

**FILED**

SEP 13 2017

BUREAU OF REAL ESTATE

By H. Diaz

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8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of	)	
	)	NO. H-3134 FR
12 PATRICIA MARIA SANCHEZ,	)	
13 Respondent.	)	<u>ACCUSATION</u>
	)	

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15 The Complainant, BRENDA SMITH, acting in her official capacity as a  
16 Supervising Special Investigator of the State of California, for cause of Accusation against  
17 PATRICIA MARIA SANCHEZ (Respondent), is informed and alleges as follows:

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19 At all times herein mentioned, Respondent was and is presently licensed and/or  
20 has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and  
21 Professions Code (the Code) by the Bureau of Real Estate (the Bureau) as a real estate  
22 salesperson. Respondent has been employed with Central Valley Properties Inc., a real estate  
23 broker corporation, since June 22, 2015. Effective April 22, 2016, Respondent's affiliation with  
24 Central Valley Properties Inc., expired. Presently, Respondent's license is in a non-working  
25 status identified as NBA (also referred to as "No Broker Affiliation").

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At no time mentioned herein was Respondent licensed by the Bureau as a real estate broker. At no time mentioned herein did Respondent's broker, Central Valley Properties Inc., authorize Respondent to conduct any loan refinance activities. At no time mentioned herein has Respondent held a mortgage loan originator license endorsement of any kind.

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At all times herein mentioned, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131 (d) of the Code, including solicitation of borrowers or lenders for or negotiation of loans or performance of services for borrowers or lenders or note owners in connection with loans secured directly or collaterally by liens on real property or on a business opportunity for or in expectation of compensation.

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At all times herein mentioned, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a mortgage loan originator within the State of California within the meaning of Section 10166.01 (b) of the Code, including taking residential mortgage loan applications or offering or negotiating terms of a residential mortgage loan for compensation or gain.

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In or about August 2015, Respondent agreed to provide services related to refinancing the loan secured by the real property located at 3423 E Illinois Avenue, Fresno, CA on behalf of the owner, Jose X.

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In or about October 2015, Respondent provided Jose X. with a document stating he was approved for a 30 year loan for \$70,000 with an interest rate of 8%. Respondent told Jose X. that he would need to pay \$2,200 in cash for the cost of the loan documents from Alterra Home Loans (Alterra). Jose X. paid \$2,200 to Respondent.

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2 In or about January 2016, Alterra informed Jose X. that the loan program he had  
3 applied for was suspended. Jose X. requested a refund from Alterra. However, Alterra indicated  
4 that they did not collect any upfront fees to process his application. Alterra and Jose X.  
5 requested Respondent to return the advance fee of \$2,200. Respondent has not refunded the  
6 advance fee.

7  
8 Respondent's acts and or omissions identified above constitute violations of  
9 Sections 2756 (Salesperson Performance of Mortgage Loan Origination) of Chapter 6, Title 10,  
10 California Code of Regulations, and Section 10166.02 (b) (Engaging in Loan Activity without  
11 Endorsement) of the Code.

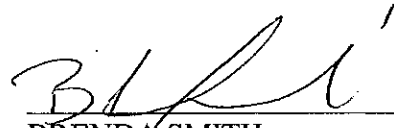
12  
13 Respondent's acts and or omissions identified above constitute grounds for the  
14 suspension or revocation of the license and license rights of Respondent pursuant to Sections  
15 10130 (Unlicensed Broker Activity), 10176 (a) (Substantial Misrepresentations), 10176 (i) Fraud  
16 or Dishonest Dealing), 10177 (d) (Willful Disregard of Real Estate Laws), 10177 (g)  
17 (Negligence/Incompetence of Licensee), 10085 (Advance Fee Agreements and Materials) and  
18 10085.5 (Payment of Advanced Fee) of the Code.

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20 COST RECOVERY

21 Section 10106 of the Code provides, in pertinent part, that in any order issued in  
22 resolution of a disciplinary proceeding before the Bureau, the commissioner may request the  
23 Administrative law judge to direct a licensee found to have committed a violation of this part to  
24 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

25 WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
26 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary  
27 action against all licenses and license rights of Respondent under the Code, for the reasonable

1 cost of investigation and agency attorney's fees in this matter, and for such other and further  
2 relief as may be proper under other provisions of law.

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5 BREND A SMITH  
6 Supervising Special Investigator

7 Dated at Fresno, California,  
8 this 29 day of August, 2017.

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10 DISCOVERY DEMAND

11 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the  
12 Bureau of Real Estate hereby makes demand for discovery pursuant to the guidelines set forth in  
13 the *Administrative Procedure Act*. Failure to provide Discovery to the Bureau of Real Estate  
14 may result in the exclusion of witnesses and documents at the hearing or other sanctions that the  
15 Office of Administrative Hearings deems appropriate.

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