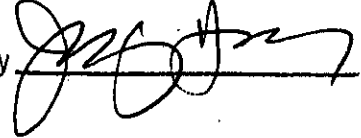


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**FILED**  
DEC 27 2002

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-29662 LA
CONQUISTADOR HOME LOANS	)	L-2002090676
and RENE CUAUHTEMOC GARCIA	)	
as Designated Officer of	)	
Conquistador Home Loans,	)	
Respondents.	)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On August 28, 2002, an Accusation was filed in this matter against Respondent CONQUISTADOR HOME LOANS and RENE CUAUHTEMOC GARCIA as Designated Officer of Conquistador Home Loans.

On December 2, 2002, Respondent petitioned the Commissioner to voluntarily surrender its real estate broker license(s) pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent CONQUISTADOR HOME LOANS petition for voluntary surrender of its real estate broker license is accepted as of the effective date of this Order as set

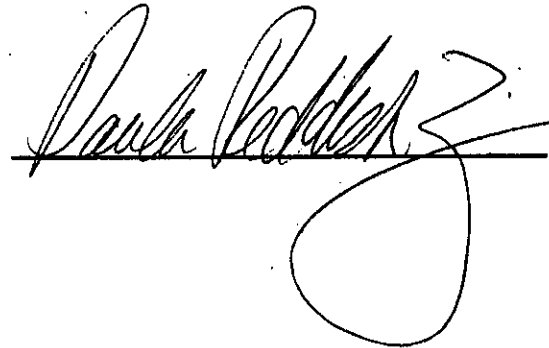
1 forth below, based upon the understanding and agreement expressed  
2 in Respondent's Declaration dated December 2, 2002 (attached as  
3 Exhibit "A" hereto). Respondent's license certificate(s), pocket  
4 card(s) and any branch office license certificate(s) shall be  
5 sent to the below listed address so that they reach the  
6 Department on or before the effective date of this Order:

7 DEPARTMENT OF REAL ESTATE  
8 Attn: Licensing Flag Section  
9 P. O. Box 187000  
Sacramento, CA 95818-7000

10 This Order shall become effective at 12 o'clock noon  
11 on January 16, 2003.

12 DATED: December 20, 2002

14 PAULA REDDISH ZINNEMANN  
15 Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-29662 LA
CONQUISTADOR HOME LOANS	)	
and RENE CUAUHEMOC GARCIA	)	
as Designated Officer of	)	
Conquistador Home Loans,	)	
Respondents.	)	

DECLARATION

My name is RENE CUAUHEMOC GARCIA. I am currently an officer and the designated broker for CONQUISTADOR HOME LOANS, which is licensed as a real estate broker and/or has license rights with respect to said license. I am authorized and empowered to sign this declaration on behalf of CONQUISTADOR HOME LOANS.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedures Act (Sections 11400 of the Business and Professions Code) CONQUISTADOR HOMES LOANS wishes to voluntarily surrender its real estate license

1 issued by the Department of Real Estate ("Department") pursuant  
2 to Business and Professions Code Section 10100.2.

3 I understand that CONQUISTADOR HOMES LOANS, by so  
4 voluntarily surrendering its license, can only have it reinstated  
5 in accordance with the provisions of Section 11522 of the  
6 Government Code. I also understand that by so voluntarily  
7 surrendering its license, CONQUISTADOR HOME LOANS agrees to the  
8 following:

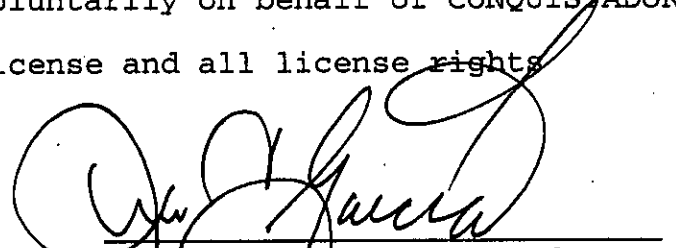
9 The filing of this Declaration shall be deemed as its  
10 petition for voluntary surrender. It shall also be deemed to be  
11 an understanding and agreement by CONQUISTADOR HOME LOANS that,  
12 it waives all rights it has to require the Commissioner to prove  
13 the allegations contained in the Accusation filed in this matter  
14 at a hearing held in accordance with the provisions of the  
15 Administrative Procedures Act (Government Code Section 11400 et  
16 seq.), and that it also waives other rights afforded to it in  
17 connection with the hearing such as the right to discovery, the  
18 right to present evidence in defense of the allegations in the  
19 Accusation and the right to cross examine witnesses. I further  
20 agree on behalf of CONQUISTADOR HOME LOANS that upon acceptance  
21 by the Commissioner, as evidenced by an appropriate order, all  
22 affidavits and all relevant evidence obtained by the Department  
23 in this matter prior to the Commissioner's acceptance, and all  
24 allegations contained in the Accusation filed in the Department  
25 Case No. H-29662 LA, may be considered by the Department to be  
26 true and correct for the purpose of deciding whether or not to  
27

1 grant reinstatement of CONQUISTADOR HOME LOANS license pursuant  
2 to Government Code Section 11522.

3 I declare under penalty of perjury under the laws of  
4 the State of California that the above is true and correct and  
5 that I am acting freely and voluntarily on behalf of CONQUISTADOR  
6 HOME LOANS to surrender its license and all license rights  
7 attached thereto.

8 12/02/02 @ Los Angeles, CA

9 Date and Place

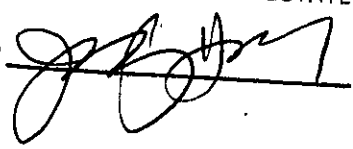
  
RENE CUAUHTEMOC GARCIA for  
CONQUISTADOR HOME LOANS

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**FILED**  
DEC 27 2002  
DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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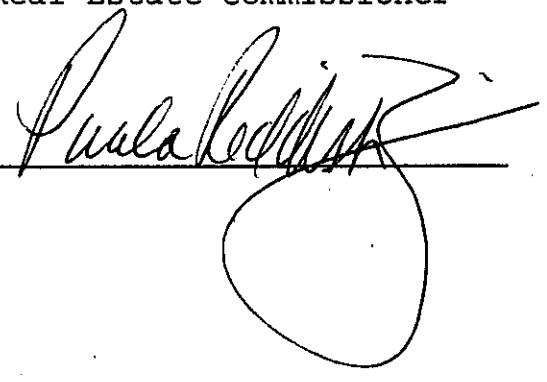
In the Matter of the Accusation of	)	No. H-29662 LA
CONQUISTADOR HOME LOANS	)	L-2002090676
and <u>RENE CUAUHTEMOC GARCIA</u>	)	
as Designated Officer of	)	
Conquistador Home Loans,	)	
Respondents.	)	

DISMISSAL

The Accusation herein filed on August 28, 2002, against  
RENE CUAUHTEMOC GARCIA as designated officer of Conquistador Home  
Loans is DISMISSED.

IT IS SO ORDERED *December 18, 2002.*

PAULA REDDISH ZINNEMANN  
Real Estate Commissioner



SACTO

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Accusation of )  
)  
CONQUISTADOR HOME LOANS, )  
and RENE CUAUHTEMOC GARCIA )  
as Designated Officer of )  
Conquistador Home loans, )  
\_\_\_\_\_)  
Respondents.

Case No. H-29662 LA  
OAH No. L-2002090676

FILED  
OCT 9 2002  
DEPARTMENT OF REAL ESTATE

By 

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, Suite 630, Los Angeles, CA 90013-1105 on FRIDAY, DECEMBER 6, 2002, at the hour of 1:30 P.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 on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the 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.

DEPARTMENT OF REAL ESTATE

Dated: October 9, 2002

By

  
MARY E. WORK, Counsel

cc: Conquistador Home Loans  
Rene Cuauhtemoc Garcia  
Sacto.  
OAH

50270

1 MARY E. WORK, Counsel  
SBN 175887  
2 Department of Real Estate  
320 West 4<sup>th</sup> Street, Suite 350  
3 Los Angeles, CA 90013-1105  
4 Telephone (213) 576-6982  
-Direct- (213) 576-6916  
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**FILED**  
AUG 28 2002

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

11	In the Matter of the Accusation of	)	No. H-29662 LA
12	CONQUISTADOR HOME LOANS	)	
13	and RENE CUAUHTEMOC GARCIA	)	<u>ACCUSATION</u>
14	as Designated Officer of	)	
15	Conquistador Home Loans,	)	
	Respondents.	)	

16 The Complainant, Maria Suarez, a Deputy Real Estate  
17 Commissioner of the State of California, for Accusation against  
18 CONQUISTADOR HOME LOANS, (hereinafter "Respondent") and its  
19 Designated Officer, RENE CUAUHTEMOC GARCIA ("Respondent GARCIA"),  
20 is informed and alleges as follows:

I

22 The Complainant, Maria Suarez, a Deputy Real Estate  
23 Commissioner of the State of California, makes this Accusation  
24 against Respondent in her official capacity.

II

26 Respondent CONQUISTADOR HOME LOANS, was originally  
27 licensed by the Department of Real Estate of the State of



1 California (hereinafter "Department") as a corporate real estate  
2 broker on approximately December 7, 1987. Its current license  
3 has an expiration date of March 13, 2004.

4 III

5 Respondent CONQUISTADOR HOME LOANS is currently  
6 licensed by and through Respondent GARCIA as the officer and  
7 broker responsible pursuant to the provisions of Section  
8 10159.2(a) of the Business and Professions Code (hereinafter  
9 "Code").

10 IV

11 Respondent GARCIA was originally licensed by the  
12 Department on or about April 10, 1980 as a real estate broker and  
13 her license will expire on January 8, 2005. Respondent GARCIA  
14 has been the designated officer of Conquistador Home Loans since  
15 December 7, 1987.

16 V

17  
18 All further references to Respondents unless otherwise  
19 specified, includes the officers, directors, employees and real  
20 estate licensees employed by or associated with said parties, who  
21 at all times herein mentioned were engaged in the furtherance of  
22 the business or operations of said parties and who were acting  
23 within the course and scope of their employment.

24 ////

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1  
2 FIRST CAUSE OF ACTION  
3 (SUSPENSION OF CORPORATE STATUS)

4 VI

5 On or about January 2, 1990, pursuant to the provisions  
6 of Section 23302 of the California Revenue and Taxation Code, the  
7 rights and privileges of Respondent CONQUISTADOR HOME LOANS, a  
8 California Corporation, were suspended by the California  
9 Secretary of State.

10 VII

11 The facts alleged above in Paragraph VI, are in  
12 violation of Section 2742(c) of Title 10, Chapter 6, California  
13 Code of Regulations and constitutes cause for the suspension or  
14 revocation of all licenses of Respondents CONQUISTADOR HOME LOANS  
15 and GARCIA, under Sections 10177(d) and/or 10177(f) the Code.

16 SECOND CAUSE OF ACTION  
17 (FALSE ANSWER ON LICENSE RENEWAL APPLICATION)

18 VIII

19 On or about February 18, 2000, Respondent GARCIA, on  
20 behalf of Respondent CONQUISTADOR HOME LOANS, made application to  
21 the Department for renewal of the corporate broker license for  
22 Respondent CONQUISTADOR HOME LOANS. Question "16" of said  
23 application asked, "Is the corporation in good legal standing  
24 with the Office of the Secretary of State?" Respondent GARCIA  
25 answered "Yes."

26 IX

27 Respondent GARCIA'S answer, as set forth above in

1 Paragraph VIII, constitutes the procurement of a real estate  
2 license by fraud, misrepresentation, or deceit or by making a  
3 material misstatement of fact in said application. As such,  
4 cause exists under Sections 498 and 10177(a) of the Code for the  
5 suspension or revocation of all licenses and license rights of  
6 Respondent GARCIA under the Real Estate Law.

7 WHEREFORE, Complainant prays that a hearing be  
8 conducted on the allegations of this Accusation and that upon  
9 proof thereof a decision be rendered imposing disciplinary action  
10 against all licenses and license rights of Respondent  
11 CONQUISTADOR HOME LOANS and its Designated Officer, RENE  
12 CUAUHTEMOC GARCIA under the Real Estate Law (Part 1 of Division 4  
13 of the Business and Professions Code) and for such other and  
14 further relief as may be proper under other provisions of law.

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16   
17 MARIA SUAREZ  
18 Deputy Real Estate Commissioner

18 Dated at Los Angeles, California,  
19 this 22<sup>nd</sup> day of August, 2002.

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25 cc: Conquistador Home Loans  
26 Rene Cuauhtemoc Garcia  
27 Maria Suarez  
SACTO  
AW