SACTO Flag

FILED

JAN 17 2012

DEPARTMENT OF REAL ESTATE
BY: [illegible]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of MARISOL AMENERO GONZALEZ, Respondent.	No. H-37639 LA

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On November 02, 2011, an Accusation was filed in this matter against Respondent MARISOL AMENERO GONZALEZ.

On December 01, 2011, Respondent petitioned the Commissioner to voluntarily surrender her real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent MARISOL AMENERO GONZALEZ' petition for voluntary surrender of her real estate salesperson license is accepted as of the effective date of this Order as set forth below, based upon the understanding and

agreement expressed in Respondent's Declaration dated December 01, 2011, (attached as Exhibit "A" hereto). Respondent's license certificate and pocket card shall be sent to the below listed address so that they reach the Department on or before the effective date of this Order:

DEPARTMENT OF REAL ESTATE
Attn: Licensing Flag Section
P. O. Box 187000
Sacramento, CA 95818-7000

This Order shall become effective at 12 o'clock noon on FEB 06 2012.

DATED: 1/9/12.

BARBARA J. BIGBY
Acting Real Estate Commissioner

"EXHIBIT A"

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of MARISOL AMENERO GONZALEZ, Respondent.	No. H-37639 LA

DECLARATION

My name is MARISOL AMENERO GONZALEZ, and I am currently licensed as a real estate salesperson and/or have license rights with respect to said license. I am representing myself in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to voluntarily surrender my real estate broker license issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

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

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

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

3. I further agree that upon acceptance by the Commissioner, as evidenced by an appropriate order, all affidavits and all relevant evidence obtained by the Department in this matter prior to the Commissioner's acceptance, and all allegations contained in the Accusation filed in the Department Case No. H-37639 LA, may be considered by the Department to be true and correct for the purpose of deciding whether to grant relicensure or reinstatement, pursuant to Government Code Section 11522.

4. I freely and voluntarily surrender my real estate salesperson license rights under the Real Estate Law.

5. A copy of the Commissioner's Criteria of Rehabilitation is attached hereto. If and when a petition application is made for reinstatement of a surrendered license, the Real Estate Commissioner will consider as one of the criteria of rehabilitation, whether or not restitution has been made to any person who has suffered monetary losses through "substantially related" acts or omissions of Respondent(s), whether or not such persons are named in the Accusation filed in this case.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed December 1st, 2011, at Whittier, California.

MARISOL AMENERO GONZALEZ

JAMES DEMUS, Counsel (SBN 225005)
Department of Real Estate
320 West Fourth St., #350
Los Angeles, CA 90013

(213) 576-6982
(213) 576-6910 (direct)

FILED

NOV 02 2011

DEPARTMENT OF REAL ESTATE
BY: Guadalupe Valencia

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of MARISOL AMENERO GONZALEZ, Respondent.	No. H-37639 LA A C C U S A T I O N

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against MARISOL AMENERO GONZALEZ, is informed and alleges as follows:

1.

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

2.

MARISOL AMENERO GONZALEZ, ("Respondent") is presently licensed and/or has license rights under the Real Estate Law

(Part 1 of Division 4 of the Business and Professions Code, hereinafter "Code"), as a real estate salesperson. From October 4, 2007 to September 27, 2011, Respondent was registered with the California Department of Real Estate ("Department") as employed under the broker "Amerisun Inc".

3.

On or about October 24, 2008, Respondent registered "California Assistance Relief" as a fictitious business name with the Los Angeles County Recorder/Clerk.

4.

California Assistance Relief is not now, nor has it ever been, licensed by the California Department of Real Estate ("Department") in any capacity.

5.

At all times material herein, Respondent was engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California, within the meaning of Code Sections 10131(d) and 10131.2, including performing services for borrowers in connection with loans and collecting or contracting for the collection of an advance fee, within the meaning of Code Section 10026.

6.

On or about November 17, 2008, Pablo Vasquez ("Vasquez") entered into an agreement with California Assistance Relief, in which Vasquez agreed to pay $2,500 in advance fees as well as $300 monthly installments to California

Assistance Relief, in exchange for negotiation of a modification of Vasquez's loan, which was secured by real property located at 7562 Lockhaven Avenue, Rancho Cucamonga, CA, 91730. Respondent collected a total of $3,400 in advance fees from Vasquez.

7.

The agreement described in Paragraph 6 above, constitutes an advance fee agreement within the meaning of Code Section 10026. Respondent did not submit the advance fee agreement described in paragraph 6 above to the Commissioner ten days before using it, in violation of Code Section 10085 and Section 2970 of Title 10, California Code of Regulations ("Regulations"). Said conduct, acts and/or omissions of Respondent constitutes cause to suspend or revoke the licenses and license rights of Respondent pursuant to Code Sections 10177(d) and/or 10177(g).

8.

At the time of the transaction described in paragraph 6 above, Respondent was licensed under the employ of Amerisun Inc. Under Code Section 10137, no salesperson shall accept compensation from any person other than the broker under whom she is at the time licensed. Said conduct, acts and/or omissions of Respondent constitutes cause to suspend or revoke the licenses and license rights of Respondent pursuant to Code Sections 10137, 10177(d) and/or 10177(g).

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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 Respondent MARISOL AMENERO GONZALEZ under the Real Estate Law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California
this 31 day of October, 2011

Robin Trujillo
Deputy Real Estate Commissioner

cc: MARISOL AMENERO GONZALEZ
Robin Trujillo
Sacto.