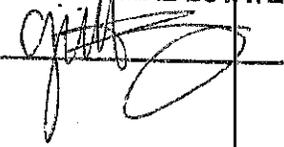


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BUREAU OF REAL ESTATE

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BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of

CHARLES IVAN SANTAMARIA,  
an individual currently licensed to do business as  
Progressive City Rentals, a pre-paid rental listing  
Service (PRLS),

Respondent.

CalBRE No. H-39931 LA

OAH No. 2015100979

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On August 4, 2015, an Accusation was filed in this matter against Respondent CHARLES IVAN SANTAMARIA ("Respondent"). On September 25, 2015, a First Amended Accusation was filed against Respondent in the above-referenced matter.

On June 27, 2016, Respondent petitioned the Commissioner to voluntarily surrender his pre-paid rental listing service (PRLS) license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent's petition for voluntary surrender of his PRLS license is accepted as of the effective date of this Order as set forth below, based upon

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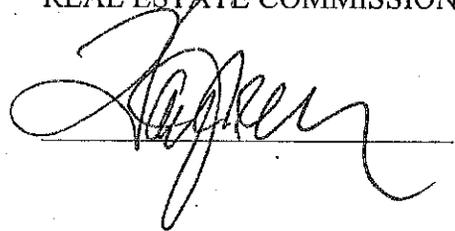
(attached as Exhibit "A" hereto). Respondent's license certificate, pocket card, and any branch office license certificates shall be sent to the below listed address so that they reach the Bureau on or before the effective date of this Order:

Bureau of Real Estate  
Attn: Licensing Flag Section  
P.O. Box 137007  
Sacramento, CA 95813-7007

This Order shall become effective at 12 o'clock noon on AUG - 2 2016.

DATED: 7/8/2016.

WAYNE S. BELL  
REAL ESTATE COMMISSIONER



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BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of

NO. H-39931 LA

CHARLES IVAN SANTAMARIA,  
an individual currently licensed to do business as  
Progressive City Rentals, a pre-paid rental listing  
services (PRLS),

Respondent.

DECLARATION

My name is CHARLES IVAN SANTAMARIA and I currently have a pre-paid rental listing service (PRLS) license and/or have license rights with respect to said license. I am represented by Ramon G. Barredo, attorney at law, 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 PRLS license, issued by the Bureau of Real Estate ("Bureau"), pursuant to Business and Professions Code Section 10100.2.

I understand that by so voluntarily surrendering my license, I may be relicensed as a PRLS, a real estate broker or salesperson, or issued a new mortgage loan originator endorsement, only by petitioning for reinstatement pursuant to Section 11522 of the Government Code. I also understand that by so voluntarily surrendering my license, 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 First Amended Accusation filed in this matter at a hearing held in accordance with the provisions of

1 the Administrative Procedure Act (Government Code Sections 11400 et seq.), and that I also  
2 waive other rights afforded to me in connection with the hearing such as the right to discovery,  
3 the right to present evidence in defense of the allegations in the First Amended Accusation and  
4 the right to cross-examine witnesses.

5 3. I further agree that upon acceptance by the Commissioner, as evidenced by an  
6 appropriate order, all affidavits and all relevant evidence obtained by the Bureau in this matter  
7 prior to the Commissioner's acceptance, and all allegations contained in the First Amended  
8 Accusation filed in the Bureau Case No. H-39931 LA, may be considered by the Bureau to be  
9 true and correct for the purpose of deciding whether to grant relicensure or reinstatement  
10 pursuant to Government Code Section 11522.

11 4. I freely and voluntarily surrender all my licenses and license rights under the  
12 Real Estate Law.  
13

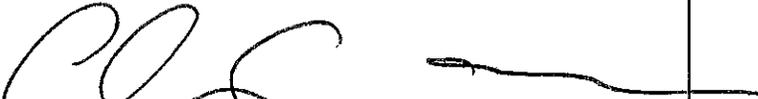
14 5. A copy of the Commissioner's Criteria of Rehabilitation is attached hereto. If  
15 and when a petition application is made for reinstatement of a surrendered license or  
16 endorsement, the Real Estate Commissioner will consider as one of the criteria of rehabilitation,  
17 whether or not restitution has been made to any person who has suffered monetary losses through  
18 "substantially related" acts or omissions of Respondent, whether or not such persons are named  
19 in the investigation file in this case.  
20

21 6. I am aware that if I petition for reinstatement in the future, payment of the  
22 Bureau's investigation and enforcement costs in this matter, which total \$15,269.55, will be a  
23 condition of reinstatement.  
24

25 7. I further agree to acknowledge receipt of the Bureau's Order to Desist and  
26 Refrain in Bureau Case No. H-39960 LA.  
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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 on June 27, 2016,  
at Los Angeles, California.

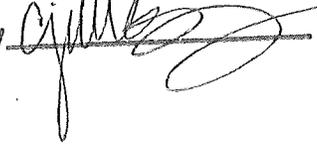
  
\_\_\_\_\_  
CHARLES VAN SANTAMARIA

1 LISSETE GARCIA, Counsel (SBN 211552)  
Bureau of Real Estate  
2 320 West 4th Street, Suite 350  
Los Angeles, California 90013-1105  
3 Telephone: (213) 576-6982  
Direct: (213) 576-6914  
4 Fax: (213) 576-6917

**FILED**

SEP 25 2015

BUREAU OF REAL ESTATE

By 

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BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of ) CalBRE No. H-39931 LA  
)  
12 CHARLES IVAN SANTAMARIA, ) FIRST AMENDED ACCUSATION  
an individual currently licensed to do business )  
13 as Progressive City Home Rentals, a pre-paid )  
rental listing service (PRLS), )  
14 )  
Respondent. )  
15 )

This First Amended Accusation amends the Accusation filed on August 4, 2015. The Complainant, Maria Suarez, a Supervising Special Investigator for the Bureau of Real Estate ("Bureau") of the State of California, for cause of Accusation against CHARLES IVAN SANTAMARIA, an individual currently licensed to do business as Progressive City Home Rentals, a pre-paid rental listing service (PRLS), is informed and alleges as follows:

1.

The Complainant, Maria Suarez, makes this First Amended Accusation in her official capacity.

2.

From on or about September 2, 2014, through the present, CHARLES IVAN SANTAMARIA ("Respondent") has been licensed by the Bureau of Real Estate ("Bureau") as a

1 pre-paid rental listing service (“PRLS) licensee, License PRA02067. Respondent was formerly  
2 licensed to conduct PRLS activities using the fictitious business name, City Home Rentals, from  
3 a location at 322 N. Azusa Ave., Suite 207, La Puente, California 91744. On or about July 27,  
4 2015, the Bureau received an Individual Change Application (PRLS) form RE 266 from  
5 Respondent to change his fictitious business name from City Home Rentals to Progressive City  
6 Home Rentals. Respondent’s main office address changed to 14135 Francisquito Avenue, Suite  
7 #215, Baldwin Park, California 91706.

8 3.

9 Home Advisor Services, Homes Unlimited Rentals, Approved Application Services, and  
10 Application Advisors Services are not licensed in any capacity by the Bureau.

11 4.

12 On or about July 29, 2014, the Bureau approved a PRLS application for use by  
13 Respondent, doing business as City Home Rentals. On or about October 22, 2014, the Bureau  
14 approved the use of a Spanish version of the City Home Rentals PRLS application submitted by  
15 Respondent. On or about June 11, 2015, the Bureau approved a PRLS application for use by  
16 Respondent, doing business as Progressive City Home Rentals.

17 CAUSES OF ACCUSATION

18 5.

19 On or about August 19, 2014, Respondent, while doing business as Home Advisor  
20 Services, offered PRLS services to prospective tenant, A.V.<sup>1</sup> Respondent charged and collected  
21 an advance payment of \$200 from A.V. for a listing of purportedly available rental properties  
22 that met A.V.’s specifications. Home Advisor Services provided a PRLS contract written in

23 \_\_\_\_\_  
24 <sup>1</sup> Initials are used in place of the person’s full name to protect his/her privacy. Documents containing the person’s full name will be provided during the discovery phase of this case to Respondent and/or his attorney, after service of a timely and proper request for discovery on Complainant’s counsel.

1 Spanish to A.V. Home Advisor Services' address on its PRLS contract is the same address as  
2 used by City Home Rentals: 322 N. Azusa Ave., Suite 207, La Puente, California 91744. The  
3 Home Advisor Services contract does not include the contract requirements and notice of right to  
4 refund that must be included in a PRLS contract pursuant to Business and Professions Code  
5 ("Code") sections 10167.9, 10167.95, and 10167.10.

6 6.

7 Respondent's use of an unauthorized fictitious business name, Home Advisor Services,  
8 and use of an unauthorized PRLS contract to conduct activities requiring a PRLS license or a real  
9 estate broker license is in violation of Code sections 10167.2, 10167.15, and 10130, and  
10 constitutes cause for the suspension or revocation of Respondent's PRLS license and/or license  
11 rights under the provisions of Code sections 10167.12(a)(1), 10167.9, 10167.95, 10167.10, and  
12 10177(d).

13 7.

14 On or about October 17, 2014, Respondent, while doing business as City Home Rentals,  
15 referred several prospective tenants to a rental property located at 1948 Cinco Robles Drive,  
16 Duarte, California 91010. The owner of said property, F.C., did not authorize Respondent to list  
17 or advertise the rental property on City Home Rental's PRLS listings. City Home Rentals  
18 provided false, misleading, and deceptive information about the rental property to prospective  
19 tenants.

20 8.

21 The conduct, acts, and/or omissions of Respondent as described above in Paragraph 7 is a  
22 violation of Code sections 10167.11 and constitutes cause for the suspension or revocation of  
23 Respondent's PRLS license and/or license rights under the provisions of Code section  
24 10167.12(a)(1).

1 9.

2 Respondent, while doing business as City Home Rentals, made misrepresentations to  
3 several prospective tenants including, among others, advertising rental properties that were not  
4 available for tenancy and advertising properties in a false, misleading, or deceptive manner.  
5 Contrary to what was stated in the City Home Rental's PRLS contract given to prospective  
6 tenants, Respondent and Respondent's employees, agents, or independent contractors verbally  
7 promised that \$150 of the \$200 advance payment for City Home Rental's PRLS services would  
8 be applied toward the security deposit or rental deposit of any property that the prospective  
9 tenant rented through City Home Rentals. City Home Rentals promised prospective tenants that  
10 they would be contacted by an agent after paying the \$200 advance fee to view the properties  
11 that the prospective tenants were interested in renting. City Home Rentals then failed to contact  
12 prospective tenants after their \$200 fee was collected. City Home Rentals failed to refund all or  
13 any portion of the prospective tenants' advance fees after several prospective tenants made a  
14 demand for a refund after realizing that City Home Rentals had failed to provide the PRLS  
15 services they had been promised. Said prospective tenants include, but are not limited to, L.L.,  
16 F.O., K.C., R.V., A.G., Z.T., J.G., L.J., A.L., L.R., A.S., and D.H.

17 10.

18 The conduct, acts, and/or omissions of Respondent as described above in Paragraph 9 are  
19 in violation of Code sections 10167.10 and 10167.11, and constitute cause for the suspension or  
20 revocation of Respondent's PRLS license and/or license rights under the provisions of Code  
21 sections 10167.12(a)(1) and/or 10176(i).

22 11.

23 In aggravation, from a period of time beginning no later than July 8, 2015, Respondent  
24 has been offering PRLS services to others, while using the fictitious business names Progressive

1 City Home Rentals, Approved Application Services, and other fictitious business names  
2 unknown at this time, from the location at: 14135 Francisquito Avenue, Suite #215, Baldwin  
3 Park, California 91706.

4 12.

5 Code section 10167.10(e) provides that “[I]f the licensee fails to make a refund as  
6 provided in this section and if the denial or delay in making the refund is found to have been  
7 done in bad faith, a court of appropriate jurisdiction, including a small claims court, shall be  
8 empowered to award damages to the plaintiff in an amount not to exceed one thousand dollars  
9 (\$1,000) in addition to actual damages sustained by the plaintiff. If the licensee refuses or is  
10 unable to pay the damages awarded by the court, the award may be satisfied out of the security  
11 required under section 10167.7.”

12 13.

13 Code section 10167.15 states that “[A]ny person, including an officer, director, or  
14 employee of a corporation who willfully violates any provision of this article is guilty of a  
15 misdemeanor.”

16 14.

17 Code section 10106 provides, in pertinent part, that in any order issued in resolution of a  
18 disciplinary proceeding before the Bureau of Real Estate, the Commissioner may request the  
19 administrative law judge to direct a licensee found to have committed a violation of this part to  
20 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

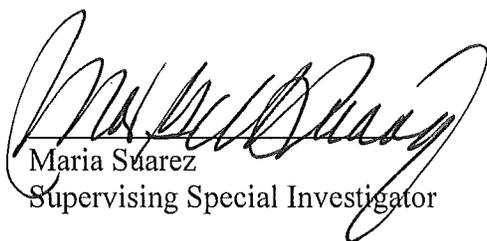
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1           WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this  
2 Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action  
3 against all licenses and/or license rights of Respondent CHARLES IVAN SANTAMARIA, an  
4 individual currently licensed to do business as Progressive City Home Rentals, a pre-paid rental  
5 listing service (PRLS) under the Real Estate Law (Part 1 of Division 4 of the Business and  
6 Professions Code), for the cost of investigation and enforcement as permitted by law, and for  
7 such other and further relief as may be proper under other provisions of law.

8 Dated at Los Angeles, California this 16<sup>th</sup> day of September, 2015.

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12 Maria Suarez  
13 Supervising Special Investigator  
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21

22 cc: Charles Ivan Santamaria  
23 Progressive City Home Rentals  
24 Maria Suarez  
Sacto

**FILED**

AUG - 4 2015

BUREAU OF REAL ESTATE

By 

1 LISSETE GARCIA, Counsel (SBN 211552)  
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2 320 West 4th Street, Suite 350  
Los Angeles, California 90013-1105  
3 Telephone: (213) 576-6982  
Direct: (213) 576-6914  
4 Fax: (213) 576-6917

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

10 \* \* \*

11 In the Matter of the Accusation of ) CalBRE No. H-39931 LA  
12 CHARLES IVAN SANTAMARIA, ) ACCUSATION  
a PRLS licensee licensed to do business as )  
13 as City Home Rentals, )  
14 Respondent. )

15 The Complainant, Maria Suarez, a Supervising Special Investigator for the Bureau of  
16 Real Estate ("Bureau") of the State of California, for cause of Accusation against CHARLES  
17 IVAN SANTAMARIA, a PRLS licensee licensed to do business as City Home Rentals, is  
18 informed and alleges as follows:

19 1.

The Complainant, Maria Suarez, makes this Accusation in her official capacity.

21 2.

22 From on or about September 2, 2014, through the present, CHARLES IVAN  
23 SANTAMARIA ("Respondent") has been licensed by the Bureau of Real Estate ("Bureau") as a  
24 pre-paid rental listing service ("PRLS) licensee, License PRA02067. Respondent is licensed to  
conduct PRLS activities using the fictitious business name, City Home Rentals, from a location

1 at 322 N. Azusa Ave., Suite 207, La Puente, California 91744.

2 3.

3 Home Advisor Services, Homes Unlimited Rentals, and Application Advisors Services  
4 are not licensed in any capacity by the Bureau.

5 4.

6 On or about July 29, 2014, the Bureau approved a PRLS application for use by  
7 Respondent, doing business as City Home Rentals. On or about October 22, 2014, the Bureau  
8 approved the use of a Spanish version of the City Home Rentals PRLS application submitted by  
9 Respondent.

10  
11 CAUSES OF ACCUSATION

12 5.

13 On or about August 19, 2014, Respondent, while doing business as Home Advisor  
14 Services, offered PRLS services to prospective tenant, A.V.<sup>1</sup> Respondent charged and collected  
15 an advance payment of \$200 from A.V. for a listing of purportedly available rental properties  
16 that met A.V.'s specifications. Home Advidsor Services provided a PRLS contract written in  
17 Spanish to A.V. Home Advisor Services' address on its PRLS contract is the same address as  
18 used by City Home Rentals-322 N. Azusa Ave., Suite 207, La Puente, California 91744. The  
19 Home Advisor Services contract does not include the contract requirements and notice of right to  
20 refund that must be included in a PRLS contract pursuant to Business and Professions Code  
21 ("Code") sections 10167.9, 10167.95, and 10167.10.

22  
23  
24 <sup>1</sup> Initials are used in place of the person's full name to protect his/her privacy. Documents containing the person's full name will be provided during the discovery phase of this case to Respondent and/or his attorney, after service of a timely and proper request for discovery on Complainant's counsel.

1 6.

2 Respondent's use of an unauthorized fictitious business name-Home Advisor Services-  
3 and an unauthorized PRLS contract, to conduct activities requiring a PRLS license or a real  
4 estate broker license is a violation of Code sections 10167.2, 10167.15, and 10130, and  
5 constitutes cause for the suspension or revocation of Respondent's PRLS license and/or license  
6 rights under the provisions of Code sections 10167.12(a)(1), 10167.9, 10167.95, 10167.10, and  
7 10177(d).

8 7.

9 On or about October 17, 2014, Respondent, while doing business as City Home Rentals,  
10 referred several prospective tenants to a rental property located at 1948 Cinco Robles Drive,  
11 Duarte, California 91010. The owner of said property, F.C., did not authorize Respondent to list  
12 or advertise the rental property on City Home Rental's PRLS listings. City Home Rentals  
13 provided false, misleading, and deceptive information about the rental property to prospective  
14 tenants.

15 8.

16 The conduct, acts, and/or omissions of Respondent as described above in Paragraph 7 is a  
17 violation of Code sections 10167.11 and constitutes cause for the suspension or revocation of  
18 Respondent's PRLS license and/or license rights under the provisions of Code section  
19 10167.12(a)(1).

20 9.

21 Respondent, while doing business as City Home Rentals, made misrepresentations to  
22 several prospective tenants including, among others, advertising rental properties that were not  
23 available for tenancy and advertising properties in a false, misleading, or deceptive manner.  
24 Contrary to what was stated in the City Home Rental's PRLS contract given to prospective

1 tenants, Respondent and Respondent's employees, agents, or independent contractors verbally  
2 promised that \$150 of the \$200 advance payment for City Home Rental's PRLS services would  
3 be applied toward the security deposit or rental deposit of any property that the prospective  
4 tenant rented through City Home Rentals. City Home Rentals promised prospective tenants that  
5 they would be contacted by an agent after paying the \$200 advance fee to view the properties  
6 that the prospective tenants were interested in renting. City Home Rentals then failed to contact  
7 prospective tenants after their \$200 fee was collected. City Home Rentals failed to refund all or  
8 any portion of the prospective tenants' advance fees after several prospective tenants made a  
9 demand for a refund after realizing that City Home Rentals had failed to provide the PRLS  
10 services they had been promised. Said prospective tenants include, but are not limited to, L.L.,  
11 F.O., K.C., R.V., A.G., Z.T., J.G., L.J., A.L., and L.R.

12 10.

13 The conduct, acts, and/or omissions of Respondent as described above in Paragraph 9 are  
14 in violation of Code sections 10167.10 and 10167.11, and constitute cause for the suspension or  
15 revocation of Respondent's PRLS license and/or license rights under the provisions of Code  
16 sections 10167.12(a)(1) and/or 10176(i).

17 11.

18 Code section 10167.10(e) provides that "[I]f the licensee fails to make a refund as  
19 provided in this section and if the denial or delay in making the refund is found to have been  
20 done in bad faith, a court of appropriate jurisdiction, including a small claims court, shall be  
21 empowered to award damages to the plaintiff in an amount not to exceed one thousand dollars  
22 (\$1,000) in addition to actual damages sustained by the plaintiff. If the licensee refuses or is  
23 unable to pay the damages awarded by the court, the award may be satisfied out of the security  
24 required under section 10167.7."

12.

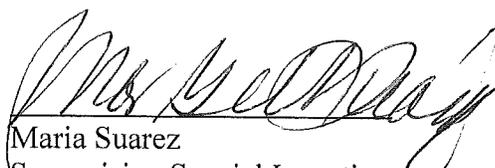
Code section 10167.15 states that “[A]ny person, including an officer, director, or employee of a corporation who willfully violates any provision of this article is guilty of a misdemeanor.”

13.

Code section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau of Real Estate, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and/or license rights of Respondent CHARLES IVAN SANTAMARIA, a PRLS licensee licensed to do business as City Home Rentals under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other provisions of law.

Dated at Los Angeles, California this 8th day of July, 2015.

  
Maria Suarez  
Supervising Special Investigator

cc: Charles Ivan Santamaria  
City Home Rentals  
Maria Suarez  
Sacto