

FLAG

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FILED

FEB - 2 2016

BUREAU OF REAL ESTATE

By L. Frost

8 STATE OF CALIFORNIA

9 BUREAU OF REAL ESTATE

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11 To: )  
12 )  
13 DOMILE INVESTMENTS, INC., )  
14 GRUPO EMPRESARIAL SAN JOAQUIN, )  
15 RUBEN GERARDO CURIEL, and )  
16 SERGIO CHAVEZ. )  
17 )  
18 )

NO. H-2991 FR

ORDER TO DESIST AND REFRAIN  
(B&P Code Section 10086)

17 The Real Estate Commissioner (Commissioner) of the California Bureau of Real  
18 Estate (Bureau) has caused an investigation to be made of the activities of DOMILE  
19 INVESTMENTS, INC. (DII), GRUPO EMPRESARIAL SAN JOAQUIN (GESJ), RUBEN  
20 GERARDO CURIEL (CURIEL) and SERGIO CHAVEZ (CHAVEZ). Based on that  
21 investigation, the Commissioner has determined that DII, GESJ, CURIEL and CHAVEZ have  
22 engaged in, are engaging in or are attempting to engage in, acts or practices constituting  
23 violations of the California Business and Professions Code (Code) including acting in the  
24 capacity of real estate brokers in the State of California within the meaning of Section 10131(a)  
25 (property sale) of the Code. Furthermore, based on the investigation, the Commissioner hereby  
26 issues the following Findings of Fact and Desist and Refrain Order under the authority of Code  
27 Section 10086.

ORDER TO DESIST AND REFRAIN

- 1 -

DOMILE INVESTMENTS, INC.  
GRUPO EMPRESARIAL SAN JOAQUIN  
RUBEN GERARDO CURIEL & SERGIO CHAVEZ

1 FINDINGS OF FACT

2 1. At no time was DII licensed in any capacity by the Bureau.

3 2. At no time was GESJ licensed in any capacity by the Bureau.

4 3. At no time was CURIEL licensed in any capacity by the Bureau.

5 4. CHAVEZ was licensed by the Bureau from about September 6,  
6 2005 until about August 29, 2011, when his license was revoked.

7 5. During the period of time set out below, DII, GESJ, CURIEL and  
8 CHAVEZ negotiated to do one or more of the following acts for another or others for  
9 compensation or in expectation of compensation: sold or offered to sell, bought or  
10 offered to buy, solicited prospective sellers or purchasers of, solicited or obtained  
11 listings of, or negotiated the purchase, sale or exchange of real property or a business  
12 opportunity.

13 6. Between at least about April 22, 2013 and at least about May 29,  
14 2014, DII, GESJ, CURIEL and CHAVEZ, solicited property owners and purchasers  
15 through radio advertisements that aired on radio stations affiliated with Univision  
16 Communications, Inc., which advertisements offered assistance in "making your dreams  
17 come true" in the purchase of a home as low as \$50,000.00, in violation of Sections  
18 10130 and 10131(a) of the Code.

19 7. In about April 2013, DII, GESJ, CURIEL and CHAVEZ, solicited  
20 and collected cashier's checks in the amount of about \$40,000.00 from Flor and Alberto  
21 H. (herein "Flor and Alberto"), towards the purchase of a home for their family, after  
22 they heard the aforementioned radio advertisements, described in Paragraph 6, above, in  
23 violation of Sections 10130 and 10131(a) of the Code. In fact, DII, GESJ, CURIEL and  
24 CHAVEZ never purchased a home for Flor and Alberto and never returned their  
25 \$40,000.00.

26 8. On about December 6, 2013, DII, GESJ, CURIEL and CHAVEZ  
27 solicited and collected about \$30,000.00 from Graciela P. (herein "Graciela") for the

purchase of a home after she heard the aforementioned radio advertisements, described in Paragraph 6, above, in violation of Sections 10130 and 10131(a) of the Code. In fact, DII, GESJ, CURIEL and CHAVEZ never purchased a home for Graciela and never returned her \$30,000.00.

9. On about April 3, 2014, DII, GESJ, CURIEL and CHAVEZ solicited and collected about \$500.00 from Ramiro Garcia M. (herein "Ramiro") after he heard the aforementioned radio advertisements, described in Paragraph 6, above, in order "to start the paperwork" for the purchase of a home for Ramiro, in violation of Sections 10130 and 10131(a) of the Code. In fact, DII, GESJ, CURIEL and CHAVEZ never purchased a home for Graciela and never returned his \$500.00.

10. On about April 12, 2014, DII, GESJ, CURIEL and CHAVEZ collected \$40,000.00 from Ramiro for the purchase of a home for Ramiro, in violation of Sections 10130 and 10131(a). In fact, DII, GESJ, CURIEL and CHAVEZ never purchased a home for Graciela and never returned his \$40,000.00

## CONCLUSIONS OF LAW

11. Based on the Findings of Fact contained in Paragraphs 1 through 10, DII, GESJ, CURIEL and CHAVEZ solicited owners and purchasers for property sales, which require a real estate broker license under Sections 10130 and 10131(a) of the Code, during a period of time when DII, GESJ, CURIEL and CHAVEZ were not licensed by the Bureau in any capacity.

## DESIST AND REFRAIN ORDER

Based upon the Findings of Fact and Conclusions of Law stated herein, DOMILE INVESTMENTS, INC., GRUPO EMPRESARIAL SAN JOAQUIN, RUBEN GERARDO CURIEL and SERGIO CHAVEZ ARE HEREBY ORDERED to immediately Desist and Refrain from performing any acts within the State of California for which a real estate broker license is required, and in particular, immediately Desist and Refrain from engaging in property sales or from collecting funds in connection with property sales for

1 others for compensation or in the expectation of compensation unless an appropriate license  
2 is issued by the Bureau.

3  
4 DATED: DECEMBER 31, 2015

5  
6 WAYNE S. BELL  
REAL ESTATE COMMISSIONER

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10 By: JEFFREY MASON  
Chief Deputy Commissioner

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12  
13 **- NOTICE -**

14 Business and Professions Code Section 10139 provides that, "Any person acting  
15 as a real estate broker or real estate salesperson without a license or who advertises using words  
16 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
17 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by  
18 imprisonment in the county jail for a term not to exceed six months, or by both fine and  
19 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars  
20 (\$60,000) . . ."

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ATTY MFC/kc  
ORDER TO DESIST AND REFRAIN

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DOMILE INVESTMENTS, INC.  
GRUPO EMPRESARIAL SAN JOAQUIN  
RUBEN GERARDO CURIEL & SERGIO CHAVEZ