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FILED

DEC 19 2016

BUREAU OF REAL ESTATE

By JR-Ja

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of) No. H-03072 FR
)
RAMROM ENTERPRISES and,) ACCUSATION
RUEBEN R. ZAMUDIO, individually)
and as designated officer of)
Ramrom Enterprises,)
)
Respondents.)

The Complainant, Brenda Smith, a Supervising Special Investigator of the State of California, for cause of Accusation against RAMROM ENTERPRISES and RUEBEN R. ZAMUDIO, individually and as designated officer of Ramrom Enterprises (collectively "Respondents"), is informed and alleges as follows:

1.

The Complainant, Brenda Smith, a Supervising Special Investigator of the State of California, makes this Accusation in her official capacity.

2.

From October 12, 2002 through June 7, 2016, Respondent RAMROM ENTERPRISES ("RAMROM") was licensed or had license rights under the Real Estate Law,

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1 Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a corporate
2 real estate broker (License ID 01356646). Respondent RAMROM's license expired on June 7,
3 2016. The Bureau of Real Estate ("Bureau") retains jurisdiction over the lapsed license pursuant
4 to Section 10103 of the Code.

5 3.

6 Unless otherwise specified, at the time of the transactions mentioned herein,
7 Respondent RAMROM was authorized by the Bureau to use fictitious business names,
8 including "Century 21 Vision Realty," "Ultima Realty," "Valle Realty Company," and "Vision
9 Realty."

10 4.

11 Respondent RUEBEN R. ZAMUDIO ("ZAMUDIO") is presently licensed under
12 the Real Estate Law, Part 1 of Division 4 of the Code as a restricted real estate broker (License
13 ID 01333898). On June 8, 2012, in Bureau Case No. H-36926 LA, Respondent ZAMUDIO's
14 broker license was revoked and he was issued a restricted real estate broker license. Respondent
15 ZAMUDIO's restricted broker license is scheduled to expire on June 7, 2020, unless renewed.
16 Respondent was first issued a broker license on April 18, 2002.

17 5.

18 At all times relevant herein, Respondent RAMROM was authorized to act by
19 and through Respondent ZAMUDIO as its broker and designated officer pursuant to Section
20 10159.2 of the Code to be responsible for ensuring compliance with the Real Estate Law.
21 Respondent ZAMUDIO was the broker designated officer for Respondent RAMROM from on
22 or about June 3, 2014 through June 8, 2016. As designated officer, Respondent ZAMUDIO was
23 responsible for the supervision of the activities conducted on behalf of Respondent RAMROM
24 by its officers, agents, real estate licensees, and employees pursuant to Section 10159.2 of the
25 Code.

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6.

At all times mentioned, Respondent RAMROM, and/or any other fictitious business name used by RAMROM, engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the meaning of Section 10131(a) of the Code, including the selling or offering to sell, buying or offering to buy, soliciting prospective sellers or purchasers of, soliciting or obtaining listings of, or negotiating the purchase, sale or exchange of real property as the agent of others for or in expectation of compensation.

FIRST CAUSE OF ACCUSATION

(FORFEITURE OF CORPORATE STATUS)

7.

Section 2742(c) of Title 10, Chapter 6, California Code of Regulations (“Regulations”) provides:

A corporation licensed under Section 10211 of the Code shall not engage in the business of a real estate broker while not in good legal standing with the Office of the Secretary of State.

8.

Section 10131 of the Code defines a real estate broker, in pertinent part, as follows:

A real estate broker within the meaning of this part is a person who, for a compensation or in expectation of a compensation, regardless of the form or time of payment, does or negotiates to do one or more of the following acts for another or others:

(a) Sells or offers to sell, buys or offers to buy, solicits prospective sellers or purchasers of, solicits or obtains listings of, or negotiates the purchase, sale or exchange of real property or a business opportunity.

9.

Respondent RAMROM is a Nevada corporation formed on or about October 12, 2000 (Nevada entity no. C27431-2000). On June 28, 2002, Respondent RAMROM filed a Statement of Designation by Foreign Corporation with the Secretary of State of the State of

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1 California. On April 27, 2010, Respondent RAMROM filed a Statement of Information with
2 the Secretary of State of the State of California (file no. C2424199), which names Respondent
3 ZAMUDIO as the chief executive officer, secretary, and chief financial officer.

4 10.

5 On February 1, 2013, the California Franchise Tax Board forfeited the corporate
6 powers, rights and privileges of Respondent RAMROM pursuant to the provisions of the
7 California Revenue and Taxation Code. Respondent RAMROM's corporate status remains
8 forfeited.

9 11.

10 From on or about March 6, 2015 through April 29, 2016, Respondent
11 RAMROM, and/or any other fictitious business name used by RAMROM, while its corporate
12 powers, rights and privileges were forfeited by the California Franchise Tax Board, engaged in
13 the business of a corporate real estate broker in that it engaged in the business of, acted in the
14 capacity of, advertised, or assumed to act as a real estate broker within the meaning of Code
15 Section 10131(a).

16 3700 El Alisal Street

17 12.

18 On or about March 6, 2015, Albert Mendoza ("Mr. Mendoza"), a licensed real
19 estate salesperson (License ID 01510853) employed by Respondent RAMROM, signed a
20 Residential Purchase Agreement on behalf of "Century 21 New Vision" for the property located
21 at 3700 El Alisal Street, Bakersfield, California 93304. Century 21 New Vision is not an
22 authorized fictitious business name for Respondent RAMROM. The Bureau license number
23 listed for Century 21 New Vision in the Residential Purchase Agreement is 01356646,
24 Respondent RAMROM's corporate broker license number. On or about May 20, 2015, the
25 transaction closed and "Century 21 Vision" was issued a commission check in the amount of
26 \$3,765.00.

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1 4200 De Ette Avenue

2 13.

3 On or about May 30, 2015, Rosa Alvarez (“Ms. Alvare”), a licensed real estate
4 salesperson (License ID 01746157) employed by Respondent RAMROM, signed an Exclusive
5 Residential Listing Agreement on behalf of “Century 21 Vision Realty” for the property located
6 at 4200 De Ette Avenue, Bakersfield, California 93313. Century 21 Vision Realty is a fictitious
7 business name for Respondent RAMROM active with the Bureau from on or about
8 June 7, 2010 through June 8, 2016. The Bureau license number listed for Century 21 Vision
9 Realty in the Residential Listing Agreement is 01356646, Respondent RAMROM’s corporate
10 broker license number.

11 14.

12 On or about June 2, 2015, Mr. Mendoza signed a Residential Purchase
13 Agreement on behalf of Century 21 Vision Realty as the selling agent and Ms. Alvarez signed
14 the agreement on behalf of Century 21 Vision Realty as the listing agent. On or about July 31,
15 2015, the transaction closed and Century 21 Vision Realty was issued a commission check in
16 the amount of \$11,400.

17 2220 Oregon Drive

18 15.

19 On or about July 1, 2015, Respondent ZAMUDIO signed an Exclusive
20 Residential Listing Agreement as the agent for “Vision Realty” for the property located at 2220
21 Oregon Drive, Bakersfield, California 93306. Vision Realty is a fictitious business name for
22 Respondent RAMROM active with the Bureau from on or about July 21, 2014 through June 8,
23 2016. The Bureau license number listed for Vision Realty in the Residential Listing Agreement
24 is 01356646, Respondent RAMROM’s corporate broker license number.

25 16.

26 On or about August 11, 2015, Respondent ZAMUDIO signed a Residential
27 Purchase Agreement on behalf of Century 21 Vision Realty as the listing agent. On or about

1 August 20, 2015, the transaction closed and Century 21 Vision Realty was issued a commission
2 check in the amount of \$92.50.

3 103 Brandon Avenue

4 17.

5 On or about July 6, 2015, Respondent ZAMUDIO signed an Exclusive
6 Residential Listing Agreement on behalf of Vision Realty for the property located at 103
7 Brandon Avenue, Taft, California 93266. The Bureau license number listed for Vision Realty in
8 the Residential Listing Agreement is 01356646, Respondent RAMROM's corporate broker
9 license number.

10 18.

11 On or about August 11, 2015, Respondent ZAMUDIO signed a Residential
12 Purchase Agreement on behalf of Century 21 Vision Realty as the listing agent. On or about
13 September 11, 2015, the transaction closed and Vision Realty was issued a commission check
14 in the amount of \$3,087.00.

15 8513 Bonita Road

16 19.

17 On or about March 16, 2016, Ms. Alvarez signed an Exclusive Residential
18 Listing Agreement on behalf of Vision Realty for the property located at 8513 Bonita Road,
19 Lamont, California 93241. The Bureau license number listed for Vision Realty in the
20 Residential Listing Agreement is 01356646, Respondent RAMROM's corporate broker license
21 number.

22 20.

23 On or about April 28, 2016, Mr. Mendoza signed a Residential Purchase
24 Agreement on behalf of Century 21 Vision Realty as the selling agent and, on or about April 29,
25 2016, Ms. Alvarez signed the agreement on behalf of Century 21 Vision Realty as the listing
26 agent. On or about May 16, 2016, the transaction closed and "Century 21 Vision Real Estate"
27 was issued a commission check in the amount of \$1,440.00.

1 SECOND CAUSE OF ACCUSATION

2 (UNLICENSED ACTIVITY)

3 Activity on Multiple Listing Services

4 21.

5 From on or about June 13, 2016 through August 5, 2016, while its corporate real
6 estate broker license was expired, Respondent RAMROM, and/or any other fictitious business
7 name used by Respondent RAMROM, engaged in the business of a corporate real estate broker
8 in that it engaged in the business of, acted in the capacity of, advertised, or assumed to act as a
9 real estate broker within the meaning of Code Section 10131(a), on the Bakersfield Multiple
10 Listing Services ("MLS"), including but not limited to advertising for sale the following real
11 properties:

12 a. On or about June 13, 2016, Respondent ZAMUDIO, on behalf of
13 Century 21 Vision Realty, listed for sale the property located at 102 Wetherley Drive,
14 Bakersfield, California 93309 on the Bakersfield Multiple Listing Services ("MLS").

15 b. On or about July 20, 2016, Respondent ZAMUDIO, on behalf of Century
16 21 Vision Realty, listed for sale the property located at 315 McDonald Way, Bakersfield,
17 California 93309 on the Bakersfield MLS.

18 c. On or about August 2, 2016, Abraham Magana, a licensed real estate
19 salesperson (License ID 01823208) employed by Respondent RAMROM, listed for sale the
20 property located at 930 Maitland Drive, Bakersfield, California 93304 on the Bakersfield MLS.

21 d. On or about August 5, 2016, Respondent ZAMUDIO, on behalf of
22 Century 21 Vision Realty, listed for sale the property located at 9712 Laurel Park Avenue,
23 Bakersfield, California 93312 on the Bakersfield MLS.

24 22.

25 The forfeiture of Respondent RAMROM's corporate powers, rights and
26 privileges is in violation of Section 2742(c) of Title 10, Chapter 6, California Code of
27 Regulations ("Regulations") and constitutes grounds to suspend or revoke Respondent

1 RAMROM's corporate real estate broker license pursuant to Section 10177(d) (willful
2 disregard or violation of the Real Estate Law) of the Code.

3 23.

4 Respondent RAMROM engaged in the business of a corporate real estate broker
5 in that it engaged in the business of, acted in the capacity of, advertised, or assumed to act as a
6 real estate broker within the meaning of Code Section 10131(a), during a period of time when
7 Respondent RAMROM was not licensed by the Bureau as a corporate real estate broker, in
8 violation of Section 10130 of the Code.

9 THIRD CAUSE OF ACCUSATION

10 (FAILURE TO SUPERVISE)

11 24.

12 Section 10159.2(a) of the Code provides:

13 The officer designated by a corporate broker licensee pursuant to Section 10211
14 shall be responsible for the supervision and control of the activities conducted on
15 behalf of the corporation by its officers and employees as necessary to secure
16 full compliance with the provisions of this division, including the supervision of
17 salespersons licensed to the corporation in the performance of acts for which a
18 real estate license is required.

19 25.

20 The conduct, acts and/or omissions of Respondent ZAMUDIO, individually and
21 as designated officer of Respondent RAMROM, as set forth in Paragraphs 11 through 20
22 above, in failing to adequately supervise the activities of Respondent RAMROM is in violation
23 of Section 10159.2(a) of the Code and constitutes grounds to discipline the license and/or
24 license rights of Respondent ZAMUDIO pursuant to Sections 10177(d), 10177(h), and/or
25 10177(g) of the Code.

26 26.

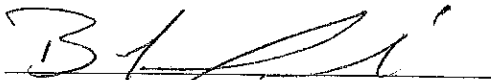
27 Section 10106 of the Code provides, in pertinent part, that in any order issued in
resolution of a disciplinary proceeding before the Bureau of Real Estate, the Commissioner may
request the administrative law judge to direct a licensee found to have committed a violation of

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1 this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of
2 the case.

3 WHEREFORE, Complainant prays that a hearing be conducted on the
4 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
5 disciplinary action against all the licenses and license rights of Respondents RAMROM
6 ENTERPRISES and RUEBEN R. ZAMUDIO, individually and as designated officer of
7 Ramrom Enterprises, under the Real Estate Law for the costs of investigation and enforcement
8 as permitted by law, and for such other and further relief as may be proper under other
9 applicable provisions of law.

10
11 Dated at Fresno, California this 14 day of December, 2016

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14 

15 Brenda Smith
16 Supervising Special Investigator

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24
25 cc: RAMROM ENTERPRISES
26 RUEBEN R. ZAMUDIO
27 Brenda Smith
Sacto.

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