

**FILED**

**OCT 28 2022**

**DEPARTMENT OF REAL ESTATE**

By           *A. de la*          

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

11 \* \* \*

12 In the Matter of the Accusation of: )

13 ALICIA CASTRO RAMIREZ, )

14 Respondent. )

No. H-3443 FR

ACCUSATION

15 The Complainant, BRENDA SMITH, in her official capacity as a Supervising  
16 Special Investigator for the Department of Real Estate (“Department”) of the State of California,  
17 brings this Accusation against Respondent ALICIA CASTRO RAMIREZ (“Respondent”), and is  
18 informed and alleges as follows:

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20 Respondent is presently licensed and/or has license rights under the Real Estate  
21 Law, Part 1 of Division 4 of the Business and Professions Code (“Code”), as a real estate  
22 salesperson, License No. 01199863.

23 DISCIPLINE BY OTHER LICENSING AGENCY

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25 On or about March 29, 2021, in Case No. 256226, the Department of Financial  
26 Protection and Innovation (“DFPI”) filed an Accusation against Respondent’s mortgage loan  
27 originator (“MLO”) license. The Accusation, incorporated by reference herein, sought to revoke

1 Respondent's MLO license on the grounds that Respondent: (a) knowingly misrepresented  
2 information on a loan application; and (b) lacks financial responsibility, character, and general  
3 fitness sufficient to meet the California MLO licensing standards.

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5 On or about September 1, 2021, Respondent entered into a Settlement Agreement  
6 with DFPI, wherein she agreed to surrender her MLO license pursuant to the terms and  
7 conditions referenced in the Settlement Agreement.

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9 As part of the Settlement and Agreement, Respondent stipulated that the  
10 Commissioner of the DFPI had sufficient grounds to revoke Respondent's MLO license under  
11 California Financing Law ("CFL") section 22109.1 and California Residential Mortgage  
12 Lending Act ("CRMLA") section 50140, subdivision (a)(3), which read: The Commissioner of  
13 the DFPI must deny any application for an MLO license unless he/she finds that "[t]he applicant  
14 has demonstrated such financial responsibility, character, and general fitness to command the  
15 confidence of the community and to warrant a determination that the mortgage loan originator  
16 will operate honestly, fairly, and efficiently within the purpose of [the CFL and the CRMLA]."

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18 Respondent's MLO license was revoked because she failed to demonstrate the  
19 financial responsibility, character, and general fitness sufficient for an MLO license under the  
20 CFL and the CRMLA in that:

21 (a) Respondent arranged for a gift to falsely demonstrate that the borrower had  
22 sufficient funds to close:

23 (b) Respondent failed to accurately disclose the relationship with the borrower's  
24 gift donor;

25 (c) Respondent knew and failed to disclose that the borrower received an  
26 unusually large pay raise less than a month before requesting loan approval;

27 (d) Respondent knew and failed to disclose that the borrower's annual bonus was

1 unusually large and was awarded five months early specifically to bolster  
2 borrower's loan application; and  
3 (e) Respondent knew and failed to disclose that the loan applicant and  
4 Respondent's broker and escrow agent were both employed by the same entity  
5 (Kenco), thereby creating a clear conflict of interest due to its financial incentive  
6 to misrepresent the borrower's personal finances. This resulted in the actual  
7 manipulation of borrower's finances in an attempt to secure loan approval.

8 FAILURE TO REPORT

9 6

10 A diligent search was made of the records of the Department for Respondent's  
11 license and no records or written notice was received from Respondent notifying the Department,  
12 within 30 days, of the disciplinary action, described above in Paragraphs 2 through 5, taken  
13 against Respondent's MLO license, as required in section 10186.2 of the Business and  
14 Professions Code ("Code").

15 GROUND FOR DENIAL

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17 The facts alleged above in Paragraphs 2 through 5 constitute grounds for the  
18 revocation of Respondent's real estate salesperson license under sections 10177(f) (revocation  
19 of license by another state agency), 10177(g) (demonstrated negligence or incompetence), and  
20 10177(j) (fraud or dishonest dealings) of the Code.

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22 The facts alleged above in Paragraph 6 constitute additional grounds for the  
23 revocation of Respondent's real estate salesperson license under sections 10186.2 (reporting  
24 requirements) and 10177(d) (willful disregard of Real Estate Law) of the Code.

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