

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

MAR 15 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 February 21, 2018, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) express admissions by GLOBAL PROPERTIES AND FINANCIAL SERVICES ("GLOBAL") and/or its representatives; (2) affidavits; and (3) other evidence.

This Decision revokes the real estate license and/or license rights of GLOBAL, only, pursuant to the Real Estate Law, Part I of Division 4, of the Business and Professions Code ("Code") Sections 10142, 10176(a), 10176(f), 10176(i), 10176(j), 10177(d), 10177(g), 10177(j), and 10159.2, in conjunction with Section 2725 of 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 GLOBAL.

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 GLOBAL's last known mailing address on file with the Bureau on February 1, 2018.

2

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

3

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

4

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

5

Any acts or omissions of GLOBAL shall be deemed to mean that the employees, agents, and/or the real estate licensees employed by or associated with GLOBAL committed such acts or omissions while engaged in furtherance of the business or operation of GLOBAL, and while acting within the course and scope of their authority and employment with GLOBAL.

6

At all times mentioned herein, GLOBAL 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 GLOBAL 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.

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, GLOBAL was responsible for exercising reasonable supervision over the activities of its 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 GLOBAL under Sections 10142 (failure to provide copy of agreement at time signature obtained), 10176(a) (making a substantial misrepresentation), 10176(f) (claiming or demanding a fee for compensation where the agreement does not contain a definite, specified date of final and complete termination), 10176(i) (conduct that constitutes fraud or dishonest dealings), 10176(j) (obtaining signature of prospective purchaser to agreement without first obtaining the written authorization of the owner who is offering the property for sale, lease, exchange, or rent), 10177(d) (willful disregard of real estate law), 10177(g) (demonstrating negligence or incompetence in performing an act for which a license is require), 10177(j) (conduct that constitutes fraud or dishonest dealings), 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 GLOBAL 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.

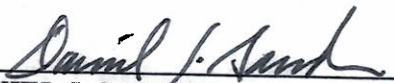
ORDER

All licenses and licensing rights of GLOBAL 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 APR 05 2018

DATED: 3/9/18

WAYNE S. BELL
REAL ESTATE COMMISSIONER

By: 
DANIEL J. SANDRI
Chief Deputy Commissioner

