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FILED

JUN 26 2010

DEPARTMENT OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of
ANTHONY JESUS QUINTERO,
Respondent.

No. H-28020 LA

ORDER DENYING REINSTATEMENT OF LICENSE AND
GRANTING RIGHT TO A RESTRICTED LICENSE

On August 2, 1999, an Order Accepting Voluntary Surrender of Respondent's real estate salesperson license was rendered. On or about March 26, 2009, Respondent petitioned for reinstatement of Respondent's real estate salesperson license. The Attorney General of the State of California has been given notice of the filing of the petition.

I have considered Respondent's petition and the evidence and arguments in support thereof. Respondent has failed to demonstrate to my satisfaction that Respondent has undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate salesperson license, in that:

I

Respondent was involved in conduct involving dishonest dealings.

1 II

2 The burden of proving rehabilitation rests with the petitioner (*Feinstein v. State*
3 *Bar* (1952) 39 Cal. 2d 541). A petitioner is required to show greater proof of honesty and
4 integrity than an applicant for first time licensure. The proof must be sufficient to overcome the
5 prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

6 The Department has developed criteria in Regulation 2911 to assist in evaluating
7 the rehabilitation of an applicant for reinstatement of a license. Among the criteria relevant in
8 this proceeding are:

9 Regulation 2911(k) – correction of business practices resulting in injury to others
10 or with the potential to cause such injury.

11 Respondent has not provided such proof. Respondent has been out of the
12 business since his license was surrendered in 1999.

13 Given the fact that Respondent has not established that Respondent has complied
14 with Regulation 2911(k) I am not satisfied that Respondent is sufficiently rehabilitated to
15 receive a real estate salesperson license.

16 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
17 reinstatement of Respondent's real estate salesperson license is denied.

18 I am satisfied, however, that it will not be against the public interest to issue a
19 restricted real estate salesperson license to Respondent.

20 A restricted real estate salesperson license shall be issued to Respondent pursuant
21 to Code Section 10156.5 if Respondent within twelve (12) months from the date hereof
22 providing Respondent:

23 (a) qualifies for, takes and passes the written examination required to obtain a real
24 estate salesperson license;

25 (b) makes application and pays the appropriate fee for said license;

26 ///

27 ///

1 The restricted license issued to Respondent shall be subject to all of the provisions
2 of Code Section 10156.7 and to the following limitations, conditions and restrictions imposed
3 under authority of Code Section 10156.6:

4 1. The restricted license issued to Respondent may be suspended prior to hearing
5 by Order of the Real Estate Commissioner in the event of Respondent's conviction or plea of
6 nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a
7 real estate licensee.

8 2. The restricted license issued to Respondent may be suspended prior to hearing
9 by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that
10 Respondent has violated provisions of the California Real Estate Law, Regulations of the Real
11 Estate Commissioner or conditions attaching to the restricted license.

12 3. Respondent shall not be eligible to apply for the issuance of an unrestricted
13 real estate license nor for the removal of any of the conditions, limitations or restrictions of a
14 restricted license until two (2) years have elapsed from the effective date of this Decision.

15 4. Respondent shall submit with any application for license under an employing
16 broker, or any application for transfer to a new employing broker, a statement signed by the
17 prospective employing real estate broker on a form approved by the Department of Real Estate
18 which shall certify:

19 (a) That the employing broker has read the Decision of the Commissioner which
20 granted the right to a restricted license; and

21 (b) That the employing broker will exercise close supervision over the
22 performance by the restricted licensee relating to activities for which a real estate license is
23 required.

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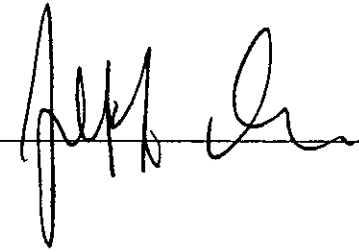
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This Order shall become effective at 12 o'clock noon on **JUL 16 2010**

IT IS SO ORDERED 7/26/20^s

JEFF DAVI
Real Estate Commissioner



*Sacks
Hart*

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Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012

FILED
AUG 12 1999
DEPARTMENT OF REAL ESTATE

By Jana B. Orma

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

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|------------------------------------|---|----------------|
| In the Matter of the Accusation of |) | No. 1999040207 |
| ANTHONY JESUS QUINTERO, |) | H-28020 LA |
| Respondents. |) | |

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On February 26, 1999, an Accusation was filed in this matter against Respondent ANTHONY JESUS QUINTERO.

On July 20, 1999, Respondent ANTHONY JESUS QUINTERO petitioned the Commissioner to voluntarily surrender his real estate broker licenses and license rights pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent ANTHONY JESUS QUINTERO's petition for voluntary surrender of his real estate broker licenses and all license rights appurtenant thereto is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in

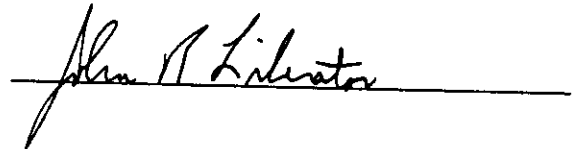
1 Respondent's Declaration dated July 20, 1999 (attached as Exhibit
2 "A" hereto).

3 This Order shall become effective at 12 o'clock noon on
4 SEP 1 1999

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DATED: August 2, 1999.

JOHN R. LIBERATOR
Acting Real Estate Commissioner



JRL/SC/sc

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1152
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8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. 1999040207
12 ANTHONY JESUS QUINTERO,) H-28020 LA
13 Respondents.)
14

15 DECLARATION

16 My name is ANTHONY JESUS QUINTERO.

17 I am a Respondent in the above-entitled case. I am
18 represented by John Martin, Esq. of the Chase Law Group.

19 Pursuant to Business and Professions Code Section
20 10100.2, I wish to voluntarily surrender all my real estate
21 licenses, and all license rights, issued by the Department.

22 I understand that by so voluntarily surrendering my real
23 estate licenses and license rights, I agree to the following:


24 The filing of a petition by me shall be deemed to be an
25 understanding and agreement by me that upon acceptance by the
26 Commissioner, as evidenced by an appropriate order, all affidavits
27 and all relevant evidence obtained in the investigation prior to




1 the acceptance and all allegations contained in the Accusation
2 filed in Department of Real Estate Case No. H-28020 LA may be
3 considered by the Department to be true and correct for the
4 purpose of deciding whether or not to grant reinstatement of my
5 real estate license.

6 I declare under penalty of perjury under the laws of the
7 State of California that the above is true and correct.

8 DATED: 7/20/99, at Los Angeles, California.

9
10 
11 ANTHONY JESUS QUINTERO,
12 Respondent.

13 
14 JOHN MARTIN, Esq. The Chase
15 Law Group, Counsel for
16 Anthony Jesus Quintero,
17 approved as to form.
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Sacto Ray

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
APR 28 1999
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of) Case No. H-28020 LA
) OAH No. L-1999040207
ANTHONY JESUS QUINTERO,)
)
Respondent.)

By *Anna B. Crow*

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, California, on JULY 22 & 23, 1999, at the hour of 9:00 a.m. or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served upon you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: APR 28 1999

DEPARTMENT OF REAL ESTATE
By: *Sean Crahan*
SEAN CRAHAN, Counsel

cc: Anthony Jesus Quintero
Q/M Realtors Inc.
Eric A. Chase, Esq.
Sacto, OAH

SEAN CRAHAN, Counsel
State Bar #49351
Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012

(213) 897-3937

FILED
FEB 26 1999
DEPARTMENT OF REAL ESTATE

By Laura B. Luna

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

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|--------------------------------------|----------------------------|
| In the Matter of the Accusation of) | No. H-28020 LA |
| ANTHONY JESUS QUINTERO,) | <u>A C C U S A T I O N</u> |
| Respondent.) | |

The Complainant, Thomas Mc Crady, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against ANTHONY JESUS QUINTERO, alleges as follows:

1.

The Complainant, Thomas Mc Crady, a Deputy Real Estate Commissioner, makes this Accusation in his official capacity.

2.

ANTHONY JESUS QUINTERO (hereafter respondent) is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter referred to as the "Code"). At all times material herein, respondent was licensed by the Department of

Handwritten signature/initials

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1 Real Estate (hereafter the Department) as a real estate
2 salesperson.

3 3.

4 Respondent was at all times herein mentioned employed by
5 Amerimort Financial Corp. doing business as Citimortgage Bancorp
6 (hereafter AFC) as a loan officer soliciting borrowers for loans
7 secured by real property, for or in expectation of compensation.

8 4.

9 On or about September 12, 1996, respondent, in the course
10 of his employment set forth in paragraph 3 above, solicited Ricky
11 Escobar and Elly Rivera, borrowers, for a purchase money loan to
12 purchase 8975 Telfair Avenue, Sun Valley, California. Said loan
13 was approved and funded by CUB Funding (hereafter CUB) on or about
14 October 21, 1996.

15 5.

16 On or about September 26, 1996, respondent caused,
17 allowed or permitted the creation of a fictitious Request For
18 Verification of Rent Or Mortgage (hereafter VOR) which mis-
19 represented to AFC and to CB that borrowers were living at 4354
20 Lockwood Avenue, Los Angeles, California and paying \$1075 per month
21 rent to Eva Belmonte (hereafter Belmonte).

22 6.

23 In fact, borrowers did not pay rent to Belmonte, nor did
24 Belmonte own the property on Lockwood, nor did Belmonte know the
25 borrowers.

26 7.

27 Respondent knew his representations to be untrue when
made. AFC and CUB reasonably relied on the VOR as genuine.

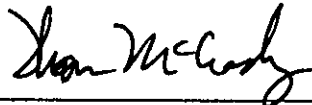


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The conduct or omissions of respondent ANTHONY JESUS
QUINTERO, as set forth above, subjects his real estate license and
license rights to suspension or revocation under the provisions of
Code Section 10176(a) [making a substantial misrepresentation],
10176(I) [fraud or dishonest dealing] or 10177(j) [fraud or
dishonest dealing in a transaction not requiring a license].

WHEREFORE, Complainant prays that a hearing be conducted
on the allegations of this Accusation and, that upon proof thereof,
a decision be rendered imposing disciplinary action against all
licenses and license rights of respondent ANTHONY JESUS QUINTERO,
under the Real Estate Law (Part 1 of Division 4 of the Business and
Professions Code) and for such other and further relief as may be
proper under other applicable provisions of law.

Dated February 26, 1999 at Los Angeles, California.



Thomas Mc Crady,
Deputy Real Estate Commissioner

cc: Anthony Jesus Quintero
Sacto.
DR
TM