

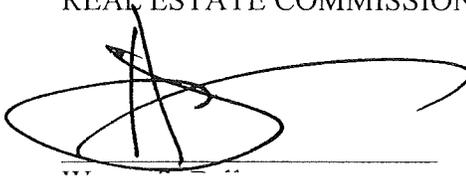
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to provide you with a hearing.

This Order shall be effective immediately.

DATED: May 19, 2013

REAL ESTATE COMMISSIONER

A handwritten signature in black ink, appearing to be "Jeffrey Mason", is written over a horizontal line. The signature is stylized and somewhat illegible.

By: Jeffrey Mason
Chief Deputy Commissioner

AC

FILED

JUN 29 2012

DEPARTMENT OF REAL ESTATE

BY: C. J.

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation) DRE No. H-37358 LA
) OAH No. 2011120690
C J FINANCIAL & CONSULTING, INC.;)
JOSH CULPEPPER, individually)
and as designated officer of)
C J Financial & Consulting, Inc.;)
and CHRISTOPHER ANTHONY ZARBO,)
)
Respondents.)

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On October 27, 2011, a First Amended Accusation was filed in this matter against Respondent C J FINANCIAL & CONSULTING, INC.

On May 4, 2012, Respondent petitioned the Commissioner to voluntarily surrender its corporate real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent C J FINANCIAL & CONSULTING, 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

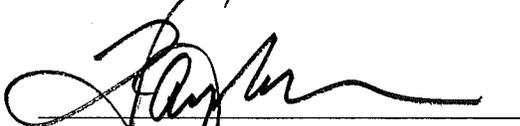
1 understanding and agreement expressed in Respondent's Declaration
2 dated May 4, 2012 (attached as Exhibit "A" hereto). Respondent's
3 license certificate(s), pocket card(s) and any branch office
4 license certificate(s) shall be sent to the below listed address
5 so that they reach the Department on or before the effective date
6 of this Order:

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

7
8
9
10 This Order shall become effective at 12 o'clock noon
11 on July 19, 2012.

12 DATED: 6/6, 2012.

13
14 Real Estate Commissioner

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16 By WAYNE S. BELL
17 Chief Counsel

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EXHIBIT "A"

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation)	DRE No. H-37358 LA
)	OAH No. L-2011120690
<u>C J FINANCIAL & CONSULTING, INC.</u> ;)	
JOSH CULPEPPER, individually)	
and as designated officer of)	
C J Financial & Consulting, Inc.;)	
and CHRISTOPHER ANTHONY ZARBO,)	
)	
Respondents.)	
)	

DECLARATION

My name is CHRISTOPHER ANTHONY ZARBO and I am currently an officer of C J FINANCIAL & CONSULTING, INC., which holds a corporation license and/or has license rights with respect to said license. I am authorized and empowered to sign this Declaration on behalf of C J FINANCIAL & CONSULTING, INC. I am acting on behalf of C J FINANCIAL & CONSULTING, INC. in this matter. C J FINANCIAL & CONSULTING, INC is represented in this matter by Karen L. Stevenson, Attorney at Law.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act

1 (Sections 11400 et seq., of the Government Code) C J FINANCIAL &
2 CONSULTING, INC. wishes to voluntarily surrender its real estate
3 license issued by the Department of Real Estate ("Department"),
4 pursuant to Business and Professions Code Section 10100.2.

5 I understand that C J FINANCIAL & CONSULTING, INC., by
6 so voluntarily surrendering its license, can only have it
7 reinstated in accordance with the provisions of Section 11522 of
8 the Government Code. I also understand that by so voluntarily
9 surrendering its license, C J FINANCIAL & CONSULTING, INC.
10 agrees to the following:

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

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

23 3. I further agree on behalf of C J FINANCIAL &
24 CONSULTING, INC. that upon acceptance by the Commissioner, as
25 evidenced by an appropriate order, all affidavits and all
26 relevant evidence obtained by the Department in this matter
27 prior to the Commissioner's acceptance, and all allegations
28 contained in the Accusation filed in the Department Case No.

1 H-37358 LA, may be considered by the Department to be true and
2 correct for the purpose of deciding whether or not to grant
3 reinstatement of C J FINANCIAL & CONSULTING, INC.'s license
4 pursuant to Government Code Section 11522.

5 4. C J FINANCIAL & CONSULTING, INC. freely and
6 voluntarily surrenders all licenses and license rights under the
7 Real Estate Law.

8 5. A copy of the Commissioner's Criteria of
9 Rehabilitation is attached hereto. If and when a petition
10 application is made for reinstatement of a surrendered license
11 or endorsement, the Real Estate Commissioner will consider as
12 one of the criteria of rehabilitation, whether or not
13 restitution has been made to any person who has suffered
14 monetary losses through "substantially related" acts or
15 omissions of Respondent, whether or not such persons are named
16 in the investigation file in this case.

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 C J
20 FINANCIAL & CONSULTING, INC. to surrender its license and all
21 license rights attached thereto, and that this declaration was
22 executed 5/4, 2012,
23 at LOS ANGELES, California.

24
25 _____
26 C J FINANCIAL & CONSULTING, INC.
27 By: Christopher Anthony Zarbo
28

FILED

JUN -6 2012

DEPARTMENT OF REAL ESTATE

BY: C.2

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation)	DRE No. H-37358 LA
)	OAH No. 2011120690
C J FINANCIAL & CONSULTING, INC.;)	
JOSH CULPEPPER, individually)	
and as designated officer of)	
C J Financial & Consulting, Inc.;)	
and <u>CHRISTOPHER ANTHONY ZARBO,</u>)	
)	
Respondents.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On October 27, 2011, a First Amended Accusation was filed in this matter against Respondent CHRISTOPHER ANTHONY ZARBO.

On May 4, 2012, Respondent petitioned the Commissioner to voluntarily surrender his real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent CHRISTOPHER ANTHONY ZARBO's petition for voluntary surrender of his real estate salesperson license is accepted as of the effective date

1 of this Order as set forth below, based upon the understanding
2 and agreement expressed in Respondent's Declaration dated
3 May 4, 2012, (attached as Exhibit "A" hereto). Respondent's
4 license certificate and pocket card shall be sent to the below
5 listed address so that they reach the Department on or before the
6 effective date of this Order:

7 Department of Real Estate
8 Attn: Licensing Flag Section
9 P.O. Box 187000
Sacramento, CA 95818-7000

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

12 DATED: May 29, 2012.

13
14 Real Estate Commissioner

15 
16 _____

17 By WAYNE S. BELL
18 Chief Counsel

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation) DRE No. H-37358 LA
) OAH No. L-2011120960
C J FINANCIAL & CONSULTING, INC.;)
JOSH CULPEPPER, individually)
and as designated officer of)
C J Financial & Consulting, Inc.;)
and CHRISTOPHER ANTHONY ZARBO,)
)
Respondents.)

DECLARATION

My name is CHRISTOPHER ANTHONY ZARBO, and I am currently licensed as a real estate salesperson and/or have license rights with respect to said license. I am represented by Karen L. Stevenson, Attorney at Law.

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), I wish to voluntarily surrender my real estate license issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

1 I understand that by so voluntarily surrendering my
2 license, I may be relicensed as a broker or as a salesperson
3 only by petitioning for reinstatement pursuant to Section 11522
4 of the Government Code. I also understand that by so
5 voluntarily surrendering my license, I agree to the following:

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

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

18 3. I further agree that upon acceptance by the
19 Commissioner, as evidenced by an appropriate order, all
20 affidavits and all relevant evidence obtained by the Department
21 in this matter prior to the Commissioner's acceptance, and all
22 allegations contained in the Accusation filed in the Department
23 Case No. H-37358 LA, may be considered by the Department to be
24 true and correct for the purpose of deciding whether to grant
25 relicensure or reinstatement pursuant to Government Code Section
26 11522.

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

1 5. A copy of the Commissioner's Criteria of
2 Rehabilitation is attached hereto. If and when a petition
3 application is made for reinstatement of a surrendered license
4 or endorsement, the Real Estate Commissioner will consider as
5 one of the criteria of rehabilitation, whether or not
6 restitution has been made to any person who has suffered
7 monetary losses through "substantially related" acts or
8 omissions of Respondent, whether or not such persons are named
9 in the investigation file in this case.
10

11 I declare under penalty of perjury under the laws of
12 the State of California that the above is true and correct and
13 that this declaration was executed 5/4, 2012,
14 at Los ANGELES, California.
15
16

17
18 _____
CHRISTOPHER ANTHONY ZARBO
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1 Department of Real Estate
2 320 West Fourth Street, #350
3 Los Angeles, California 90013

FILED

MAY -9 2012

4 (213) 576-6982

DEPARTMENT OF REAL ESTATE
BY: C. S.

5
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7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12) DRE NO. H-37358 LA
13 C J FINANCIAL & CONSULTING, INC.;) OAH NO. L-2011120960
14) JOSH CULPEPPER, individually and)
15 as designated officer of C J) STIPULATION AND AGREEMENT
16 Financial & Consulting, Inc.; and)
CHRISTOPHER ANTHONY ZARBO,)
Respondents.)

17 It is hereby stipulated by and between JOSH CULPEPPER
18 (sometimes referred to as "Respondent") and his attorney of
19 record, Karen L. Stevenson, and the Complainant, acting by and
20 through Lissete Garcia, Counsel for the Department of Real
21 Estate, as follows for the purpose of settling and
22 disposing of the First Amended Accusation filed on October 27,
23 2011, in this matter:

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

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

4 2. Respondent has received, read and understands the
5 Statement to Respondent, the Discovery Provisions of the APA and
6 the First Amended Accusation, filed by the Department of Real
7 Estate ("Department") in this proceeding.

8 3. On July 19, 2011, Respondent filed a Notice of
9 Defense pursuant to Section 11506 of the Government Code for the
10 purpose of requesting a hearing on the allegations in the
11 original Accusation. Respondent hereby freely and voluntarily
12 withdraws said Notice of Defense. Respondent acknowledges that
13 he understands that by withdrawing said Notice of Defense he will
14 thereby waive his right to require the Commissioner to prove the
15 allegations in the First Amended Accusation at a contested
16 hearing held in accordance with the provisions of the APA and
17 that he will waive other rights afforded to him in connection
18 with the hearing such as the right to present evidence in defense
19 of the allegations in the First Amended Accusation and the right
20 to cross-examine witnesses.

21 4. This Stipulation is based on the factual
22 allegations contained in the First Amended Accusation filed in
23 this proceeding. In the interest of expedience and economy,
24 Respondent chooses not to contest these factual allegations, but
25 to remain silent and understands that, as a result thereof, these
26 factual statements, will serve as a prima facie basis for the
27

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

4 5. This Stipulation and Respondent's decision not to
5 contest the First Amended Accusation are made for the purpose of
6 reaching an agreed disposition of this proceeding and are
7 expressly limited to this proceeding and any other proceeding or
8 case in which the Department, or another licensing agency of this
9 state, another state or if the federal government is involved and
10 otherwise shall not be admissible in any other criminal or civil
11 proceedings.

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

22 7. The Order or any subsequent Order of the Real
23 Estate Commissioner made pursuant to this Stipulation shall not
24 constitute an estoppel, merger or bar to any further
25 administrative or civil proceedings by the Department with
26 respect to any conduct which was not specifically alleged to be
27

1 causes for accusation in this proceeding.

2 DETERMINATION OF ISSUES

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

7 The conduct, acts and/or omissions of Respondent
8 JOSH CULPEPPER, as set forth in the First Amended Accusation,
9 constitute cause for the suspension or revocation of all the real
10 estate licenses and license rights of Respondent JOSH CULPEPPER
11 under the provisions of Sections 10177(d) and 10177(h) of the
12 Business and Professions Code ("Code") for violation of Code
13 Sections 10159.2 and 10159.5 and Section 2731 of Title 10,
14 Chapter 6, California Code of Regulations.

15 ORDER

16 WHEREFORE, THE FOLLOWING ORDER is hereby made:

17
18 All licenses and licensing rights of Respondent JOSH
19 CULPEPPER under the Real Estate Law are hereby revoked; provided,
20 however, a restricted real estate salesperson license shall be
21 issued to Respondent pursuant to Section 10156.5 of the Business
22 and Professions Code if Respondent makes application therefor and
23 pays to the Department of Real Estate the appropriate fee for the
24 restricted license within ninety (90) days from the effective
25 date of this Decision. The restricted license issued to
26 Respondent shall be subject to all of the provisions of Section
27 10156.7 of the Business and Professions Code and to the following

1 limitations, conditions and restrictions imposed under authority
2 of Section 10156.6 of that Code:

3 1. The restricted license issued to Respondent may be
4 suspended prior to hearing by Order of the Real Estate
5 Commissioner in the event of Respondent's conviction or plea of
6 nolo contendere to a crime which is substantially related to
7 Respondent's fitness or capacity as a real estate licensee.

8 2. The restricted license may be suspended prior to
9 hearing by Order of the Real Estate Commissioner on evidence
10 satisfactory to the Commissioner that Respondent has violated
11 provisions of the California Real Estate Law, the Subdivided
12 Lands Law, Regulations of the Real Estate Commissioner or
13 conditions attaching to the restricted license.

14 3. Respondent shall not be eligible for the issuance
15 of an unrestricted real estate license nor for the removal of any
16 of the conditions, limitations or restrictions of a restricted
17 license until at least three (3) years have elapsed from the
18 effective date of this Decision.

19 4. Respondent shall submit with any application for
20 license under an employing broker, or any application for
21 transfer to a new employing broker, a statement signed by the
22 prospective employing real estate broker on a form approved by
23 the Department of Real Estate which shall certify:

24 (a) That the employing broker has read the Decision
25 of the Commissioner which granted the right to a restricted
26 license; and
27

1 (b) That the employing broker will exercise close
2 supervision over the performance by the restricted licensee
3 relating to activities for which a real estate license is
4 required.

5 5. Respondent shall, within nine (9) months from the
6 effective date of this Decision, present evidence satisfactory to
7 the Real Estate Commissioner that Respondent has, since the most
8 recent issuance of an original or renewal real estate license,
9 taken and successfully completed the continuing education
10 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
11 for renewal of a real estate license. If Respondent fails to
12 satisfy this condition, the Commissioner may order the suspension
13 of the restricted license until the Respondent presents such
14 evidence. The Commissioner shall afford Respondent the
15 opportunity for a hearing pursuant to the Administrative
16 Procedures Act to present such evidence.

17 6. Respondent shall within six (6) months from the
18 effective date of this Decision, take and pass the Professional
19 Responsibility Examination administered by the Department
20 including the payment of the appropriate examination fee. If
21 Respondent fails to satisfy this condition, the Commissioner may
22 order suspension of Respondent's license until Respondent passes
23 the examination.

24 DATED: March 15, 2012


25 LISSETE GARCIA, Counsel for
26 the Department of Real Estate

27 * * *

1 I have read the Stipulation and Agreement, have
2 discussed it with my counsel, and its terms are understood by me
3 and are agreeable and acceptable to me. I understand that I am
4 waiving rights given to me by the California Administrative
5 Procedure Act (including but not limited to Sections 11506,
6 11508, 11509 and 11513 of the Government Code), and I willingly,
7 intelligently and voluntarily waive those rights, including the
8 right of requiring the Commissioner to prove the allegations in
9 the First Amended Accusation at a hearing at which I would have
10 the right to cross-examine witnesses against me and to present
11 evidence in defense and mitigation of the charges.

12 Respondent can signify acceptance and approval of the
13 terms and conditions of this Stipulation and Agreement by faxing
14 a copy of the signature page, as actually signed by Respondent,
15 to the Department at the following telephone/fax number: (213)
16 576-6917. Respondent agrees, acknowledges and understands that
17 by electronically sending to the Department a fax copy of his
18 actual signature as it appears on the Stipulation and Agreement,
19 that receipt of the faxed copy by the Department shall be as
20 binding on Respondent as if the Department had received the
21 original signed Stipulation and Agreement.

22 ///

23 ///

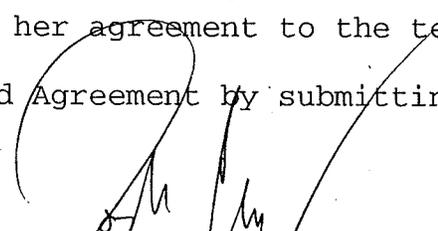
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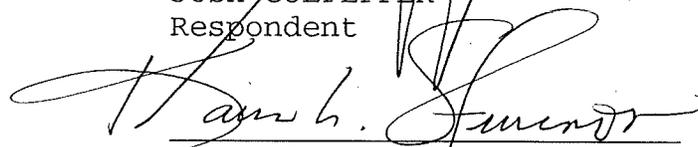
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1 Further, if the Respondent is represented by counsel,
2 the Respondent's counsel can signify her agreement to the terms
3 and conditions of the Stipulation and Agreement by submitting
4 that signature via fax.

5 DATED: 3/12/12


6 JOSH CULPEPPER
Respondent

7 DATED: 3/12/2012

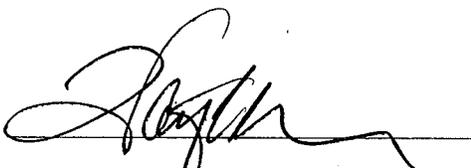

8 KAREN L. STEVENSON
9 Counsel for Respondent
Approved as to Form

10 * * *

11
12 The foregoing Stipulation and Agreement is hereby
13 adopted as my Decision in this matter, and shall become effective
14 at 12 o'clock noon on May 29, 2012.

15 IT IS SO ORDERED 4/22/2012

16
17 Real Estate Commissioner

18
19 
20 By WAYNE S. BELL
21 Chief Counsel

SAC

FILED
OCT 27 2011
DEPARTMENT OF REAL ESTATE

1 LISSETE GARCIA, Counsel (SBN 211552)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

By C-2

4 Telephone: (213) 576-6982
5 (Direct) (213) 576-6914

6
7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * * *

11 In the Matter of the Accusation)	No. H-37358 LA
)	
12 C J FINANCIAL & CONSULTING, INC.;)	<u>FIRST AMENDED</u>
13 JOSH CULPEPPER, individually)	<u>ACCUSATION</u>
and as designated officer of)	
14 C J Financial & Consulting, Inc.; and)	
15 CHRISTOPHER ANTHONY ZARBO,)	
)	
16 Respondents.)	

17
18 This First Amended Accusation amends the Accusation filed on June 27, 2011.
19 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California,
20 for cause of Accusation against C J FINANCIAL & CONSULTING, INC.
21 ("C J FINANCIAL"); JOSH CULPEPPER ("CULPEPPER"), individually and as designated
22 officer of C J Financial & Consulting, Inc.; and CHRISTOPHER ANTHONY ZARBO
23 ("ZARBO"), is informed and alleges as follows:

24 1.

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

27 ///

1 2.

2 From April 27, 2009, through the present, Respondent C J FINANCIAL has been
3 licensed or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and
4 Professions Code "Code"), as a real estate corporation (License No. 01861594) acting by and
5 through Respondent CULPEPPER as its designated broker-officer. At all times relevant herein,
6 Respondent C J FINANCIAL was not licensed to do business under any other fictitious business
7 name.

8 3.

9 From April 17, 2007, through the present, Respondent CULPEPPER has been
10 licensed or has license rights under the Real Estate Law as a real estate broker, License No.
11 01221305. From April 27, 2009, through the present, Respondent CULPEPPER, as the officer
12 designated by Respondent C J FINANCIAL, pursuant to Section 10211 of the Code, was
13 responsible for the supervision and control of the activities conducted on behalf of Respondent C
14 J FINANCIAL by its officers and employees as necessary to secure full compliance with the
15 Real Estate Law as set forth in Code Section 10159.2.

16 4.

17 From April 25, 2006, through the present, Respondent ZARBO has been licensed
18 or has license rights under the Real Estate Law as a real estate salesperson, License No.
19 01747323. From April 25, 2006, through August 16, 2006, Respondent ZARBO was licensed
20 under the employ of First Capital Financial Resources, Inc. From May 9, 2007, through
21 December 6, 2007, Respondent ZARBO was licensed under the employ of Synergy Mortgage
22 Solutions, Inc. From December 10, 2007, through October 9, 2008, Respondent ZARBO was
23 licensed under the employ of Mazlat, Inc. From June 26, 2009, through October 8, 2009,
24 Respondent ZARBO was licensed under the employ of Omni-Fund, Inc. Respondent ZARBO
25 was not licensed under the employ of any broker between October 9, 2009 and February 28,
26 2010. From March 11, 2010, through the present, Respondent ZARBO has been licensed under
27 the employ of Omni-Fund, Inc.

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5.

All further references to Respondents herein include Respondents C J FINANCIAL, CULPEPPER and ZARBO, and also include officers, directors, employees, agents and real estate licensees employed by or associated with C J FINANCIAL, CULPEPPER and ZARBO, and who at all times herein mentioned were engaged in the furtherance of the business or operations of Respondents C J FINANCIAL, CULPEPPER and ZARBO, and who were acting within the course and scope of their authority and employment.

FIRST CAUSE OF ACCUSATION

(Unlicensed Activity)

6.

At all times mentioned herein below, in the State of California, Respondents C J FINANCIAL and ZARBO, while doing business as CJ Financial & Consulting, LLC, ZG Consulting, Inc., First Premier Capital, FMX Consulting, Inc., FinancetoOwn.Net, National Housing Counselors and/or any other fictitious business names not known at this time, engaged in the business of soliciting borrowers to negotiate loans on real estate, claiming, demanding, charging, receiving, collecting or contracting for the collection of advance fees, within the meaning of Code Section 10026. Respondents offered to perform services in connection with loans secured by liens on real property for numerous borrowers including, but not limited to, the following:

	<u>Transaction Date</u>	<u>Borrower</u>	<u>Amount Collected</u>
1	09/16/2008	Victor M. Pinuelas	\$3,000
2	10/07/2008	Alicia G. & Gabriel Ramirez	\$6,000
3	10/08/2008	Teresa Zaras	\$1,500
4	11/12/2008	Antonio Cervantes	\$1,500
5	11/14/2008	Silvia Zulema Mendiola	\$1,500

6	11/18/2009	Victor & Irma Villapando	\$3,000
7	12/05/2008	Valerie Burks	\$900
8	01/13/2009	Jorge & Justina Romero	\$1,000
9	01/26/2009	Armando & Maria Herrera	\$2,500
10	01/30/2009	Jose Villareal, Jr.	\$6,000
11	02/02/2009	Farkhanda & Sidiq Awaz	\$4,500
12	03/06/2009	Fernie & Dora Montes de Oca	\$4,000
13	03/26/2009	Luz & Santos Mejia	\$2,500

7.

ZARBO owned, controlled or was the managing partner of the following unlicensed fictitious business entities: CJ Financial & Consulting, LLC, ZG Consulting, Inc., First Premier Capital, FMX Consulting, Inc., FinancetoOwn.Net, and National Housing Counselors.

8.

Respondents C J FINANCIAL and ZARBO collected the advance fees described in Paragraph 6, above, pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by Respondents with respect to a loan secured by the real property which constitutes an advance fee agreement within the meaning of Code Section 10085. Respondents made misrepresentations and false promises, such as promising to refund any unearned fees to borrowers, in order to induce the borrowers to enter into advance fee agreements.

9.

Respondent C J FINANCIAL was licensed by the Department as a real estate corporation on April 27, 2009. On or about May 11, 2009, the Department received an advance fee agreement with verified accounting format from Respondent C J FINANCIAL. On May 23, 2009, the Department sent a no-objection letter to C J FINANCIAL deeming the advance fee

1 agreement and verified accounting formation received on May 11, 2009 compliant. Respondents
2 C J FINANCIAL and ZARBO used written advance fee agreements and materials that had not
3 previously been submitted to the Commissioner for review as required from brokers under Code
4 Section 10085 and Regulation Section 2970, Title 10, Chapter 6, Code of Regulations
5 (“Regulations”), to solicit the prospective borrowers referred to in Paragraph 6, above.
6 Respondent CULPEPPER’s individual broker license number was listed on some of the advance
7 fee agreements for loan modification and negotiation services used under the name of the
8 unlicensed entities listed in paragraph 7.

9 10.

10 Respondents C J FINANCIAL and ZARBO were not licensed as real estate
11 brokers at the time that they engaged in the activities described in Paragraphs 6 through 9, above,
12 which require a real estate license under Code Sections 10131(d) and 10131.2, in violation of
13 Code Section 10130.

14 11.

15 The conduct, acts and/or omissions of Respondents C J FINANCIAL and
16 ZARBO, as set forth in Paragraphs 6 through 9, above, violate Code Section 10130, and are
17 cause for the suspension or revocation of the licenses and license rights of Respondents C J
18 FINANCIAL and ZARBO pursuant to Code Sections 10177(d), 10177(j) and/or 10177(g).

19 SECOND CAUSE OF ACCUSATION

20 (Unlicensed Activity/Employment or Compensation of Unlicensed Persons)

21 12.

22 There is hereby incorporated in this Second, separate and distinct Cause of
23 Accusation, all of the allegations contained in Paragraphs 1 through 11, with the same force and
24 effect as if herein fully set forth.

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13.

Code Section 10137 states that no real estate salesperson shall be employed by or accept compensation from any person other than the broker under whom he or she is at the time licensed.

14.

ZARBO while doing business under C J FINANCIAL and/or the unlicensed entities listed in paragraph 7 above, accepted compensation for activities that required a broker license or a real estate salesperson license under the employ of a licensed broker. In addition, ZARBO compensated the following unlicensed individuals, among others, to perform activities requiring a real estate license:

1. Humberto Cuevas
2. Jay Davis
3. Melissa Escobar
4. Jacqueline Garcia
5. Sergio Gomez
6. Andres Gonzalez
7. David Janssen
8. Beatrice Landaverde
9. Ramiro Martinez
10. Angelina M. Montoya
11. Fabiola G. Padilla
12. Diana Ortiz
13. David Perez
14. Monica Perez
15. Omar Segura
16. Edward Vazquez
17. Jodi Tyrcha Gonzalez

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15.

The conduct, acts and/or omissions of Respondent ZARBO, as set forth in Paragraph 14, above, violate Code Section 10137, and are cause for the suspension or revocation of the licenses and license rights of Respondent ZARBO pursuant to Code Sections 10137, 10177(d) and/or 10177(g).

THIRD CAUSE OF ACCUSATION

(Use of Unlicensed Fictitious Name)

16.

There is hereby incorporated in this Third, separate and distinct Cause of Accusation, all of the allegations contained in Paragraphs 1 through 15, with the same force and effect as if herein fully set forth.

17.

The Department does not issue real estate corporation licenses to limited liability companies. On February 17, 2009, the Department received an application for a real estate corporation license from Respondent C J FINANCIAL. Said application stated that Respondent C J FINANCIAL was a corporation with California Secretary of State Identification Number C3127717. Respondent ZARBO was listed as the CEO and President, Jodi Tyrcha Gonzalez was listed as the COO and Secretary, and Respondent CULPEPPER was listed as the Vice President and managing officer of C J FINANCIAL. Respondent CULPEPPER certified under penalty of perjury that the answers and statements given in said application were true and correct.

18.

Respondents C J FINANCIAL, CULPEPPER and ZARBO used the unlicensed fictitious names "C J Financial & Consulting, LLC" with Secretary of State Identification number 200824610203 and "ZG Consulting, Inc." with Secretary of State Identification number C3127717 to solicit and engage in activities requiring a real estate license. Both C J Financial & Consulting, LLC and ZG Consulting, Inc. have listed their entity addresses as 500 North Central

1 Avenue, Suite 250, Glendale, California 91203. Respondent ZARBO is the agent for service of
2 process for ZG Consulting, Inc. Respondents C J FINANCIAL and CULPEPPER never notified
3 the Department about any change in C J FINANCIAL's name or identification number with the
4 Secretary of State.

5 19.

6 Respondents C J FINANCIAL, CULPEPPER and ZARBO used unlicensed
7 fictitious business names including, but not limited to, "CJ Financial & Consulting, LLC," "ZG
8 Consulting, Inc." and "First Premier Capital Lending" to engage in activities requiring the
9 issuance of a real estate license, in violation of Code Section 10159.5 and Regulation Section
10 2731, which constitutes cause to suspend or revoke the real estate licenses and license rights of
11 Respondents C J FINANCIAL and CULPEPPER under Code Sections 10177(h), 10177(d)
12 and/or 10177(g).

13 FOURTH CAUSE OF ACCUSATION

14 (Office Abandonment)

15 20.

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

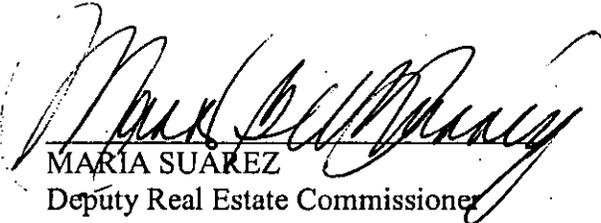
19 21.

20 The current business address and mailing address maintained by Respondent C J
21 FINANCIAL with the Department is 500 North Central Avenue, Suite 250, Glendale, California
22 91203. Respondent C J FINANCIAL is no longer located at this address nor have Respondents
23 C J FINANCIAL or CULPEPPER informed the Real Estate Commissioner of any new address
24 nor is Respondent presently maintaining any definite place of business in the State of California
25 which shall serve as its office for the transaction of business requiring a real estate license.

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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 and license rights of Respondents C J FINANCIAL & CONSULTING, INC.; JOSH CULPEPPER, individually and as designated officer of C J Financial & Consulting, Inc.; and CHRISTOPHER ANTHONY ZARBO 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 25th day of October, 2011.


MARIA SUAREZ
Deputy Real Estate Commissioner

cc: C J Financial & Consulting, Inc.
Josh Culpepper
Christopher Anthony Zarbo
Holly Fujie, Esq.
Omni-Fund, Inc.
Maria Suarez
Sacto.

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2.

From April 27, 2009, through the present, Respondent C J FINANCIAL has been licensed or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code "Code"), as a real estate corporation acting by and through Respondent CULPEPPER as its designated broker-officer. At all times relevant herein, Respondent C J FINANCIAL was not licensed to do business under any other fictitious business name.

3.

From April 17, 2007, through the present, Respondent CULPEPPER has been licensed or has license rights under the Real Estate Law as a real estate broker. From April 27, 2009, through the present, Respondent CULPEPPER, as the officer designated by Respondent C J FINANCIAL, pursuant to Section 10211 of the Code, was responsible for the supervision and control of the activities conducted on behalf of Respondent C J FINANCIAL by its officers and employees as necessary to secure full compliance with the Real Estate Law as set forth in Code Section 10159.2.

4.

From April 25, 2006, through the present, Respondent ZARBO has been licensed or has license rights under the Real Estate Law as a real estate salesperson. From April 25, 2006, through August 15, 2006, Respondent ZARBO was licensed under the employ of First Capital Financial Resources, Inc. From May 9, 2007, through December 5, 2007, Respondent ZARBO was licensed under the employ of Synergy Mortgage Solutions, Inc. From December 10, 2007, through October 9, 2008, Respondent ZARBO was licensed under the employ of Mazlat, Inc. From June 26, 2009, through October 8, 2009, Respondent ZARBO was licensed under the employ of Omni-Fund, Inc. Respondent ZARBO was not licensed under the employ of any broker between October 9, 2009 and March 1, 2010. From March 1, 2010, through the present, Respondent ZARBO has been licensed under the employ of Omni-Fund, Inc.

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5.

All further references to Respondents herein include Respondents C J FINANCIAL, CULPEPPER and ZARBO, and also include officers, directors, employees, agents and real estate licensees employed by or associated with C J FINANCIAL, CULPEPPER and ZARBO, and who at all times herein mentioned were engaged in the furtherance of the business or operations of Respondents C J FINANCIAL, CULPEPPER and ZARBO, and who were acting within the course and scope of their authority and employment.

FIRST CAUSE OF ACCUSATION

(Unlicensed Activity)

6.

At all times mentioned herein below, in the State of California, Respondents C J FINANCIAL and ZARBO, while doing business as CJ Financial & Consulting, LLC, ZG Consulting, Inc., First Premier Capital, First Premier Capital LLC, First Premier Capital Lending, FMX Consulting, Inc., Saveyourhome.com, FinancetoOwn.Net, National Housing Counselors, Certified Protection Group of America, Certified Financial Protection Group and/or any other fictitious business names not known at this time, engaged in the business of soliciting borrowers to negotiate loans on real estate, claiming, demanding, charging, receiving, collecting or contracting for the collection of advance fees, within the meaning of Code Section 10026, including, but not limited to, the following loan activities with respect to loans which were secured by liens on real property:

	<u>Transaction Date</u>	<u>Borrower</u>	<u>Amount Collected</u>
1	01/06/2008	Jorge & Justina Romero	\$1,000
2	07/30/2008	Glenda Wilson	\$1,500
3	09/11/2008	Marvin Randall Arnston	\$3,000
4	09/11/2008	Romelia Hidalgo	\$1,500

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5	09/16/2008	Victor M. Pinuelas	\$3,000
6	09/18/2008	Christie Zeen	\$1,500
7	09/22/2008	Paul & Linda M. Ruiz	\$1,500
8	10/04/2008	Palicarpia Paula Rodriguez	\$3,000
9	10/07/2008	Alicia G. & Gabriel Ramirez	\$6,000
10	10/08/2008	Jessica & David Villegas	\$1,500
11	10/08/2008	Teresa Zaras	\$1,500
12	10/10/2008	Marisol Segovia	\$1,500
13	10/14/2008	Lazaro R. Arteaga	\$3,000
14	10/18/2008	Martha Bautista	\$1,500
15	10/27/2008	Alexander Wain	\$1,500
16	10/28/2008	Josefina Garcia-Magdalen	\$1,500
17	10/30/2008	Oscar Cespedes	\$1,500
18	10/31/2008	Maria Lourdes Guzman	\$3,000
19	11/02/2008	James C. Zammiello	\$4,500
20	11/06/2008	Guillermo Guevara	\$1,500
21	11/12/2008	Antonio Cervantes	\$1,500
22	11/14/2008	Silvia Zulema Mendiola	\$1,500
23	11/18/2009	Victor & Irma Villapando	\$3,000
24	11/28/2008	Oscar Boyerman	\$1,500
25	12/04/2008	Isabel Reynoso	\$1,500
26	12/05/2008	Andrew Gilmor	\$1,500
27	12/05/2008	Valerie Burks	\$900

1	28	12/05/2008	Cesar & Noelia Perez	\$1,500
2	29	12/09/2008	Tina Saravan	\$1,500
3	30	12/15/2008	Humberto Nunez	\$3,000
4	31	12/31/2008	Oscar L. Maldonado	\$6,000
5	32	01/13/2009	Jorge & Justina Romero	\$1,000
6	33	01/26/2009	Armando & Maria Herrera	\$2,500
7	34	01/27/2009	Evel Zepeda Valenzuela	\$2,000
8	35	01/30/2009	Jose Villareal, Jr.	\$6,000
9	36	02/02/2009	Farkhanda & Sidiq Awaz	\$4,500
10	37	02/12/2009	Victor & Claudia Villa	\$2,000
11	38	02/26/2009	Josephina & Cristino Quezada	\$2,000
12	39	03/01/2009	Julia Rios	\$2,000
13	40	03/06/2009	Fernie & Dora Montes de Oca	\$4,000
14	41	03/10/2009	Steven Squires & Barbara Carrillo	\$2,000
15	42	03/26/2009	Luz & Santos Mejia	\$2,500
16	43	03/29/2009	Keith Archibald	\$2,000

7.

Respondents C J FINANCIAL and ZARBO collected the advance fees described in Paragraph 6, above, pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by Respondents with respect to a loan secured by the real property which constitutes an advance fee agreement within the meaning of Code Section 10085. Respondents made misrepresentations and false promises, such as

1 promising to refund any unearned fees to borrowers, in order to induce the borrowers to enter
2 into advance fee agreements.

3 8.

4 Respondents C J FINANCIAL and ZARBO were not licensed as real estate
5 brokers at the time that they engaged in the activities described in Paragraphs 6 and 7, above,
6 which require a real estate license under Code Sections 10131(d) and 10131.2, in violation of
7 Code Section 10130.

8 9.

9 The conduct, acts and/or omissions of Respondents C J FINANCIAL and
10 ZARBO, as set forth in Paragraphs 6 through 8, above, violate Code Section 10130, and are
11 cause for the suspension or revocation of the licenses and license rights of Respondents
12 C J FINANCIAL and ZARBO pursuant to Code Sections 10177(d), 10177(j) and/or 10177(g).

13 SECOND CAUSE OF ACCUSATION

14 (Advance Fee Violation)

15 10.

16 There is hereby incorporated in this Second, separate and distinct Cause of
17 Accusation, all of the allegations contained in Paragraphs 1 through 9, with the same force and
18 effect as if herein fully set forth.

19 11.

20 Respondent C J FINANCIAL was licensed by the Department as a real estate
21 corporation on April 27, 2009. On or about May 11, 2009, the Department received an advance
22 fee agreement with verified accounting format from Respondent C J FINANCIAL. On May 23,
23 2009, the Department sent a no-objection letter to C J FINANCIAL deeming the advance fee
24 agreement and verified accounting formation received on May 11, 2009 compliant. Respondents
25 C J FINANCIAL and CULPEPPER failed to submit the written agreement and all material used
26 in soliciting prospective borrowers referred to in Paragraph 6, above, to the Commissioner ten
27

1 days before using it, in violation of Code Section 10085 and Regulation Section 2970, Title 10,
2 Chapter 6, Code of Regulations ("Regulations").

3 12.

4 The conduct, acts and/or omissions of Respondents C J FINANCIAL and
5 CULPEPPER as set forth above, are cause for the suspension or revocation of the licenses and
6 license rights of Respondents pursuant to Code Sections 10085, 10177(d) and/or 10177(g).

7 THIRD CAUSE OF ACCUSATION

8 (Unlicensed Activity/Employment or Compensation of Unlicensed Persons)

9 13.

10 There is hereby incorporated in this Third, separate and distinct Cause of
11 Accusation, all of the allegations contained in Paragraphs 1 through 12, with the same force and
12 effect as if herein fully set forth.

13 14.

14 ZARBO was employed by and/or accepted compensation from a person other
15 than the broker under whom he was at the time licensed. In addition, ZARBO compensated the
16 following unlicensed individuals, among others, to perform activities requiring a license:

- 17 1. Humberto Cuevas
- 18 2. Jay Davis
- 19 3. Melissa Escobar
- 20 4. Jacqueline Garcia
- 21 5. Sergio Gomez
- 22 6. Andres Gonzalez
- 23 7. David Janssen
- 24 8. Beatrice Landaverde
- 25 9. Ramiro Martinez
- 26 10. Angelina M. Montoya
- 27 11. Fabiola G. Padilla

1 Respondent CULPEPPER certified under penalty of perjury that the answers and statements
2 given in said application were true and correct.

3 18.

4 Respondents C J FINANCIAL, CULPEPPER and ZARBO used the unlicensed
5 fictitious names "C J Financial & Consulting, LLC" with Secretary of State Identification
6 number 200824610203 and "ZG Consulting, Inc." with Secretary of State Identification number
7 C3127717 to solicit and engage in activities requiring a real estate license. Both C J Financial &
8 Consulting, LLC and ZG Consulting, Inc. have listed their entity addresses as 500 North Central
9 Avenue, Suite 250, Glendale, California 91203. Respondent ZARBO is the agent for service of
10 process for ZG Consulting, Inc. Respondents never notified the Department about any change in
11 C J FINANCIAL's name or identification number with the Secretary of State.

12 19.

13 Respondents C J FINANCIAL, CULPEPPER and ZARBO used unlicensed
14 fictitious business names including, but not limited to, "CJ Financial & Consulting, LLC," "ZG
15 Consulting, Inc." and "First Premier Capital Lending" to engage in activities requiring the
16 issuance of a real estate license, in violation of Code Section 10159.5 and Regulation Section
17 2731, which constitutes cause to suspend or revoke the real estate licenses and license rights of
18 Respondents C J FINANCIAL and CULPEPPER under Code Sections 10177(h), 10177(d)
19 and/or 10177(g).

20 FIFTH CAUSE OF ACCUSATION

21 (Failure to Supervise)

22 20.

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

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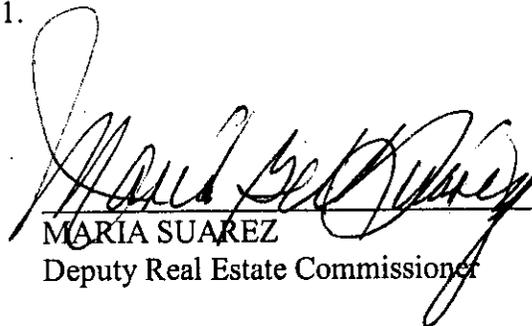
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The conduct, acts and/or omissions, of Respondent CULPEPPER, in allowing Respondent C J FINANCIAL to violate the Real Estate Law, as set forth above, constitutes a failure by Respondent CULPEPPER, as the officer designated by a corporate broker licensee, to exercise the supervision and control over the activities of Respondent C J FINANCIAL, as required by Code Section 10159.2, and is cause to suspend or revoke the real estate licenses and license rights of Respondent CULPEPPER under Code Sections 10177(h), 10177(d) and/or 10177(g).

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 and license rights of Respondents C J FINANCIAL & CONSULTING, INC.; JOSH CULPEPPER, individually and as designated officer of C J Financial & Consulting, Inc.; and CHRISTOPHER ANTHONY ZARBO 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 27th day of June, 2011.


MARIA SUAREZ
Deputy Real Estate Commissioner

cc: C J Financial & Consulting, Inc.
Josh Culpepper
Christopher Anthony Zarbo
Omni-Fund, Inc.
Maria Suarez
Sacto.