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FILED

SEP 14 2007

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	NO. H-29446 LA
LAARNI GARCIA OMINGO,)
Respondent.)

ORDER DENYING RECONSIDERATION

On June 29, 2007, an Order Denying Reinstatement of License was signed in the above-entitled matter. Said Order was to become effective on August 6, 2007 and was stayed by separate Orders to September 14, 2007.

On August 21, 2007, Respondent petitioned for reconsideration of the Order of June 29, 2007.

I have given due consideration to the petition of Respondent. I find no good cause to reconsider the Order of June 29, 2007, and reconsideration is hereby denied.

IT IS SO ORDERED September 14, 2007

JEFF DAVI
Real Estate Commissioner

[Signature]

BY: John R. Liberator
Chief Deputy Commissioner

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FILED
SEP - 4 2007
DEPARTMENT OF REAL ESTATE

K. Kiederholf

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of) DRE No. H-29446 LA
LAARNI GARCIA OMINGO,)
Respondent.)

ORDER STAYING EFFECTIVE DATE

On June 29, 2007, an Order Denying Reinstatement of License was rendered in the above-entitled matter to become effective August 6, 2007. On August 3, 2007, the effective date of the Order Denying Reinstatement of License of June 29, 2007, was stayed for thirty days, to become effective September 5, 2007.

IT IS HEREBY ORDERED that the effective date of the Order Denying Reinstatement of License of June 29, 2007, is stayed for an additional ten days.

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The Order Denying Reinstatement of License of June 29,
2007, shall become effective at 12 o'clock noon on September
14, 2007.

DATED: September 4, 2007

JEFF DAVI
Real Estate Commissioner

By: M. Dolores Weeks
M. DOLORES WEEKS
Regional Manager

David

FILED
AUG - 3 2007

DEPARTMENT OF REAL ESTATE

K. Pedersen

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of) DRE No. H-29446 LA
LAARNI GARCIA OMINGO,)
Respondent.)

ORDER STAYING EFFECTIVE DATE

On June 29, 2007, an Order Denying Reinstatement of License was rendered in the above-entitled matter to become effective August 6, 2007.

IT IS HEREBY ORDERED that the effective date of the Order Denying Reinstatement of License of June 29, 2007, is stayed for a period of thirty days.

The Order Denying Reinstatement of License of June 29, 2007, shall become effective at 12 o'clock noon September 5, 2007.

DATED: *August 3, 2007*

JEFF DAVI
Real Estate Commissioner

M. Dolores Weeks
By: M. Dolores Weeks
Regional Manager

*Armed
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FILED
JUL 16 2007
DEPARTMENT OF REAL ESTATE

s. K. Maderholt

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-29446 LA
)
LAARNI GARCIA OMINGO,)
)
Respondent.)

ORDER DENYING REINSTATEMENT OF LICENSE

On May 15, 2003, a Decision was rendered herein
revoking Respondent's real estate broker license. Said Decision
gave Respondent the right to apply for and be issued a
restricted real estate salesperson license, which was issued to
Respondent on or about August 5, 2003.

On or about May 23, 2006, Respondent petitioned for
reinstatement of said license and the Attorney General of the
State of California has been given notice of the filing of the
petition.

///
///

1 I have considered Respondent's petition and
2 the evidence and arguments in support thereof. Respondent
3 has failed to demonstrate to my satisfaction that Respondent
4 has undergone sufficient rehabilitation to warrant the
5 reinstatement of Respondent's real estate broker license, in
6 that:
7

8 I

9 In the Decision which revoked Respondent's real estate
10 broker license, there were Legal Conclusions made that there
11 was cause to revoke Respondent's real estate license under
12 Business and Professions Code ("Code") Sections 10159.2,
13 10177(d) and 10177(h), for failure to properly supervise.
14

15 The underlying facts were that in 1999, Respondent
16 was licensed by the Department of Real Estate ("Department")
17 as the designated officer of The Omingo Group, Inc., a licensed
18 real estate corporate broker. The sale of real property in
19 Downey, California was negotiated through The Omingo Group,
20 Inc. A false gift letter was submitted to the lender on the
21 buyer's behalf. The lender relied on the false gift letter and
22 made a new first trust deed loan to the buyers. If the lender
23 had known that the gift letter was false, it would not have
24 made the loan to the buyers.
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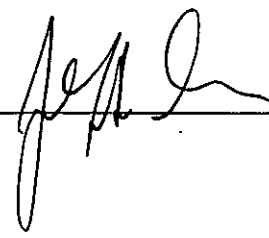
Given the fact that Respondent has not established that Respondent has complied with Regulations 2911(k) and 2911(n) (1), I am not satisfied that Respondent is sufficiently rehabilitated to receive a real estate broker license.

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

This Order shall become effective at 12 o'clock noon on AUG - 6 2007.

DATED: 6-29-07

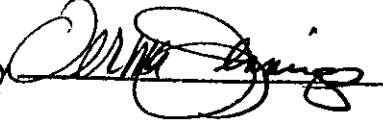
JEFF DAVI
Real Estate Commissioner



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FILED
JUL 17 2003
DEPARTMENT OF REAL ESTATE

By 

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-29446 LA
)	L-2002050698
LAARNI GARCIA OMINGO,)	
)	<u>ORDER DENYING</u>
Respondent.)	<u>RECONSIDERATION</u>

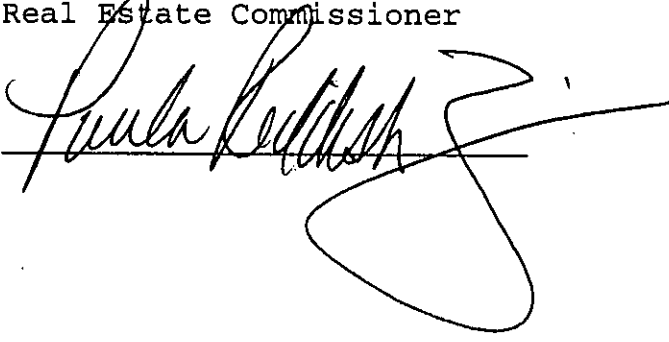
On May 15, 2003, a Decision was rendered in the above-entitled matter. The Decision was to become effective on June 17, 2003 and was stayed by separate order to July 17, 2003.

On June 2, 2003, Respondent petitioned for reconsideration of the Decision of May 15, 2003.

I have given due consideration to the petition of Respondent. I find no good cause to reconsider the Decision of May 15, 2003 and reconsideration is hereby denied.

IT IS SO ORDERED July 16, 2003

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



ADD.
Page

FILED
JUN - 6 2003

DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-29446 LA
)	L-2002050698
LAARNI GARCIA OMINGO, et al.,)	
)	
Respondents.)	

ORDER STAYING EFFECTIVE DATE

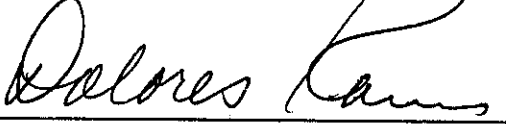
On May 15, 2003, a Decision was rendered in the above-entitled matter to become effective June 17, 2003.

IT IS HEREBY ORDERED that the effective date of the Decision of May 15, 2003 is stayed for a period of 30 days.

The Decision of May 15, 2003 shall become effective at 12 o'clock noon on July 17, 2003.

DATED: June 5, 2003.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner

By: 
DOLORES RAMOS
Regional Manager

FILED
MAY 28 2003
DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

BY 

* * * * *

In the Matter of the Accusation of)	No. H-29446 LA
)	
)	L-2002050698
THE OMINGO GROUP, INC.,)	
and LAARNI GARCIA OMINGO,)	
)	
)	
Respondents.)	

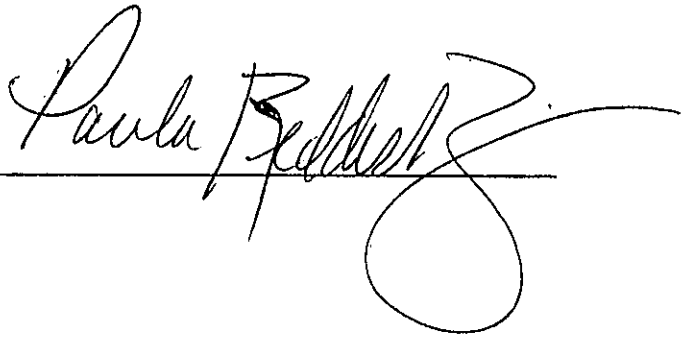
DECISION

The Proposed Decision dated March 28, 2003, of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock noon on June 17, 2003.

IT IS SO ORDERED May 15, 2003, 2003.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of Accusation of:

THE OMINGO GROUP, INC.
and LAARNI GARCIA OMINGO,

Respondent.

Case No. H-29446 LA

OAH No. L2002050698

PROPOSED DECISION

This matter was heard by Humberto Flores, Administrative Law Judge with the Office of Administrative Hearings on February 10, 2003.

Complainant was represented by James Peel, Counsel for the Department of Real Estate.

Respondent Laarni Garcia Omingo appeared personally and on behalf The Omingo Group, Inc. Both Respondents were represented by V. Norman Jewitt Jr., Attorney at Law.

Oral and documentary evidence was received and the matter was submitted.

FACTUAL FINDINGS

1. Complainant Maria Suarez, made the Accusation in her official capacity as Deputy Real Estate Commissioner of the State of California.
2. The Omingo Group, Inc. ("Respondent Omingo Group") and Laarni Garcia Omingo ("Respondent Omingo") are presently licensed or have license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code).
3. At all relevant times, Respondent Omingo Group was licensed by the Department as a corporate real estate broker, and Respondent Omingo was licensed as the designated broker/officer of Respondent Omingo Group.
4. On or about November 19, 1999, Respondents, while performing acts requiring a real estate license, negotiated a sale of real property located at 10518 Downey Avenue, Downey, California.

5. Under the terms of the sale, the buyers were to obtain a new first trust deed to finance the purchase of the property. Respondents, while performing acts requiring a real estate license and in expectation of compensation, negotiated a loan on the property for the buyers from Transactional Financial Network, Inc. ("lender").

6. In order to induce the lender to make the loan to the buyers, Respondents caused a false gift letter to be submitted to the lender on the buyers' behalf.

7. The lender relied on the false gift letter and made a new first trust deed loan to the buyers. Had the lender known that the gift letter was false, it would not have made the loan to the buyers.

8. Respondent Omingo testified that Lydia Olvera, an employee of Respondent Omingo Group, obtained information from the file of another potential real estate client and used that information to prepare the gift letter and forge the potential client's signature. The information used Ms. Olvera included bank account numbers and bank statements. Respondent Omingo also testified that she had no knowledge that Ms. Olvera prepared a false gift letter. Ms. Olvera had been training as a loan officer but had not been licensed by the Department of Real Estate at the time of the transaction. Respondent Omingo introduced a declaration signed by Olvera to support her testimony.

9. Assuming that Respondent Omingo's testimony is true, said testimony is troubling for a number of reasons. Respondent Omingo personally interviewed the buyers and prepared and signed the residential loan application submitted to the lender on behalf of the buyers. Further, Respondent Omingo prepared the purchase contract and certified that the documents in the loan file were true and correct. Respondent Omingo testified that Ms. Olvera was not personally processing loans, nor acting in the capacity of a loan officer, but rather, had other duties including translating for clients. However, Ms. Olvera, in her declaration, states that she actually processed the loan, which indicates that she had duties and responsibilities that may have required licensure. Ms. Olvera further stated in her declaration that she felt that no harm would result from her conduct in falsifying documents.

10. Complainant did not prove by clear and convincing evidence that Respondent Omingo personally falsified the gift letter or that she had knowledge of the falsification. However, someone employed by Respondent Omingo Group falsified the letter and forged the signature. Respondents created a business environment where there was insufficient supervision and where an unlicensed employee felt it was not inappropriate to falsify a gift letter as long as she felt no one would be harmed. Therefore, the evidence proved that Respondents Omingo and Omingo Group failed to properly supervise their employees in connection with the transaction set forth in findings 4 through 9.

11. Respondent Omingo has been licensed for 13 years with no previous record of discipline.

LEGAL CONCLUSIONS

1. Cause does not exist to suspend or revoke the licenses and licensing rights of Respondent Laarni Garcia Omingo, under Business and Professions Code sections 10176(a) and 10176(i), based on the facts set forth in findings 10.

2. Cause exists to suspend or revoke the licenses and licensing rights of Respondent Laarni Garcia Omingo as the responsible managing broker of Respondent Omingo Group, under Business and Professions Code sections 10159.2, 10177(d) and 10177(h), for Respondents' conduct as set forth in findings 4 through 10.

ORDER

1. All licenses and licensing rights of Respondent The Omingo Group, Inc., under the Real Estate Law are revoked.

2. All licenses and licensing rights of Respondent Laarni Garcia Omingo, under the Real Estate Law are revoked; however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code if Respondent makes application therefore and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:

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

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

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

4. Respondent shall not own, manage or hold a supervisory position in a real estate brokerage firm during the term of the restricted license.

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

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

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

6. Respondent shall, within nine months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

DATED: March 28, 2003



HUMBERTO FLORES
Administrative Law Judge
Office of Administrative Hearings

Sacto JAG

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
SEP 25 2002
DEPARTMENT OF REAL ESTATE

* * * * *

In the Matter of the Accusation)
THE OMINGO GROUP, INC. and)
LAARNI GARCIA OMINGO,)
Respondent(s).)

Case No. H-29446 LA)
OAH No. L-2002050698)

Jana B. Chern

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 the Office of Administrative Hearings, 320 West Fourth Street, 6th Floor, Suite 630, Los Angeles, California, on FEBRUARY 10, 2003, 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: September 25, 2002

DEPARTMENT OF REAL ESTATE
By: James R. Peel
JAMES R. PEEL, Counsel

cc: The Omingo Group, Inc.
Laarni Garcia Omingo
V. Norman Jewett, Jr., Esq.
Sacto., OAH

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
JUN 13 2002
DEPARTMENT OF REAL ESTATE

* * * *

In the Matter of the Accusation) Case No. H-29446 LA
) OAH No. L-2002050698
THE OMINGO GROUP, INC. and)
LAARNI GARCIA OMINGO,)
)
Respondent(s).)

Jama B. Non

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 the Office of Administrative Hearings, 320 West Fourth Street, 6th Floor, Suite 630, Los Angeles, California, on AUGUST 19, 2002, 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: June 13, 2002

DEPARTMENT OF REAL ESTATE

By:

James R. Peel

JAMES R. PEEL, Counsel

cc: The Omingo Group, Inc.
Laarni Garcia Omingo
V. Norman Jewett, Jr., Esq.
Sacto., OAH

Jack Day

FILED
APR 9 2002
DEPARTMENT OF REAL ESTATE

Sandra B. Allen

1 JAMES R. PEEL, Counsel (SBN 47055)
Department of Real Estate
2 320 West Fourth Street, Suite 350
Los Angeles, CA 90013-1105
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4 Telephone: (213) 576-6982
-or- (213) 576-6913 (Direct)

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-29446 LA
)
THE OMINGO GROUP, INC.,) A C C U S A T I O N
and LAARNI GARCIA OMINGO,)
)
Respondents.)

The Complainant, Maria Suarez, a Deputy Real Estate
Commissioner of the State of California, for cause of Accusation
against THE OMINGO GROUP, INC., and LAARNI GARCIA OMINGO, alleges
as follows:

I

The Complainant, Maria Suarez, acting in her official
capacity as a Deputy Real Estate Commissioner of the State of
California, makes this Accusation against THE OMINGO GROUP, INC.,
and LAARNI GARCIA OMINGO.

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II

THE OMINGO GROUP, INC. and LAARNI GARCIA OMINGO (hereinafter referred to as "Respondents") are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) (hereinafter Code).

III

At all times herein mentioned, Respondent THE OMINGO GROUP, INC., was licensed by the Department of Real Estate of the State of California as a corporate real estate broker, and Respondent LAARNI GARCIA OMINGO, was licensed as the designated broker officer of said corporation pursuant to Code Section 10159.2.

IV

On or about November 19, 1999, Respondents while performing acts requiring a real estate license, as set forth in Code Section 10131(a), for compensation or in expectation of compensation, negotiated the sale of real property located at 10518 Downey Avenue, Downey, California from Samuel H. and Marina F. Cervantes to Jose and Maria Esquivias.

V

The terms of the sale required, among other things, that the buyers obtain a new first trust deed to finance the purchase of the property. Respondents, while performing acts requiring a real estate license for or in expectation of compensation, negotiated a loan on the property for the buyers from Transnational Financial Network, Inc. ("lender").

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VI

In order to induce the lender to make a new first trust deed loan to the buyers Respondents caused a fictitious gift letter to be submitted to the lender on the buyers' behalf.

VII

The lender relied on the fictitious gift letter and made a new first trust deed loan to the buyers. Had the lender known that the gift letter was false and untrue it would not have made the loan to the buyers.

VIII

The conduct, acts and omissions of Respondents THE OMINGO GROUP, INC. and LAARNI GARCIA OMINGO, as alleged above, subjects their real estate licenses and license rights to suspension or revocation pursuant to Sections 10176(a) and 10176(i) of the Code.

IX

The conduct, acts and omissions of Respondent LAARNI GARCIA OMINGO, as alleged above, as the responsible broker, by allowing and permitting Respondent THE OMINGO GROUP, INC., to engage in the conduct specified above, subjects her real estate licenses and license rights to suspension or revocation pursuant to Sections 10159.2, 10177(d) and 10177(h) of the Code.

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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and license rights of Respondents THE
5 OMINGO GROUP, INC., and LAARNI GARCIA OMINGO under the Real
6 Estate Law (Part 1 of Division 4 of the Business and Professions
7 Code) and for such other and further relief as may be proper
8 under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this 8th day of April, 2002.

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14 MARIA SUAREZ
15 Deputy Real Estate Commissioner
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24 cc: The Omingo Group, Inc.
25 Laarni Garcia Omingo
26 Maria Suarez
27 Sacto
 RTG

lbo