's designated officers, first Maria Rosas and then Jose Contreras, demonstrated a willingness to overlook, endorse, or participate in such conduct. And Jose Contreras and Maricela Contreras are both corporate officers of Marcorr Corporation. Rizzo, Soto, and Reyes all suffered harm as a result of respondents' acts, and the public would be placed at risk by respondents' continued licensure.

9. Although cause exists to order that respondents make restitution to Reyes in the amount of \$500, for the reasons set forth in Factual Findings 15 through 17, the Order revokes respondents' licenses rather than restricts them, and restitution may only be ordered as a condition of issuing a restricted license. Cause does not exist to order restitution to Rizzo and Soto, for the reasons set forth in Factual Findings 11 and 12.

ORDER

All licenses and licensing rights of respondent Marcorr Corporation under the Real Estate Law are revoked.

Real estate broker license no. B/01272826, and all real estate licenses and licensing rights of respondent Jose de Jesus Contreras, are revoked.

Real estate broker license no. B/00927625, and all real estate licenses and licensing rights of respondent Maria Eugenia Rosas, are revoked.

Real estate salesperson license no. S/01204600, and all real estate licenses and licensing rights of respondent Maricela Contreras, are revoked.

DATED: May 4, 2012



HOWARD W. COHEN
Administrative Law Judge
Office of Administrative Hearings

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FILED
MAY 23 2011
DEPARTMENT OF REAL ESTATE

By _____

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12) NO. H-37287 LA
13 MARCORR CORPORATION;)
14 JOSE DE JESUS CONTRERAS,) ACCUSATION
15 individually and as designated)
16 officer of Marcorr Corporation;)
17 MARIA EUGENIA ROSAS,)
18 individually and as former)
19 designated officer of Marcorr)
20 Corporation; and)
21 MARICELA CONTRERAS,)
22 Respondents.)

23 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State
24 of California, for cause of Accusation against MARCORR CORPORATION, JOSE DE JESUS
25 CONTRERAS, individually and as designated officer of Marcorr Corporation, MARIA
26 EUGENIA ROSAS, individually and as former designated officer of Marcorr Corporation, and
27 MARICELA CONTRERAS, (collectively "Respondents"), is informed and alleges as follows:

28 1.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State
of California, makes this Accusation in her official capacity.

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2.

Respondents MARCORR CORPORATION, JOSE DE JESUS CONTRERAS, MARIA EUGENIA ROSAS and MARICELA CONTRERAS are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code, "Code").

3.

From April 9, 2008 through the present, Respondent JOSE DE JESUS CONTRERAS has been licensed as a real estate broker and as the broker-officer of Respondent MARCORR CORPORATION.

4.

From September 27, 2004 through the present, Respondent MARCORR CORPORATION has been licensed as a real estate corporation. Respondent MARCORR CORPORATION is licensed to do business as MJB Mortgage and Vancouver Realty. From September 27, 2008 through the present, MARCORR CORPORATION has been acting by and through Respondent JOSE DE JESUS CONTRERAS as its designated broker-officer pursuant to Code Section 10159.2 to be responsible for ensuring compliance with the Real Estate Law.

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5.

From December 19, 1992 through the present, Respondent MARIA EUGENIA ROSAS has been licensed as a real estate broker. From September 27, 2004 through September 26, 2008, MARCORR CORPORATION was acting by and through Respondent MARIA EUGENIA ROSAS as its designated broker-officer pursuant to Code Section 10159.2 to be responsible for ensuring compliance with the Real Estate Law.

6.

From January 4, 1996 through the present, Respondent MARICELA CONTRERAS has been licensed as a real estate salesperson. From August 23, 2007 through July 29, 2008, Respondent MARICELA CONTRERAS was acting in the employ of real estate

1 broker Elite Home Loans, Inc. From July 30, 2008 through July 20, 2009, Respondent
2 MARICELA CONTRERAS was acting in the employ of Respondent MARCORR
3 CORPORATION.

4 7.

5 Respondent MARCORR CORPORATION is a California corporation.
6 Respondent JOSE DE JESUS CONTRERAS is the chief executive officer and a director of
7 MARCORR CORPORATION. Respondent MARICELA CONTRERAS is the chief financial
8 officer and agent for service of process for Respondent MARCORR CORPORATION.

9 8.

10 At all times mentioned herein, in the County of Los Angeles, Respondents
11 engaged in the business of a real estate broker conducting activities requiring a real estate license
12 within the meaning of Code Sections 10131(a), 10131(d), and 10131.2. Respondents engaged in
13 operating a residential resale, short sale, mortgage loan, advance fee and loan modification
14 service brokerage. For compensation or in expectation of compensation and for fees often
15 collected in advance, Respondents solicited prospective purchasers and sellers for short sales of
16 real property and solicited borrowers by offering to conduct negotiations and modifications in
17 connection with loan secured by real property.

18 FIRST CAUSE OF ACCUSATION
19 (Adolfo Lane property)

20 9.

21 In early 2008, Laura Rizzo ("Rizzo") was experiencing financial difficulties.
22 Rizzo was having difficulty making the mortgage payments on her home located at 12711
23 Adolfo Lane, Victorville, California 92392 ("Adolfo Lane property"). Respondent MARICELA
24 CONTRERAS, while working for Vancouver Realty, approached RIZZO and offered to assist
25 her by advising that Rizzo short sell the Adolfo Lane property. Rizzo followed MARICELA
26 CONTRERAS' advice and signed an exclusive listing agreement with MARICELA
27 CONTRERAS and Vancouver Realty for the short sale of the Adolfo Lane property.
28 Respondent MARICELA CONTRERAS charged and collected advance fees of \$3,000 from

1 Rizzo for the short sale of the Adolfo Lane property. Shortly thereafter, Respondent
2 MARICELA CONTRERAS informed Rizzo that she needed to pay \$2,500 in property taxes and
3 \$450 for an appraisal of the Adolfo Lane property. Rizzo gave Respondent MARICELA
4 CONTRERAS \$2,950 to pay the alleged delinquent property taxes for the Adolfo Lane property.
5 Rizzo did not receive a receipt for the \$2,950 she paid to Respondent MARICELA
6 CONTRERAS for the appraisal and payment of property taxes on the Adolfo Lane property.
7 Rizzo later discovered that Respondent MARICELA CONTRERAS never paid the property
8 taxes on the Adolfo Lane property. Despite Respondent MARICELA CONTRERAS'
9 assurances to Rizzo that she could short sell the Adolfo Lane property to Rizzo's daughter, the
10 Adolfo Lane property was foreclosed and sold by a trustee sale on February 6, 2009.
11 Respondent MARICELA CONTRERAS refused to refund either the \$3,000 advance fee or the
12 \$2,950 she collected from Rizzo.

13
14 10.

15 Respondent MARICELA CONTRERAS and Respondent MARCORR
16 CORPORATION, while doing business as Vancouver Realty, charged and collected the advance
17 fees described in Paragraph 9 above, for soliciting prospective sellers or purchasers of, obtaining
18 listings of or negotiating the purchase, sale or exchange of real property, which constitutes an
19 advance fee within the meaning of Code Section 10026.

20 11.

21 Respondent MARCORR CORPORATION failed to submit a written agreement
22 or any written solicitation for short sale services described in Paragraph 9 above, to the
23 Commissioner ten days before using it, in violation of Code Section 10085 and Regulation 2970.

24 12.

25 The conduct, acts and/or omissions of Respondent MARCORR CORPORATION,
26 as set forth above, are cause for the suspension or revocation of the licenses and license rights of
27 Respondent MARCORR CORPORATION pursuant to Code Sections 10085, 10177(d) and/or
28 10177(g).

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13.

The conduct, acts and/or omissions of Respondents MARICELA CONTRERAS and MARCORR CORPORATION as set forth in Paragraph 9 above, of making substantial misrepresentations and false promises in order to induce Rizzo to enter into an exclusive listing agreement with MARCORR CORPORATION and charge and collect \$5,950 in advance fees and payments from Rizzo, constitutes cause for the suspension or revocation of the licenses and license rights of Respondents MARICELA CONTRERAS and MARCORR CORPORATION pursuant to Code Sections 10176(a), 10176(b), 10176(i) and/or 10177(g).

SECOND CAUSE OF ACCUSATION

(Elder Reyes)

14.

There is hereby incorporated in this Second, separate Cause of Accusation, all of the allegations contained in Paragraphs 1 through 13, above, with the same force and effect as if herein fully set forth.

15.

Elder Reyes ("Reyes") was facing foreclosure of real property he owned. Reyes responded to a radio announcement for loan modification and negotiation services from Respondent MARCORR CORPORATION, while doing business as Vancouver Realty. Reyes spoke with Respondent MARICELA CONTRERAS who was acting on behalf of Respondent MARCORR CORPORATION. Respondent MARICELA CONTRERAS assured Reyes that she could obtain a loan modification for Reyes. On October 29, 2008, Respondent MARICELA CONTRERAS collected \$3,000 in advance fees from Reyes for Vancouver Realty's loan negotiation and modification services. Reyes did not obtain a loan modification through Vancouver Realty. Reyes requested a refund of the advance fees which Respondent MARICELA CONTRERAS refused. Reyes filed a complaint against Respondent MARICELA CONTRERAS and Vancouver Realty with the County of Los Angeles Department of Consumer Affairs. Thereafter, Respondent MARICELA CONTRERAS refunded \$2,500 to Reyes.

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16.

Respondent MARICELA CONTRERAS and Respondent MARCORR CORPORATION, while doing business as Vancouver Realty, charged and collected the advance fees described in Paragraph 15 above, for soliciting to perform loan negotiation and modification services for borrowers in connection with loans secured by real property, which constitutes an advance fee within the meaning of Code Section 10026.

17.

Respondent MARCORR CORPORATION failed to submit a written agreement or any written solicitation for loan negotiation or modification services described in Paragraph 14 above, to the Commissioner ten days before using it, in violation of Code Section 10085 and Regulation 2970.

18.

Respondent MARCORR CORPORATION failed to furnish a verified copy of accounting content which includes identification of the trust fund account into which the advance fee had been deposited, description of services rendered, the amount allocated or disbursed from the advance fee at the end of each calendar quarter and when the contract has been completely performed by the licensee, in violation of 10146 and Regulation 2972.

19.

The conduct, acts and/or omissions of Respondents MARCORR CORPORATION and MARICELA CONTRERAS, as set forth above, are cause for the suspension or revocation of the licenses and license rights of Respondents MARCORR CORPORATION and MARICELA CONTRERAS pursuant to Code Sections 10085, 10177(d) and/or 10177(g).

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THIRD CAUSE OF ACCUSATION
(Failure to Supervise)

20.

There is hereby incorporated in this Third, separate Cause of Accusation, all of the allegations contained in Paragraphs 1 through 19, above, with the same force and effect as if herein fully set forth.

21.

The conduct, acts and/or omissions of Respondents MARIA EUGENIA ROSAS and JOSE DE JESUS CONTRERAS, in allowing Respondent MARCORR CORPORATION to violate the Real Estate Law, as set forth above, constitutes a failure by Respondents MARIA EUGENIA ROSAS and JOSE DE JESUS CONTRERAS, as the officers designated by the corporate broker licensee, to exercise the supervision and control over the activities of Respondent MARCORR CORPORATION, as required by Code Section 10159.2, and is cause to suspend or revoke the real estate licenses and license rights of Respondents MARIA EUGENIA ROSAS and JOSE DE JESUS CONTRERAS under Code Sections 10177(d), 10177(g) and/or 10177(h).

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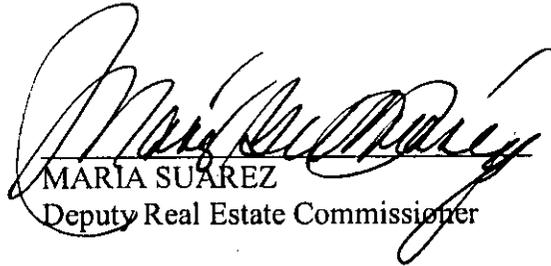
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1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
3 action against all licenses and/or license rights under the Real Estate Law (Part 1 of Division 4 of
4 the California Business and Professions Code) of Respondents MARCORR CORPORATION,
5 JOSE DE JESUS CONTRERAS, individually and as designated officer of Marcorr Corporation,
6 MARIA EUGENIA ROSAS, individually and as former designated officer of Marcorr
7 Corporation, and MARICELA CONTRERAS and for such other and further relief as may be
8 proper under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this 19 day of May, 2011.

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15 MARIA SUÁREZ
16 Deputy Real Estate Commissioner
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23 cc: Marcorr Corporation
24 Jose De Jesus Contreras
25 Maria Eugenia Rosas
26 Maricela Contreras
27 Sacto
28 Maria Suarez