

1 MARY F. CLARKE, Counsel (SBN 186744)
2 Department of Real Estate
3 P. O. Box 187007
4 Sacramento, CA 95818-7007

5 Telephone: (916) 227-0780 (Direct)
6 -or- (916) 227-0789 (Main Office)
7 -or- (916) 227-9458 (Fax)

FILED

NOV 28 2011

DEPARTMENT OF REAL ESTATE

By: K. Contreras

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

11 * * *

12 In the Matter of the Accusation of)
13 ERIC BERNARDINO BECERRA,) NO. H-2695 FR
14 Respondent.) ACCUSATION
15)

16 The Complainant, LUKE MARTIN, a Deputy Real Estate Commissioner of
17 the State of California, for Accusation against ERIC BERNARDINO BECERRA (herein
18 "Respondent"), is informed and alleges as follows:

19 1

20 The Complainant makes this Accusation in his official capacity.

21 2

22 At all times herein mentioned, Respondent was and is currently licensed and/or
23 had license rights under the Real Estate Law (Part 1 of Division 4 of the Business and
24 Professions Code) (herein "the Code").

25 3

26 At all times herein mentioned, Respondent was licensed by the State of California
27 Department of Real Estate (herein the "Department") or had license rights as a real estate

1 salesperson. Respondent's salesperson license is and has been restricted since about May 6,
2 2009, which license will expire on about May 5, 2013.

3 4

4 At all times herein mentioned, Respondent engaged in the business of, acted in the
5 capacity of, advertised, or assumed to act as a real estate broker within the State of California on
6 behalf of others, for compensation or in expectation of compensation within the meaning of
7 Section 10131(d) of the Code, including the operation and conduct of a mortgage loan brokerage
8 with the public wherein, on behalf of others, for compensation or in expectation of compensation,
9 Respondent solicited lenders or borrowers for or negotiated loans or loan modifications or
10 collected payments or performed services for borrowers or lenders or note owners in connection
11 with loans or loan modifications secured directly or collaterally by liens on real property or on a
12 business opportunity.

13 5

14 Respondent, at times herein mentioned, and while not employed by a real estate
15 broker, solicited and induced the following borrowers to enter into loan modification agreements,
16 prior to submission of said agreements to the Commissioner, and claimed, demanded, charged,
17 received, collected or contracted for advance fees, in violation of Sections 10130 (performing
18 license activities), 10085 (review of fee agreements), 10085.5 (collecting advance fees) of the
19 Code, and Sections 2970 (review of fee agreements) and 2972 (accounting to the principal of
20 advance fees collected) of Title 10, California Code of Regulations (herein "the Regulations"):

<u>Borrower</u>	<u>Property Address</u>	<u>Date</u>	<u>Amount</u>
Circiaco Gallardo	11567 3 rd Place Hanford, CA 93230	1/7/09	\$3,295
Ismael & Irma Meza	1874 Concord Drive Hanford, CA 93230	2/16/09	\$3,295
Maria Jauregui	1103 Tempe Drive Hanford, CA 93230	2/28/09	\$3,295

1 PRIOR DISCIPLINE

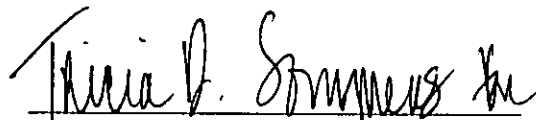
2 6

3 Effective May 6, 2009, in Case No. H-2281 FR, the Real Estate Commissioner
4 revoked Respondent ERIC BERNADINO BECERRA's real estate salesperson license and
5 granted Respondent the right to apply for a restricted salesperson license on terms and conditions
6 for violations of Section 10130 in conjunction with Section 10177(d) of the Code, and Sections
7 10176(b) and 10177(g) of the Code.

8 7

9 The facts alleged above are grounds for the suspension or revocation of the
10 licenses and license rights of Respondent ERIC BERNADINO BECERRA under Sections
11 10130, 10085, and 10085.5 of the Code and Sections 2970 and 2972 of the Regulations, in
12 conjunction with Section 10177(d) of the Code.

13 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
14 of this Accusation and that upon proof thereof a decision be rendered imposing disciplinary
15 action against all licenses and license rights of Respondent under the Real Estate Law (Part 1
16 of Division 4 of the Business and Professions Code) and for such other and further relief as may
17 be proper under other applicable provisions of law.

18
19
20 

21 LUKE MARTIN
22 Deputy Real Estate Commissioner

23
24
25 Dated at Fresno, California,
26 this 28th day of November, 2011.

27