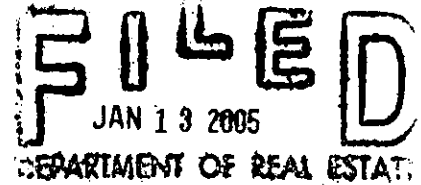


1 Department of Real Estate  
2 320 West Fourth Street, Suite 350  
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982  
5 -or- (213) 576-6910 (Direct)



8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 JOSE MARTIN VALLES, individually ) DRE No. H-30661 LA  
13 and dba Pueblo Realty & Funding ) OAH No. L-2004020379  
14 and THOMAS JURADO, )  
15 Respondents. ) STIPULATION AND AGREEMENT

16 It is hereby stipulated by and between THOMAS JURADO  
17 (hereinafter "Respondent"), represented by Robert M. Sawyer,  
18 Esq., and the Complainant, acting by and through Chris Leong,  
19 Counsel for the Department of Real Estate, as follows for the  
20 purpose of settling and disposing of the Accusation filed on  
21 January 22, 2004. The matter as to JOSE MARTIN VALLES,  
22 individually and dba Pueblo Realty & Funding, will be handled  
23 separately.

24 1. All issues which were to be contested and all  
25 evidence which was to be presented by Complainant and Respondent  
26 at a formal hearing on the Accusation, which hearing was to be  
27 held in accordance with the provisions of the Administrative

1 Procedure Act, shall instead and in place thereof be submitted  
2 solely on the basis of the provisions of this Stipulation and  
3 Agreement ("Stipulation").

4 2. Respondent has received, read and understands the  
5 Statement to Respondent, the Discovery Provisions of the  
6 Administrative Procedure Act and the Accusation, filed by the  
7 Department of Real Estate in this proceeding.

8 3. Respondent filed a Notice of Defense pursuant to  
9 Section 11506 of the Government Code for the purpose of  
10 requesting a hearing on the allegations in the Accusation.  
11 Respondent hereby freely and voluntarily withdraws said Notice of  
12 Defense. Respondent acknowledges that he understands that by  
13 withdrawing said Notice of Defense he will thereby waive his  
14 right to require the Commissioner to prove the allegations in the  
15 Accusation at a contested hearing held in accordance with the  
16 provisions of the Administrative Procedure Act and that  
17 Respondent will waive other rights afforded to him in connection  
18 with the hearing, such as the right to present evidence in  
19 defense of the allegations in the Accusation and the right to  
20 cross-examine witnesses.

21 4. Respondent, pursuant to the limitations set forth  
22 below, hereby admits that the factual allegations in Paragraphs 1  
23 through 11 of the Accusation, filed in this proceeding are true  
24 and correct and the Real Estate Commissioner shall not be  
25 required to provide further evidence to prove such allegations.

26 5. It is understood by the parties that the Real  
27 Estate Commissioner may adopt the Stipulation as his Decision in

1 this matter, thereby imposing the penalty and sanctions on  
2 Respondent's real estate license and license rights as set forth  
3 in the "Order" below. In the event that the Commissioner in his  
4 discretion does not adopt the Stipulation, it shall be void and  
5 of no effect, and Respondent shall retain the right to a hearing  
6 and proceeding on the Accusation under all the provisions of the  
7 Administrative Procedure Act and shall not be bound by any  
8 admission or waiver made herein.

9 6. The admissions herein, and Respondent's decision  
10 not to contest the Accusation, are made solely for the purpose of  
11 reaching an agreed disposition of this proceeding and are  
12 expressly limited to this proceeding and any other proceeding or  
13 case in which the Department of Real Estate or another licensing  
14 agency of this state, another state or if the federal government  
15 is involved, and otherwise shall not be admissible in any other  
16 criminal or civil proceedings.

#### 17 DETERMINATION OF ISSUES

18 By reason of the foregoing stipulations, admissions and  
19 waivers and solely for the purpose of settlement of the pending  
20 Accusation without a hearing, it is stipulated and agreed that  
21 the following Determination of Issues shall be made:

22 The acts and omissions of Respondent, described in  
23 Paragraphs 1 through 11 of the Accusation, are cause for the  
24 suspension or revocation of all real estate licenses and license  
25 rights of Respondent under the provisions of Section 10177(g) of  
26 the Business and Professions Code.  
27

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

All licenses and licensing rights of Respondent THOMAS JURADO, under the Real Estate Law are suspended for a period of sixty (60) days from the effective date of this Decision; provided, however, that sixty (60) days of said suspension shall be stayed for two (2) years upon the following terms and conditions:

1. Respondent shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California.

2. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred within two (2) years of the effective date of this Decision. Should such determination be made, the Commissioner may, in his discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed suspension. Should no such determination be made, the stay imposed herein shall become permanent.

3. Respondent shall, within six (6) months from the effective date of this Decision, take and pass the Professional Responsibility Examination administered by the Department including the payment of the appropriate examination fee. If Respondent fails to satisfy this condition, the Commissioner may order suspension of Respondent's license until Respondent passes the examination.

1 4. No further cause for disciplinary action against  
2 the real estate license of Respondent occurs within two (2)  
3 years from the effective date of the Decision in this matter.

4 5. If Respondent fails to pass the Professional  
5 Responsibility Examination in accordance with the terms and  
6 conditions of the Decision, the Commissioner may, without a  
7 hearing, order the immediate execution of all or any part of the  
8 stayed suspension in which event the Respondent shall not be  
9 entitled to any repayment nor credit, prorated or otherwise, for  
10 money paid to the Department under the terms of this Decision.

11 6. If Respondent passes the Professional  
12 Responsibility Examination and if no further cause for  
13 disciplinary action against the real estate license of Respondent  
14 occurs within two (2) years from the effective date of this  
15 Decision, the stay hereby granted shall become permanent.

16  
17 DATED:

9/20/04

CHRIS LEONG  
CHRIS LEONG, ESQ.  
Counsel for Complainant

18 \* \* \*

19  
20 I have read the Stipulation and Agreement, have  
21 discussed it with my counsel, and its terms are understood by me  
22 and are agreeable and acceptable to me. I understand that I am  
23 waiving rights given to me by the California Administrative  
24 Procedure Act (including but not limited to Sections 11506,  
25 11508, 11509 and 11513 of the Government Code), and I willingly,  
26 intelligently and voluntarily waive those rights, including the  
27 right of requiring the Commissioner to prove the allegations in

1 the Accusation at a hearing at which I would have the right to  
2 cross-examine witnesses against me and to present evidence in  
3 defense and mitigation of the charges.

4 Respondent can signify acceptance and approval of the  
5 terms and conditions of this Stipulation and Agreement by faxing  
6 a copy of the signature page, as actually signed by Respondent,  
7 to the Department at fax number (213) 576-6917. Respondent  
8 agrees, acknowledges and understands that by electronically  
9 sending to the Department a fax copy of his actual signature as  
10 it appears on the Stipulation and Agreement, that receipt of the  
11 faxed copy by the Department shall be as binding on Respondent as  
12 if the Department had received the original signed Stipulation  
13 and Agreement.

14 DATED: September 15, 2004

Thomas Jurado  
THOMAS JURADO  
Respondent

16 DATED: September 15, 2004

Robert M. Sawyer, Esq.  
ROBERT M. SAWYER, ESQ  
Counsel for Respondent  
(Approved as to content)

19 \* \* \*

20 The foregoing Stipulation and Agreement is hereby  
21 adopted as my Decision in this matter and shall become effective  
22 at 12 o'clock noon on \_\_\_\_\_.

23 IT IS SO ORDERED \_\_\_\_\_.

24 JOHN R. LIBERATOR  
25 Acting Real Estate Commissioner  
26  
27 \_\_\_\_\_

1 the Accusation at a hearing at which I would have the right to  
2 cross-examine witnesses against me and to present evidence in  
3 defense and mitigation of the charges.

4 Respondent can signify acceptance and approval of the  
5 terms and conditions of this Stipulation and Agreement by faxing  
6 a copy of the signature page, as actually signed by Respondent,  
7 to the Department at fax number (213) 576-6917. Respondent  
8 agrees, acknowledges and understands that by electronically  
9 sending to the Department a fax copy of his actual signature as  
10 it appears on the Stipulation and Agreement, that receipt of the  
11 faxed copy by the Department shall be as binding on Respondent as  
12 if the Department had received the original signed Stipulation  
13 and Agreement.

14 DATED: \_\_\_\_\_

THOMAS JURADO  
Respondent

16  
17 DATED: \_\_\_\_\_

ROBERT M. SAWYER, ESQ  
Counsel for Respondent  
(Approved as to content)

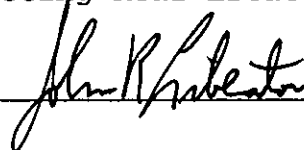
19 \* \* \*

20 The foregoing Stipulation and Agreement is hereby  
21 adopted as my Decision in this matter and shall become effective  
22 at 12 o'clock noon on February 1, 2005.

23 IT IS SO ORDERED

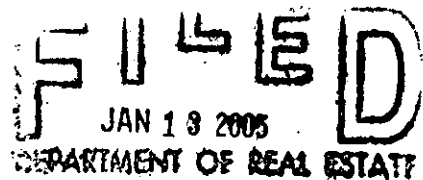
December 23, 2004

24 JOHN R. LIBERATOR  
25 Acting Real Estate Commissioner

26   
27

1 Department of Real Estate  
320 West Fourth Street, Suite 350  
2 Los Angeles, California 90013-1105

3 Telephone: (213) 576-6982  
-or- (213) 576-6910 (Direct)



8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of 'the Accusation of )  
12 ) DRE No. H-30661 LA  
12 JOSE MARTIN VALLES, individually )  
and dba Pueblo Realty & Funding ) OAH No. L-2004020379  
13 and THOMAS JURADO; )  
14 ) STIPULATION AND AGREEMENT  
Respondents. )

15  
16 It is hereby stipulated by and between JOSE MARTIN  
17 VALLES, individually and dba Pueblo Realty & Funding (hereinafter  
18 "Respondent"), represented by Michael Morrow, Esq., and the  
19 Complainant, acting by and through Chris Leong, Counsel for the  
20 Department of Real Estate, as follows for the purpose of settling  
21 and disposing of the Accusation filed on January 22, 2004. The  
22 matter as to THOMAS JURADO will be handled separately.

23 1. All issues which were to be contested and all  
24 evidence which was to be presented by Complainant and Respondent  
25 at a formal hearing on the Accusation, which hearing was to be  
26 held in accordance with the provisions of the Administrative  
27 Procedure Act, shall instead and in place thereof be submitted



1 solely on the basis of the provisions of this Stipulation and  
2 Agreement ("Stipulation").

3 2. Respondent has received, read and understands the  
4 Statement to Respondent, the Discovery Provisions of the  
5 Administrative Procedure Act and the Accusation, filed by the  
6 Department of Real Estate in this proceeding.

7 3. Respondent filed a Notice of Defense pursuant to  
8 Section 11506 of the Government Code for the purpose of  
9 requesting a hearing on the allegations in the Accusation.  
10 Respondent hereby freely and voluntarily withdraws said Notice of  
11 Defense. Respondent acknowledges that he understands that by  
12 withdrawing said Notice of Defense he will thereby waive his  
13 right to require the Commissioner to prove the allegations in the  
14 Accusation at a contested hearing held in accordance with the  
15 provisions of the Administrative Procedure Act and that  
16 Respondent will waive other rights afforded to him in connection  
17 with the hearing, such as the right to present evidence in  
18 defense of the allegations in the Accusation and the right to  
19 cross-examine witnesses.

20 4. This Stipulation is based on the factual  
21 allegations contained in the Accusation filed in this proceeding.  
22 In the interest of expedience and economy, Respondent(s) choose  
23 not to contest these factual allegations, but to remain silent  
24 and understand that, as a result thereof, these factual  
25 statements, will serve as a prima facie basis for the  
26 disciplinary action stipulated to herein. The Real Estate  
27

1 Commissioner shall not be required to provide further evidence to  
2 prove such allegations.

3 5. This Stipulation and Respondent(s) decision not to  
4 contest the Accusation are made for the purpose of reaching an  
5 agreed disposition of this proceeding and are expressly limited  
6 to this proceeding and any other proceeding or case in which the  
7 Department of Real Estate ("Department"), or another licensing  
8 agency of this state, another state or if the federal government  
9 is involved and otherwise shall not be admissible in any other  
10 criminal or civil proceedings.

11 6. It is understood by the parties that the Real  
12 Estate Commissioner may adopt the Stipulation as his decision  
13 in this matter thereby imposing the penalty and sanctions on  
14 Respondent(s) real estate license(s) and license rights as set  
15 forth in the below "Order". In the event that the Commissioner  
16 in his discretion does not adopt the Stipulation, the Stipulation  
17 shall be void and of no effect, and Respondent(s) shall retain  
18 the right to a hearing on the Accusation under all the provisions  
19 of the APA and shall not be bound by any stipulation or waiver  
20 made herein.  
21

22 ///

23 ///

24 ///

25 ///

26 ///

1           7.    The Order or any subsequent Order of the Real  
2 Estate Commissioner made pursuant to this Stipulation shall not  
3 constitute an estoppel, merger or bar to any further  
4 administrative or civil proceedings by the Department of Real  
5 Estate with respect to any conduct which was not specifically  
6 alleged to be causes for accusation in this proceeding.

7                           DETERMINATION OF ISSUES

8           By reason of the foregoing stipulations, admissions and  
9 waivers and solely for the purpose of settlement of the pending  
10 Accusation without a hearing, it is stipulated and agreed that  
11 the following Determination of Issues shall be made:

12           The acts and omissions of Respondent, described in  
13 Paragraphs 1 through 11 of the Accusation, is a violation of  
14 Section 10159.2 of the Business and Professions Code and is cause  
15 for the discipline of all real estate licenses and license rights  
16 of Respondent under the provisions of Section 10177(h) of the  
17 Business and Professions Code.

18                           ORDER

19           WHEREFORE, THE FOLLOWING ORDER is hereby made:

20           1.   All licenses and licensing rights of Respondent  
21 JOSE MARTIN VALLES, are hereby publicly reproved.

22           2.   Respondent shall, within six (6) months from the  
23 effective date of this Decision, take and pass the Professional  
24 Responsibility Examination administered by the Department  
25 including the payment of the appropriate examination fee. If  
26 Respondent fails to satisfy this condition, the Commissioner may  
27 order suspension of Respondent's license until Respondent passes

1 the examination.

2  
3 DATED:

9/20/04

*Chris Leong*  
CHRIS LEONG, ESQ.  
Counsel for Complainant

4  
5 \* \* \*

6 I have read the Stipulation and Agreement, have  
7 discussed it with my counsel, and its terms are understood by me  
8 and are agreeable and acceptable to me. I understand that I am  
9 waiving rights given to me by the California Administrative  
10 Procedure Act (including but not limited to Sections 11506,  
11 11508, 11509 and 11513 of the Government Code), and I willingly,  
12 intelligently and voluntarily waive those rights, including the  
13 right of requiring the Commissioner to prove the allegations in  
14 the Accusation at a hearing at which I would have the right to  
15 cross-examine witnesses against me and to present evidence in  
16 defense and mitigation of the charges.

17 Respondent can signify acceptance and approval of the  
18 terms and conditions of this Stipulation and Agreement by faxing  
19 a copy of the signature page, as actually signed by Respondent,  
20 to the Department at fax number (213) 576-6917. Respondent  
21 agrees, acknowledges and understands that by electronically  
22 sending to the Department a fax copy of his actual signature as  
23 it appears on the Stipulation and Agreement, that receipt of the  
24 faxed copy by the Department shall be as binding on Respondent as  
25 if the Department had received the original signed Stipulation  
26 and Agreement.

27 ///


1  
2 DATED:

9/20/04

  
JOSE MARTIN VALLES  
Respondent

3  
4 DATED:

9/20/04

  
MICHAEL MORROW, ESQ  
Counsel for Respondent  
(Approved as to content)

5  
6  
7 \* \* \*

8 The foregoing Stipulation and Agreement is hereby  
9 adopted as my Decision in this matter and shall become effective  
10 at 12 o'clock noon on February 1, 2005.

11 IT IS SO ORDERED

December 23, 2004

12 JOHN R. LIBERATOR  
13 Acting Real Estate Commissioner

14  
15  
16  
17  
18  
19  
20  
21  
22  
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27  


**BEFORE THE DEPARTMENT OF REAL ESTATE**  
**STATE OF CALIFORNIA**

In the Matter of the Accusation of )  
JOSE MARTIN VALLES, individually )  
and dba Pueblo Realty & Funding )  
and THOMAS JURADO, )  
\_\_\_\_\_  
Respondent(s)

Case No. H-30661 LA

OAH No. L-2004020379

**FILE**  
JUN 14 2004  
DEPARTMENT OF REAL ESTATE

**NOTICE OF CONTINUED 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 MONDAY, SEPTEMBER 20, 2004, 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 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: June 14, 2004

By

CHRIS LEONG  
CHRIS LEONG, Counsel

cc: Jose Martin Valles  
Thomas Jurado  
Michael Morrow, Esq.  
Robert M. Sawyer, Esq.  
Sacto.  
OAH

5AC

**BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA**

In the Matter of the Accusation of )  
JOSE MARTIN VALLES, individually )  
and dba Pueblo Realty & Funding )  
and THOMAS JURADO, )  
\_\_\_\_\_  
Respondent(s)

Case No. H-30661 LA

OAH No. L-2004020379

**FILED**  
MAR 10 2004  
DEPARTMENT OF REAL ESTATE

**NOTICE OF HEARING ON ACCUSATION**

**To the above-named Respondent(s):**

v. CR

**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, JUNE 25, 2004, 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 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: March 10, 2004

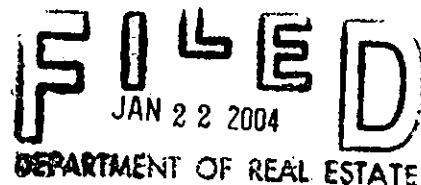
By

CHRIS LEONG  
CHRIS LEONG, Counsel

cc: Jose Martin Valles  
Thomas Jurado  
Michael Morrow, Esq.  
Robert M. Sawyer, Esq.  
Sacto.  
OAH

SAC

1 CHRIS LEONG, Counsel (SBN 141079)  
Department of Real Estate  
2 320 West Fourth Street, Suite 350  
Los Angeles, CA 90013-1105  
3  
4 Telephone: (213) 576-6982  
-or- (213) 576-6910 (Direct)



5  
6  
7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-30661 LA  
12 JOSE MARTIN VALLES, individually )  
and dba Pueblo Realty & Funding ) A C C U S A T I O N  
13 and THOMAS JURADO, )  
14 Respondents. )

15 The Complainant, Maria Suarez, a Deputy Real Estate  
16 Commissioner of the State of California, for cause of Accusation  
17 against JOSE MARTIN VALLES, individually and dba Pueblo Realty &  
18 Funding (hereafter "VALLES") and THOMAS JURADO (hereafter  
19 "JURADO") (hereafter sometimes both referred to as  
20 "Respondents"), alleges as follows:  
21

22 1.

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

26 2.

27 At all times material herein, VALLES is presently



1 licensed and/or has license rights under the Real Estate Law,  
2 Part 1 of Division 4 of the Business and Professions Code  
3 (hereafter "Code"), by the State of California, Department of  
4 Real Estate (hereafter "Department") as a real estate broker,  
5 individually and dba Pueblo Realty & Funding.

6 3.

7 At all times material herein, JURADO is presently  
8 licensed and/or has license rights under the Real Estate Law,  
9 Part 1 of Division 4 of the Code, by the Department as a real  
10 estate salesperson. At all times mentioned herein, JURADO was  
11 employed by VALLES.

12 4.

13 All further references to "Respondents", unless  
14 otherwise specified, include the parties identified in  
15 Paragraphs 2 and 3, above, and also include the employees, agents  
16 and real estate licensees employed by or associated with said  
17 parties, who at all times herein mentioned were engaged in the  
18 furtherance of the business or operations of said parties  
19 and who were acting within the course and scope of their  
20 authority and employment.

21 5.

22 At all times material herein, Respondents engaged in  
23 the business of, acted in the capacity of, advertised or  
24 assumed to act as real estate brokers in the State of  
25 California, for another or others, and for or in expectation  
26 of compensation, within the meaning of Code Section 10131(a).  
27 Said activity included the operation and conduct of a real

1 estate sales business with the public wherein Respondents  
2 solicited buyers and sellers of real property or negotiated  
3 sales or purchases of real property.

4 6.

5 On or about March 13, 2003, Michael and Carlos  
6 Gonzan (hereafter "Buyers") made an offer to purchase real  
7 property located at 1126 Vaquero, Oxnard, CA (hereafter  
8 "Vaquero property"). Respondent JURADO was their agent. The  
9 Residential Purchase Agreement and Joint Escrow Instructions  
10 indicated JURADO had received from Buyers a \$3,000.00 deposit  
11 towards the purchase of the Vaquero property, and which  
12 deposit was to be held uncashed until acceptance and then  
13 deposited within 3 business days after acceptance with escrow  
14 holder. The offer was accepted and signed by the sellers,  
15 Robert and Regina Jaramillo (hereafter "Sellers"). On  
16 March 15, 2003, the Purchase Offer identified VALLES as the  
17 selling agent, and Pueblo Realty & Funding, and Steven Synder,  
18 Oaktree Property Investments as the listing agent.

19 7.

20 On March 21, 2003, escrow opened with Stewart Title  
21 of California, Inc., Escrow No. 03880423. Escrow instructions  
22 erroneously show that a \$3,000.00 deposit had been deposited  
23 in escrow. On March 21, 2003, Stewart Title of California,  
24 Inc., prepared Escrow Commission Instructions. Pueblo Realty  
25 & Funding was to receive a total commission in the amount of  
26 \$7,500.00 and Oak Tree Property Investment, listing agent, to  
27 receive \$7,500.00.

8.

On May 8, 2003, escrow cancellation instructions were drafted due to Buyers' failure to sign escrow instructions. It was, at this time, that the listing agent, Steven Synder, discovered that Buyers' deposit had never been deposited into escrow, nor had Respondents received it as represented on the Purchase Offer. Steven Synder relied on Respondents' representation of being in receipt of the \$3,000.00 deposit in accepting Buyers' offer on behalf of the Sellers.

9.

VALLES, through his employee, JURADO, misrepresented to Sellers that he was in receipt of Buyers' \$3,000.00 deposit as indicated in the Purchase Offer; in fact and truth a deposit was never received.

10.

The conduct, acts and/or omissions of Respondent JURADO, as described herein above in Paragraphs 1 through 9, constitutes making a substantial misrepresentation, the making of false promise(s) of a character likely to influence, persuade or induce, and/or fraud or dishonest dealing, and/or negligence, and is cause for the suspension or revocation of all real estate licenses and license rights of Respondent JURADO under the provisions of Code Sections 10176(a), 10176(i), 10177(j) and/or 10177(g).

///

The conduct of Respondent VALLES in allowing his employee to make the false statement regarding the deposit constitutes a failure to supervise in violation of Code Section 10159.2. Said conduct is cause pursuant to Code Sections 10177(g) and/or 10177(h) for the suspension or revocation of all licenses and license rights of Respondent VALLES under Real Estate Law.

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/or license rights of Respondents, JOSE MARTIN VALLES, individually and dba Pueblo Realty & Funding, and THOMAS JURADO, 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 at Los Angeles, California

this 22<sup>nd</sup> day of January, 2004.

  
Deputy Real Estate Commissioner

cc: Jose Martin Valles  
Thomas Jurado  
Maria Suarez  
Sacto  
JP