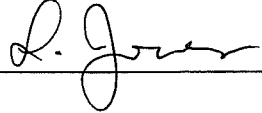


FILED

August 6, 2012

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916) 227-0789
5
6

DEPARTMENT OF REAL ESTATE

By 

7 STATE OF CALIFORNIA
8 DEPARTMENT OF REAL ESTATE
9

10 To:)
11 JUAN CARLOS ALDANA) NO. H-4395 SD
12) ORDER TO DESIST AND REFRAIN
13) (B&P Code Section 10086)
14)

15 The Commissioner ("Commissioner") of the California Department of Real Estate
16 ("Department") caused an investigation to be made of the activities of JUAN CARLOS
17 ALDANA ("ALDANA"). Based on that investigation, the Commissioner has determined that
18 ALDANA has engaged in, is engaging in, or is attempting to engage in, acts or practices
19 constituting violations of the California Business and Professions Code ("Code") including acting
20 in the capacity of, advertising, or assuming to act as a real estate broker in the State of California
21 within the meaning of Code Sections 10130 (act as a real estate broker without a license),
22 10131(a) (solicited prospective sellers and purchasers of, solicited and obtained listings of, and
23 negotiated the purchase and sale of real property) Furthermore, based upon the investigation, the
24 Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order under
25 the authority of Code Section 10086.
26
27

FINDINGS OF FACT

1
2 1. ALDANA is not and has never been licensed by the Department in any
3 capacity.

4 2. As set forth herein, ALDANA engaged in the business of, acted in the
5 capacity of, or assumed to act as a real estate broker in California.

6 3. Beginning on or about May 21, 2009, and continuing until at least August
7 2009, when the escrow was canceled, ALDANA represented Maria D. to negotiate the purchase
8 of a residential income property commonly referred to as 4232-36 Polk Avenue, San Diego
9 California, without holding a real estate broker license in violation of Sections 10130 and
10 10131(a) of the Code.

11 4 Beginning on or about June 22, 2009, and continuing until at least September
12 28, 2009, when escrow was canceled, ALDANA represented The Tellier Family Trust, Merle D.,
13 and Bernardo D., Trustees, to negotiate the purchase of a residential property commonly referred
14 to as 1630 Connoley Avenue, Chula Vista California, without holding a real estate broker license
15 in violation of Sections 10130 and 10131(a) of the Code.

16 5 ALDANA, in the above mention transactions, fraudulently misrepresented
17 that licensed real estate salesperson George B. represented the buyers when, in fact, ALDANA
18 was the buyers' representative in violation of Sections 10130 and 10131(a) of the Code.

CONCLUSIONS OF LAW

19
20 Based upon the Findings of Fact contained in Paragraphs 1 through 5, above,
21 ALDANA, for or in expectation of compensation, represented the purchasers of real property
22 when ALDANA was not licensed by the Department in any capacity in violation of Sections
23 10130 and 10131(a) of the Code.

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DESIST AND REFRAIN ORDER

Now, therefore, JUAN CARLOS ALDANA IS HEREBY ORDERED TO IMMEDIATELY DESIST AND REFRAIN from performing any and all acts within the State of California for which a real estate broker license is required, unless and until you obtain such a license.

DATED: 7/23/2012

REAL ESTATE COMMISSIONER


By WAYNE S. BELL
Chief Counsel

NOTICE

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

cc: JUAN CARLOS ALDANA
3515 VALLEY ROAD, #72
BONITA, CA 91902