

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:) CalBRE NO. H-12147 SF
)
EDNA S. MARR, CONRADO DAVID)
SALAZAR MAMARIL, and GLOBAL)
PROPERTIES AND FINANCIAL)
SERVICES,)
)
Respondents.)

FILED

JAN 23 2018

BUREAU OF REAL ESTATE

By B. Nicholas

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on January 8, 2018, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) express admissions by EDNA S. MARR ("MARR") and CONRADO DAVID SALAZAR MAMARIL ("C. MAMARIL") (collectively "Respondents"); (2) affidavits; and (3) other evidence.

This Decision revokes the real estate license and/or license rights of MARR and C. MAMARIL, only, pursuant to the Real Estate Law, Part I of Division 4, of the Business and Professions Code ("Code") Sections 10142, 10176(a), 10176(i), 10176(f), 10177(d), 10177(g), and 10177(j) of the Code.

This Decision further revokes the license and/or license rights of C. MAMARIL pursuant to Sections 10176(j) and 10159.2 of the Code, in conjunction with Section 2725, Title 10, of the Regulations of the Real Estate Commissioner ("Regulations").

Pursuant to Government Code Section 11521, the Bureau of Real Estate ("Bureau") may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Bureau's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first.

The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondents.

FINDINGS OF FACT

1

On November 21, 2017, ROBIN S. TANNER made the Accusation in her official capacity as a Supervising Special Investigator of the State of California, Bureau of Real Estate. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondents' last known mailing address on file with the Bureau on December 4, 2017.

2

No Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondents' default was entered herein.

3

MARR is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4, of the Code as a real estate salesperson.

4

C. MAMARIL is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4, of the Code as a real estate broker. C. MAMARIL's real estate broker license expired as of October 1, 2016.

5

From January 9, 2012, through November 13, 2015, C. MAMARIL was the designated officer for GLOBAL PROPERTIES AND FINANCIAL SERVICES.

6

At all times mentioned herein, Respondents 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, in that Respondents performed licensed activities in the State of California for or in expectation of compensation, including the operation and conduct of a real estate brokerage that included the sale or offer of sale, purchase or offer of purchase, solicitation of prospective sellers and purchasers of, solicitation or obtaining listings of, or negotiations of the purchase, sale or exchange of real property or a business opportunity.

7

At all times herein mentioned, while engaging in the real estate activities described above in Paragraph 6, pursuant to the requirements of Section 10159.2 of the Code and Section 2725 of the Regulations, C. MAMARIL was responsible for exercising reasonable supervision over the activities of his employees and/or associates, including, but not limited to MARR. Reasonable supervision includes the establishment of policies, rules, procedures and system of review, for the purpose of overseeing and managing the activities of salespersons.

Attached as Exhibit "1" is a true and correct copy of the Accusation filed on November 21, 2017, which is incorporated herein as part of this Decision.

The allegations contained in the Accusation, incorporated herein by reference made in Paragraph 8, above, constitute cause for the suspension or revocation of all licenses and license rights of MARR under Sections 10142 (failure to provide copy of agreement at time signature obtained), 10176(a) (making a substantial misrepresentation), 10176(i) (conduct that constitutes fraud or dishonest dealings), 10176(f) (claiming or demanding a fee for compensation where the agreement does not contain a definite, specified date of final and complete termination), 10177(d) (willful disregard of real estate law), 10177(g) (demonstrating negligence or incompetence in performing an act for which a license is require), and 10177(j) conduct that constitutes fraud or dishonest dealings) of the Code.

The allegations contained in the Accusation, incorporated herein by reference made in Paragraph 8, above, constitute cause for the suspension or revocation of all licenses and license rights of C. MAMARIL under Sections 10142, 10176(a), 10176(f), 10176(i), 10176(j), 10177(d), 10177(g), 10177(j), and 10159.2 (failure to supervise) of the Code, in conjunction with Section 2725 (failure to supervise) of the Regulations

DETERMINATION OF ISSUES

Cause for the suspension or revocation of all licenses and license rights of MARR exists with reference to the facts set out above in Paragraphs 1 through 10, pursuant to Sections 10142, 10176(a), 10176(i), 10176(f), 10177(d), 10177(g), and 10177(j) of the Code.

Cause for the suspension or revocation of all licenses and license rights of C. MAMARIL exists with reference to the facts set out above in Paragraphs 1 through 10, pursuant to Sections 10142, 10176(a), 10176(f), 10176(i), 10176(j), 10177(d), 10177(g), 10177(j), and 10159.2 of the Code, in conjunction with Section 2725 of the Regulations.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

ORDER

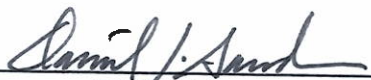
All licenses and licensing rights of Respondent MARR under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

All license and license rights of Respondent C. MAMARIL under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on **FEB 13 2018**

DATED: 1/22/18

WAYNE S. BELL
REAL ESTATE COMMISSIONER

By: 
DANIEL J. SANDRI
Chief Deputy Commissioner

FILED

JAN 08 2018

BUREAU OF REAL ESTATE

By S. Black

1 Bureau of Real Estate
1651 Exposition, Blvd.
2 Sacramento, CA, 95813

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of:) CalBRE NO. H-12147 SF
12)
12 EDNA S. MARR, CONRADO DAVID)
13 SALAZAR MAMARIL, and GLOBAL) DEFAULT ORDER
13 PROPERTIES AND FINANCIAL)
14 SERVICES,)
14)
15 Respondents.)
16)

17 Respondents EDNA S. MARR and CONRADO DAVID SALAZAR
18 MAMARIL, having failed to file a Notice of Defense within the time required by Section
19 11506 of the Government Code, are now in default. It is, therefore, ordered that a default be
20 entered on the record in this matter.

21 IT IS SO ORDERED January 8, 2018

22 WAYNE S BELL
23 REAL ESTATE COMMISSIONER

24
25 By: Joe M. Carrillo
26 JOSEPH M. CARRILLO
27 Regional Manager