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**FILED**

1 Department of Real Estate  
2 320 W. 4<sup>TH</sup> Street, Suite 350  
3 Los Angeles, CA 90013-1105

JUL 24 2012

4 Telephone: (213) 576-6982

DEPARTMENT OF REAL ESTATE  
BY: Guadalupe Valencia

5  
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8  
9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of )  
13 GREAT CAPITAL MORTGAGE INC, )  
14 and ISAIAS MARTINEZ, individually )  
15 and as former designated officer )  
16 of Great Capital Mortgage Inc, )  
17 Respondents. )

No. H-37538 LA  
2011110924

STIPULATION  
AND  
AGREEMENT

18 It is hereby stipulated by and between ISAIAS MARTINEZ,  
19 represented by Joshua A. Rosenthal, Esq. and the Complainant,  
20 acting by and through James A. Demus, Counsel for the Department  
21 of Real Estate, as follows for the purpose of settling and  
22 disposing of the Accusation filed on September 16, 2011, in this  
23 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 Accusation, which hearing was to be  
27 held in accordance with the provisions of the Administrative

1 Procedure Act ("APA"), shall instead and in place thereof be  
2 submitted solely on the basis of the provisions of this  
3 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 Accusation filed by the Department of Real Estate in this  
7 proceeding.

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

20           4. This Stipulation is based on the factual  
21 allegations contained in the Accusation. In the interest of  
22 expedience and economy, Respondent chooses not to contest these  
23 allegations, but to remain silent and understands that, as a  
24 result thereof, these factual allegations, without being admitted  
25 or denied, will serve as a prima facie basis for the disciplinary  
26 action stipulated to herein. The Real Estate Commissioner shall  
27 not be required to provide further evidence to prove said factual

1 allegations.

2           5. This Stipulation is made for the purpose of  
3 reaching an agreed disposition of this proceeding and is  
4 expressly limited to this proceeding and any other proceeding or  
5 case in which the Department of Real Estate ("Department"), the  
6 state or federal government, or any agency of this state, another  
7 state or federal government is a party.

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

18           7. The Order or any subsequent Order of the Real  
19 Estate Commissioner made pursuant to this Stipulation shall not  
20 constitute an estoppel, merger or bar to any further  
21 administrative or civil proceedings by the Department of Real  
22 Estate with respect to any matters which were not specifically  
23 alleged to be causes for Accusation in this proceeding but do  
24 constitute a bar, estoppel and merger as to any allegations  
25 actually contained in the Accusation against Respondents herein.

26           8. Respondent understands that by agreeing to this  
27 Stipulation, Respondents agrees to pay, pursuant to Business and

1 Professions Code Section 10148, the cost of the audit which led  
2 to this disciplinary action. The amount of said cost is \$3,969.

3 9. Respondent has received, read, and understand the  
4 "Notice Concerning Costs of Subsequent Audit." Respondent  
5 further understands that by agreeing to this Stipulation, the  
6 findings set forth below in the Determination of Issues become  
7 final, and the Commissioner may charge Respondent for the cost of  
8 any subsequent audit conducted pursuant to Business and  
9 Professions Code Section 10148 to determine if the violations  
10 have been corrected. The maximum cost of the subsequent audit  
11 will not exceed \$3,969.

12 DETERMINATION OF ISSUES

13 By reason of the foregoing, it is stipulated and agreed  
14 that the following determination of issues shall be made:

15 I.

16 The conduct of ISAIAS MARTINEZ as described in  
17 Paragraph 3, hereinabove, is in violation of Business and  
18 Professions Code ("Code") Sections 10085, 10145, 10146, 10148,  
19 10160 and 10176(e) and provides a basis for discipline of his  
20 license and license rights pursuant to Code Sections 10176(e),  
21 10177(d) and 10177(g).

22 ORDER

23 WHEREFORE, THE FOLLOWING ORDER is hereby made:

24 I.

25 All licenses and licensing rights of Respondent  
26 ISAIAS MARTINEZ under the Real Estate Law are suspended for a  
27 period of ninety (90) days from the effective date of this

1 Decision; provided, however, that sixty (60) days of said  
2 suspension, shall be stayed for two (2) years upon the following  
3 terms and conditions:

4 A.

5 1. Respondent shall obey all laws, rules and  
6 regulations governing the rights, duties and responsibilities of  
7 a real estate licensee in the State of California; and

8 2. That no final subsequent determination be made,  
9 after hearing or upon stipulation that cause for disciplinary  
10 action occurred within two (2) years of the effective date of  
11 this Decision. Should such a determination be made, the  
12 Commissioner may, in his discretion, vacate and set aside the  
13 stay order and reimpose all or a portion of the stayed  
14 suspension. Should no such determination be made, the stay  
15 imposed herein shall become permanent.

16 B.

17 If Respondent petitions, an additional thirty (30) days  
18 shall be stayed upon condition that:

19 1. Respondent pays a monetary penalty pursuant to  
20 Section 10175.2 of the Code at the rate of \$50 for each day of  
21 the suspension for a total monetary penalty of \$1,500.

22 2. Said payment shall be in the form of a cashier's  
23 check or certified check made payable to the Recovery Account of  
24 the Real Estate Fund. Said check must be received by the  
25 Department prior to the effective date of the Decision in this  
26 matter.



1 receiving an invoice from the Commissioner detailing the  
2 activities performed during the audit and the amount of time  
3 spent performing those activities. The Commissioner may, in his  
4 discretion, vacate and set aside the stay order, if payment is  
5 not timely made as provided for herein, or as provided for in a  
6 subsequent agreement between the Respondent and the Commissioner.  
7 The vacation and the set aside of the stay shall remain in effect  
8 until payment is made in full, or until Respondent enters into an  
9 agreement satisfactory to the Commissioner to provide for  
10 payment.

11 III.

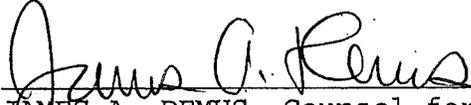
12 Respondent ISAIAS MARTINEZ shall within six (6) months  
13 from the effective date of the Decision herein, take and pass the  
14 Professional Responsibility Examination administered by the  
15 Department including the payment of the appropriate examination  
16 fee. If Respondent ISAIAS MARTINEZ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

20 IV.

21 All licenses and licensing rights of Respondent ISAIAS  
22 MARTINEZ are indefinitely suspended unless or until Respondent  
23 provides proof satisfactory to the Commissioner, of having taken  
24 and successfully completed the continuing education course on  
25 trust fund accounting and handling specified in paragraph (3) of  
26 subdivision (a) of Section 10170.5 of the Business and  
27 Professions Code. Proof of satisfaction of this requirement

1 includes evidence that respondent has successfully completed the  
2 trust fund account and handling continuing education course  
3 within 120 days prior to the effective date of the Decision in  
4 this matter.

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6  
7 DATED: 6/29/12

  
8 JAMES A. DEMUS, Counsel for  
the Department of Real Estate

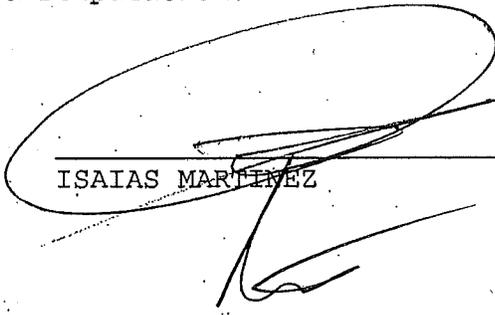
9  
10 EXECUTION OF THE STIPULATION

11 I have read the Stipulation and discussed it with my  
12 counsel. Its terms are understood by me and are agreeable and  
13 acceptable to me. I understand that I am waiving rights given to  
14 me by the California Administrative Procedure Act (including but  
15 not limited to Sections 11506, 11508, 11509 and 11513 of the  
16 Government Code), and I willingly, intelligently and voluntarily  
17 waive those rights, including the right of requiring the  
18 Commissioner to prove the allegations in the Accusation at a  
19 hearing at which I would have the right to cross-examine  
20 witnesses against me and to present evidence in defense and  
21 mitigation of the charges.

22 Respondent can signify acceptance and approval of the  
23 terms and conditions of this Stipulation by faxing a copy of its  
24 signature page, as actually signed by Respondent, to the  
25 Department at the following telephone/fax number: James A. Demus  
26 at (213) 576-6917. Respondent agrees, acknowledges and  
27 understands that by electronically sending to the Department a

1 ~~fax copy of Respondent's actual signature, as it appears on the~~  
2 Stipulation, that receipt of the faxed copy by the Department  
3 shall be as binding on Respondent as if the Department had  
4 received the original signed Stipulation.

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7 DATED: 06/26/2012

  
ISAIAS MARTINEZ

8  
9  
10 DATED: 0126112

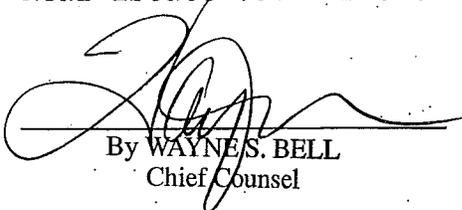
JOSHUA A. ROSENTHAL  
Attorney for Respondent

\* \* \*

11  
12  
13  
14 The foregoing Stipulation and Agreement is hereby  
15 adopted as my Decision as to Respondent ISAIAS MARTINEZ and shall  
16 become effective at 12 o'clock noon on AUG 23 2012,  
17 2012.

18 IT IS SO ORDERED 7/18/, 2012.

19 Real Estate Commissioner

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22   
By WAYNE S. BELL  
Chief Counsel

5/20/10  
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**FILED**

JUL 24 2012

DEPARTMENT OF REAL ESTATE  
BY: *Guadalupe Alvarez*

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

n the Matter of the Accusation of	)	
	)	
<u>GREAT CAPITAL MORTGAGE INC; and</u>	)	NO. H-37538 LA
<u>ISAIAS MARTINEZ, individually and</u>	)	2011110924
as former designated officer of	)	
Great Capital Mortgage Inc,	)	
	)	
Respondents,	)	
	)	
	)	
	)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On September 16, 2011, an Accusation was filed in this matter against Respondents GREAT CAPITAL MORTGAGE INC and ISAIAS MARTINEZ.

On June 26, 2012, Respondent GREAT CAPITAL MORTGAGE INC 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 GREAT CAPITAL MORTGAGE INC's petition for voluntary surrender of its corporate real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding

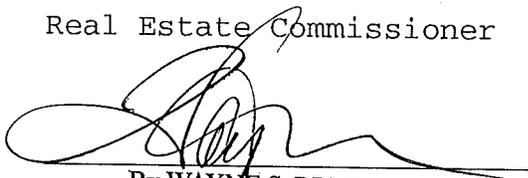
1 and agreement expressed in Respondent's Declaration dated June  
2 26, 2012 (attached as Exhibit "A" hereto). Respondent's license  
3 certificate(s), pocket card(s) and any branch office license  
4 certificate(s) shall be sent to the below listed address so that  
5 they reach the Department on or before the effective date of this  
6 Order:

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

10 This Order shall become effective at 12 o'clock noon  
11 on **AUG 13 2012**

12 DATED: 7/18/2012

14 Real Estate Commissioner

15   
16 By WAYNE S. BELL  
17 Chief Counsel

27



1 I understand that ~~GREAT CAPITAL MORTGAGE INC~~, by so  
2 voluntarily surrendering its license, can only have it reinstated  
3 in accordance with the provisions of Section 11522 of the  
4 Government Code. I also understand that by so voluntarily  
5 surrendering its license, GREAT CAPITAL MORTGAGE INC agrees to  
6 the following:

7 The filing of this Declaration shall be deemed as its  
8 petition for voluntary surrender. It shall also be deemed to be  
9 an understanding and agreement by GREAT CAPITAL MORTGAGE INC that  
10 it waives all rights it has to require the Commissioner to prove  
11 the allegations contained in the Accusation filed in this matter  
12 at a hearing held in accordance with the provisions of the  
13 Administrative Procedure Act (Government Code Sections 11400 et  
14 seq.), and that it also waives other rights afforded to it in  
15 connection with the hearing such as the right to discovery, the  
16 right to present evidence in defense of the allegations in the  
17 Accusation and the right to cross-examine witnesses. I further  
18 agree on behalf of GREAT CAPITAL MORTGAGE INC that upon  
19 acceptance by the Commissioner, as evidenced by an appropriate  
20 order, all affidavits and all relevant evidence obtained by the  
21 Department in this matter prior to the Commissioner's acceptance,  
22 and all allegations contained in the Accusation filed in the  
23 Department Case No. H-37538 LA, may be considered by the  
24 Department to be true and correct for the purpose of deciding  
25 whether or not to grant reinstatement of GREAT CAPITAL MORTGAGE  
26 INC's license pursuant to Government Code Section 11522.

27

1 I agree to pay the Commissioner's reasonable cost for  
2 the audit which led to this action. In calculating the amount of  
3 the Commissioner's reasonable cost, the Commissioner may use the  
4 estimated average hourly salary for all persons performing audits  
5 of real estate brokers, and shall include an allocation for  
6 travel time to and from the auditor's place of work. I will pay  
7 such cost within 60 days of receiving an invoice from the  
8 Commissioner detailing the activities performed during the audit  
9 and the amount of time spent performing those activities.

10 I am aware that if I petition for reinstatement in the  
11 future, that payment of the audit costs will be a condition of  
12 reinstatement.

13 I declare under penalty of perjury under the laws of  
14 the State of California that the above is true and correct and  
15 that I am acting freely and voluntarily on behalf of GREAT  
16 CAPITAL MORTGAGE INC to surrender its license and all license  
17 rights attached thereto.

18  
19 06/26/2012  
Date and Place

GREAT CAPITAL MORTGAGE INC by  
ISAIAS MARTINEZ

*Facto*  
*Jan*

**FILED**

SEP 16 2011

JAMES DEMUS, Counsel (SBN 225005)  
Department of Real Estate  
320 West 4th Street, Suite 350  
Los Angeles, California 90013-1105

Telephone: (213) 576-6982  
(Direct) (213) 576-6910

DEPARTMENT OF REAL ESTATE  
BY: *Lucy M. ...*

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-37538 LA
	)	
GREAT CAPITAL MORTGAGE INC and	)	<u>A C C U S A T I O N</u>
ISAIAS MARTINEZ, individually and	)	
as former designated officer of	)	
Great Capital Mortgage Inc,	)	
	)	
Respondents.	)	

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against GREAT CAPITAL MORTGAGE INC and ISAIAS MARTINEZ, individually and as former designated officer of Great Capital Mortgage Inc, alleges as follows:

1.

The Complainant, Robin Trujillo, acting in her official capacity as a Deputy Real Estate Commissioner of the State of California, makes this Accusation against GREAT CAPITAL MORTGAGE INC and ISAIAS MARTINEZ.

///

2.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

LICENSE HISTORY

3.

A. GREAT CAPITAL MORTGAGE INC ("GCM") presently has license rights with the Department of Real Estate ("Department") as a corporate real estate broker. On February 1, 2011, GCM's license expired. Pursuant to Business and Professions Code Section 10201, GCM retains renewal rights for two years. The Department of Real Estate holds jurisdiction over the lapsed license, pursuant to Business and Professions Code Section 10103.

B. At all times mentioned, ISAIAS MARTINEZ ("MARTINEZ") was licensed and/or had license rights issued by the Department as a real estate broker.

C. From February 2, 2007, through February 1, 2011, GCM was licensed by the Department as a corporate real estate broker by and through MARTINEZ, as the designated officer and broker responsible, pursuant to Code Section 10159.2 for supervising the activities requiring a real estate license conducted on behalf of GCM or by GCM's officers, agents and employees, including MARTINEZ.

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FIRST CAUSE OF ACCUSATION

BROKERAGE

GREAT CAPITAL MORTGAGE INC

4.

At all times mentioned, in the City of Ontario, County of San Bernardino, GCMI acted as a real estate broker conducting licensed activities within the meaning of Code Section 10131(d): negotiating loans or performing services for borrowers in connection with loans secured by liens on real property.

AUDIT

GREAT CAPITAL MORTGAGE INC

5.

On April 19, 2010, the Department completed audit examinations of the books and records of GCMI pertaining to the activities described in Paragraph 4 which require a real estate license. The audit examinations covered a period of time from January 1, 2008 to January 31, 2010. The audit examination revealed violations of the Code and the Regulations as set forth in the following paragraphs, and as more fully discussed in Audit Report LA 090163 and the exhibits and workpapers attached to said audit report.

TRUST ACCOUNT

6.

During the audit period, GCMI did not maintain a trust account.

///

///

1 VIOLATIONS OF THE REAL ESTATE LAW

2 7.

3 In the course of activities described in Paragraph 4  
4 above and during the examination period described in Paragraph 5,  
5 Respondent GCMI acted in violation of the Code and the  
6 Regulations in that:

7 (a) A control record of trust funds received and  
8 disbursed was not maintained, in violation of Code Section 10145  
9 and Regulation 2831.

10 (b) Separate records of trust funds received and  
11 disbursed for each beneficiary or transaction were not  
12 maintained, in violation of Code Section 10145 and Regulation  
13 2831.1.

14 (c) A monthly reconciliation of control records for  
15 all separate beneficiaries with all trust funds received was not  
16 maintained, in violation of Code Section 10145 and Regulation  
17 2831.2.

18 (d) The bank account used for receipt and disbursement  
19 of trust funds, in connection with loan modification activity,  
20 was not designated as a trust account, in violation of Code  
21 Section 10145 and Regulation 2832.

22 (e) The advance fees GCMI collected from the  
23 principals for loan modification services were deposited into  
24 GCMI's general business account, instead of a trust account, in  
25 violation of Code Section 10146.

1 (f) Advance fees collected by GCMCI for loan  
2 modification services were commingled with GCMCI's general funds,  
3 in violation of Code Section 10145 and 10176(e)

4 (g) GCMCI collected advance fees from principals for  
5 loan modification services, without first submitting an advance  
6 fee agreement to the Department, in violation of Code Section  
7 10085 and Regulation 2970.

8 (h) GCMCI collected advance fees from principals for  
9 loan modification services without maintaining and providing an  
10 accounting to the principals, showing services rendered and  
11 identifying a trust account into which the advance fees were  
12 deposited. This was in violation of Regulation 2972.

13 (i) GCMCI did not disclose yield spread premiums paid  
14 by lenders on three of the reviewed Mortgage Loan Disclosure  
15 Statements ("MLDS"). The MLDS were not signed in two of the  
16 files examined. These acts or omissions violate Code Section  
17 10240 and Regulation 2840.

18 (j) GCMCI did not disclose its corporate license number  
19 in the MLDS of seven loan files examined, in violation of Code  
20 Section 10236.4.

21 (k) GCMCI engaged in the business of real estate from  
22 July 30, 2009 to February 2, 2010, when its corporate license was  
23 suspended by the California Secretary of State, in violation of  
24 regulation 2742(c).

25 (l) GCMCI used the fictitious business name "Great  
26 Capital Mortgage" in connection with mortgage loan broker  
27 activity before obtaining a license from the Department bearing

1 that fictitious business name, in violation of Code Section  
2 10159.5 and Regulation 2731.

3 (m) GCMI failed to retain the original license  
4 certificates of five salespersons at its main business office, in  
5 violation of Code Section 10160 and Regulation 2753.

6 (n) After being served with a subpoena duces tecum on  
7 March 8, 2010, GCMI and MARTINEZ failed to retain records of the  
8 general ledger and cancelled checks for GCMI's general business  
9 account, in violation of Code Section 10148.

10 8.

11 The conduct of Respondents GCMI and MARTINEZ, described  
12 in Paragraph 6, above, violated the Code and the Regulations as  
13 set forth below:

14	<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
15		
16	7(a)	Code Section 10145 and Regulation
17		2831
18		
19	7(b)	Code Section 10145 and Regulation
20		2831.1
21		
22	7(c)	Code Section 10145 and Regulation
23		2831.2
24		
25	7(d)	Code Section 10145 and Regulation
26		2832
27		

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- 7(e) Code Section 10146
- 7(f) Code Sections 10145 and 10176(e)
- 7(g) Code Section 10085 and Regulation 2970
- 7(h) Regulation 2972
- 7(i) Code Section 10240 and Regulation 2840
- 7(j) Code Section 10236.4
- 7(k) Regulation 2742(c)
- 7(l) Code Section 10159.5 and Regulation 2731
- 7(m) Code Section 10160 and Regulation 2753
- 7(n) Code Section 10148

8.

Said conduct, acts, and/or omissions are cause for the suspension or revocation of the real estate license and license

1 rights of GCMi and MARTINEZ, under the provisions of Code  
2 Sections 10085, 10176(e) and 10177(d)

3  
4 NEGLIGENCE

5 9.

6 The overall conduct of Respondents GCMi and MARTINEZ  
7 constitutes negligence or incompetence. This conduct and  
8 violation are cause for the suspension or revocation of the real  
9 estate license and license rights of said Respondents pursuant to  
10 Code Section 10177(g).

11 SUPERVISION AND COMPLIANCE

12 10.

13 The overall conduct of Respondent MARTINEZ constituted  
14 a failure on his part, as a former officer designated by a  
15 corporate broker licensee, to exercise reasonable supervision and  
16 control over the licensed activities of GCMi as required by Code  
17 Section 10159.2, and to keep GCMi in compliance with the Real  
18 Estate Law, and is cause for the suspension or revocation of the  
19 real estate license and license rights of MARTINEZ pursuant to  
20 the provisions of Code Sections 10177(d), 10177(g) and 10177(h).

21 SECOND CAUSE OF ACCUSATION

22 BROKERAGE

23 ISAIAS MARTINEZ

24 11.

25 At all times mentioned, in the City of Ontario, County  
26 of San Bernardino, MARTINEZ acted as a real estate broker  
27

1 conducting licensed activities within the meaning of Code Section  
2 10131(a): selling or offering to sell real property.

3 AUDIT

4 ISAIAS MARTINEZ

5 12.

6 On April 15, 2010, the Department completed audit  
7 examinations of the books and records of MARTINEZ pertaining to  
8 the activities described in Paragraph 10 which require a real  
9 estate license. The audit examinations covered a period of time  
10 from January 1, 2008 to January 31, 2010. The audit examination  
11 revealed violations of the Code and the Regulations as set forth  
12 in the following paragraphs, and as more fully discussed in Audit  
13 Report LA 090164 and the exhibits and workpapers attached to said  
14 audit report.

15 TRUST ACCOUNT

16 13.

17 During the audit period, MARTINEZ did not maintain a  
18 trust account in connection with the sales activity.

19 VIOLATIONS OF THE REAL ESTATE LAW

20 14.

21 In the course of activities described in Paragraph 11  
22 above and during the examination period described in Paragraph  
23 12, Respondent MARTINEZ acted in violation of the Code and the  
24 Regulations in that:

25 (a) The columnar record of all trust funds received  
26 was inaccurate and incomplete. Earnest money deposits (EMDs)  
27

1 were not recorded in four examined files and recorded dates of  
2 EMDs received and forwarded to escrow were inaccurate in some  
3 instances, in violation of Code Section 10145 and Regulation  
4 2831.

5 (b) EMDs were held without written authorization from  
6 the principals over three days past the acceptance of purchase  
7 offers in eleven of the examined files, in violation of Code  
8 Section 10145 and Regulation 2832.

9 15.

10 The conduct of Respondent MARTINEZ, described in  
11 Paragraph 13, above, violated the Code and the Regulations as set  
12 forth below:

13 <u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
14	
15 14(a)	Code Section 10145 and Regulation
16	2831
17	
18 14(b)	Code Section 10145 and Regulation
19	2832

20

21 16.

22 The foregoing violations constitute cause for the  
23 suspension or revocation of the real estate license and license  
24 rights of MARTINEZ, under the provisions of Code Sections  
25 10177(d) and/or 10177(g).

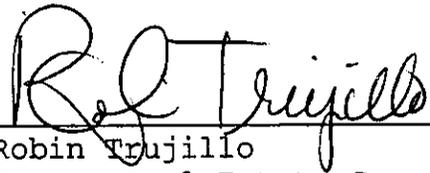
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27 ///

1           WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against the license and license rights of Respondents  
5 GREAT CAPITAL MORTGAGE INC and ISAIAS MARTINEZ, individually and  
6 as former designated officer of Great Capital Mortgage Inc, under  
7 the Real Estate Law (Part 1 of Division 4 of the Business and  
8 Professions Code) and for such other and further relief as may be  
9 proper under other applicable provisions of law.

10 Dated at Los Angeles, California

11  
12 this 10 day of September 2011

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14   
15 Robin Trujillo  
16 Deputy Real Estate Commissioner  
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20  
21  
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23

24 cc: GREAT CAPITAL MORTGAGE INC  
25 ISAIAS MARTINEZ  
26 Robin Trujillo  
27 Sacto  
Audits