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**FILED**

DEC - 2 2011

DEPARTMENT OF REAL ESTATE  
*Dr. R. Mederholt*

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-33957 LA
	)	
LAURA P. CISNEROS,	)	
	)	
Respondent.	)	
	)	

ORDER SUSPENDING REAL ESTATE LICENSE

To: LAURA P. CISNEROS  
15292 Crimson St.  
Fontana, CA 92336

Effective January 2, 2008, you entered into a Stipulation and Agreement with the Department in Case No. H-33957 LA. Certain conditions of the Agreement included the following:

1. Pursuant to Section 10148 of the Business and Professions Code, Respondent shall pay the Commissioner's reasonable cost for (a) the audits which led to the disciplinary action and (b) a subsequent audit to determine if Respondent is in compliance with the Real Estate Law.

2. The cost of the audits which led to the disciplinary action is \$18,538.04.

1           3. The cost of the follow-up audit is pending.

2           4. Respondent was to pay such costs within 60 days of  
3 receiving an invoice from the Commissioner detailing the  
4 activities performed during the audits and the amount of time  
5 spent performing those activities.

6           5. If payment is not timely made as provided, or as  
7 provided in a subsequent agreement, the Commissioner may suspend  
8 Respondent's license.

9           6. The suspension shall remain in effect until payment  
10 is made in full or until Respondent enters into an agreement to  
11 provide for payment, or until a decision providing otherwise is  
12 adopted following a hearing.

13           The Commissioner has determined that as of this date,  
14 taking into account payments made and credited through March 6,  
15 2010, Respondent has failed to satisfy the above conditions, and  
16 still owes the Department the sum of \$13,646.36. As such,  
17 Respondent is in violation of the terms and conditions as  
18 described above.

19           NOW, THEREFORE, IT IS ORDERED that the real estate  
20 broker license of Respondent LAURA P CISNEROS is suspended until  
21 such time as Respondent provides proof satisfactory to the  
22 Department of compliance with the conditions referred to above,  
23 or pending final determination made after hearing (see "Hearing  
24 Rights" set forth below).

25           IT IS FURTHER ORDERED that all license certificates and  
26 identification cards issued by the Department which are in the  
27 possession of Respondent be immediately surrendered by personal

1 delivery or by mailing in the enclosed, self-addressed envelope  
2 to:

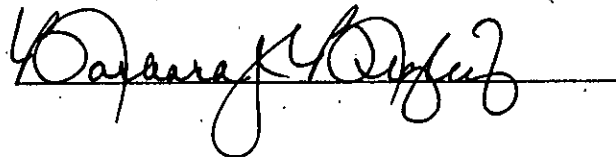
3 Department of Real Estate  
4 Attn: Flag Section  
5 P. O. Box 187000  
6 Sacramento, CA 95818-7000

7 Hearing Rights: You have the right to a hearing to  
8 contest the Commissioner's determination that you are in  
9 violation of the Stipulation and Agreement. If you desire a  
10 hearing, you must submit a written request. The request may be  
11 in any form, as long as it is in writing and indicates that you  
12 want a hearing. Unless a written request for a hearing, signed  
13 by or on behalf of you, is delivered or mailed to the Department  
14 at 320 W. Fourth St., Room 350, Los Angeles, CA. 90013, within 20  
15 days after the date that this Order was mailed to or served on  
16 you, the Department will not be required to furnish you a  
17 hearing.

18 This Order shall be effective immediately.

19 DATED: 11/16, 2011.

20 BARBARA J. BIGBY  
21 Acting Real Estate Commissioner

22   
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*fact file*

**FILED**

NOV -9 2011

DEPARTMENT OF REAL ESTATE  
BY: *R. M. DeWitt*

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DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-33957 LA
	)	
JORGE OCHOA,	)	
	)	
Respondent.	)	
	)	

ORDER SUSPENDING REAL ESTATE LICENSE

To: JORGE OCHOA  
324 S. Diamond Bar Blvd. #227  
Diamond Bar, CA 91765

Effective January 2, 2008, you entered into a Stipulation and Agreement with the Department in Case No. H-33957 LA. Certain conditions of the Agreement included the following:

1. Pursuant to Section 10148 of the Business and Professions Code, Respondent shall pay the Commissioner's reasonable cost for (a) the audits which led to the disciplinary action and (b) a subsequent audit to determine if Respondent is in compliance with the Real Estate Law.

2. The cost of the audits which led to the disciplinary action is \$18,538.04.

1           3. The cost of the follow-up audit is pending.

2           4. Respondent was to pay such costs within 60 days of  
3 receiving an invoice from the Commissioner detailing the  
4 activities performed during the audits and the amount of time  
5 spent performing those activities.

6           5. If payment is not timely made as provided, or as  
7 provided in a subsequent agreement, the Commissioner may suspend  
8 Respondent's license.

9           6. The suspension shall remain in effect until payment  
10 is made in full or until Respondent enters into an agreement to  
11 provide for payment, or until a decision providing otherwise is  
12 adopted following a hearing.

13           The Commissioner has determined that as of this date,  
14 taking into account payments made and credited through March 6,  
15 2010, Respondent has failed to satisfy the above conditions, and  
16 still owes the Department the sum of \$13,646.36. As such,  
17 Respondent is in violation of the terms and conditions as  
18 described above.

19           NOW, THEREFORE, IT IS ORDERED that the real estate  
20 broker license of Respondent JORGE OCHOA is suspended until such  
21 time as Respondent provides proof satisfactory to the Department  
22 of compliance with the conditions referred to above, or pending  
23 final determination made after hearing (see "Hearing Rights" set  
24 forth below).

25           IT IS FURTHER ORDERED that all license certificates and  
26 identification cards issued by the Department which are in the  
27 possession of Respondent be immediately surrendered by personal

1 delivery or by mailing in the enclosed, self-addressed envelope  
2 to:

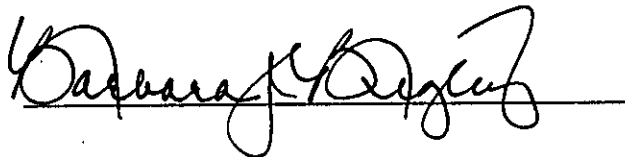
3 Department of Real Estate  
4 Attn: Flag Section  
5 P. O. Box 187000  
6 Sacramento, CA 95818-7000

7 Hearing Rights: You have the right to a hearing to  
8 contest the Commissioner's determination that you are in  
9 violation of the Stipulation and Agreement. If you desire a  
10 hearing, you must submit a written request. The request may be  
11 in any form, as long as it is in writing and indicates that you  
12 want a hearing. Unless a written request for a hearing, signed  
13 by or on behalf of you, is delivered or mailed to the Department  
14 at 320 W. Fourth St., Room 350, Los Angeles, CA. 90013, within 20  
15 days after the date that this Order was mailed to or served on  
16 you, the Department will not be required to furnish you a  
17 hearing.

18 This Order shall be effective immediately.

19 DATED: 11/1, 2011.

20 BARBARA J. BIGBY  
21 Acting Real Estate Commissioner

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23  
24  
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1 Department of Real Estate  
2 320 West 4th Street, Ste. 350  
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982 (office)

**FILED**

DEC - 3 2007

DEPARTMENT OF REAL ESTATE  
BY: Agly

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 MONEY PLUS FINANCIAL INC. doing )  
13 business as 1<sup>st</sup> Family Realty; )  
14 LAURA P. CISNEROS, individually )  
15 and as designated officer; and )  
16 JORGE OCHOA, individually and as )  
17 former designated officer of )  
Money Plus Financial Inc., )  
Respondents. )

No. H-33957 LA

STIPULATION

AND

AGREEMENT

18 It is hereby stipulated by and between Respondents  
19 MONEY PLUS FINANCIAL INC. dba 1<sup>st</sup> Family Realty; LAURA P.  
20 CISNEROS, individually and as designated officer; and JORGE  
21 OCHOA, individually and as former designated officer of Money  
22 Plus Financial Inc., (sometimes collectively referred to as  
23 "Respondents"), and the Complainant, acting by and through  
24 Elliott Mac Lennan, Counsel for the Department of Real Estate, as  
25 follows for the purpose of settling and disposing of the  
26 Accusation ("Accusation") filed on May 4, 2007, in this matter:  
27

1 1. All issues which were to be contested and all  
2 evidence which was to be presented by Complainant and Respondents  
3 at a formal hearing on the Accusation, which hearing was to be  
4 held in accordance with the provisions of the Administrative  
5 Procedure Act ("APA"), shall instead and in place thereof be  
6 submitted solely on the basis of the provisions of this  
7 Stipulation and Agreement ("Stipulation").

8 2. Respondents have received, read and understand the  
9 Statement to Respondent, the Discovery Provisions of the APA and  
10 the Accusation filed by the Department of Real Estate in this  
11 proceeding.

12 3. Respondents timely filed a Notice of Defense  
13 pursuant to Section 11506 of the Government Code for the purpose  
14 of requesting a hearing on the allegations in the Accusation.  
15 Respondents hereby freely and voluntarily withdraw said Notice of  
16 Defense. Respondents acknowledge that they understand that by  
17 withdrawing said Notice of Defense they thereby waive their right  
18 to require the Commissioner to prove the allegations in the  
19 Accusation at a contested hearing held in accordance with the  
20 provisions of the APA and that they will waive other rights  
21 afforded to them in connection with the hearing such as the right  
22 to present evidence in their defense the right to cross-examine  
23 witnesses.  
24

25 4. This Stipulation is based on the factual  
26 allegations contained in the Accusation. In the interest of  
27



1 expedience and economy, Respondents choose not to contest these  
2 allegations, but to remain silent and understand that, as a  
3 result thereof, these factual allegations, without being admitted  
4 or denied, will serve as a prima facie basis for the disciplinary  
5 action stipulated to herein. The Real Estate Commissioner shall  
6 not be required to provide further evidence to prove said factual  
7 allegations.

8           5. This Stipulation and Respondents' decision not to  
9 contest the Accusation is made for the purpose of reaching an  
10 agreed disposition of this proceeding and is expressly limited to  
11 this proceeding and any other proceeding or case in which the  
12 Department of Real Estate ("Department"), the state or federal  
13 government, or any agency of this state, another state or federal  
14 government is involved, and otherwise shall not be admissible in  
15 any other criminal or civil proceedings.

16  
17           6. It is understood by the parties that the Real  
18 Estate Commissioner may adopt this Stipulation as his Decision in  
19 this matter thereby imposing the penalty and sanctions on  
20 Respondents' real estate licenses and license rights as set forth  
21 in the "Order" herein below. In the event that the Commissioner  
22 in his discretion does not adopt the Stipulation, it shall be  
23 void and of no effect and Respondents shall retain the right to a  
24 hearing and proceeding on the Accusation under the provisions of  
25 the APA and shall not be bound by any stipulation or waiver made  
26 herein.  
27

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 matters which were not specifically  
6 alleged to be causes for Accusation in this proceeding but do  
7 constitute a bar, estoppel and merger as to any allegations  
8 actually contained in the Accusations against Respondents herein.

9 8. Respondents understand that by agreeing to this  
10 Stipulation, Respondents agree to pay, pursuant to Business and  
11 Professions Code Section 10148, the cost of audit which led to  
12 this disciplinary action. The amount of said cost for the audit  
13 is \$18,538.04 (Audit Reports LA 040334, LA 050174, LA 050175, LA  
14 050142 and LA 050143).

15 9. Respondents have received, read, and understand the  
16 "Notice Concerning Costs of Subsequent Audit". Respondents  
17 further understand that by agreeing to this Stipulation, the  
18 findings set forth below in the Determination of Issues become  
19 final, and the Commissioner may charge Respondents for the cost  
20 of any subsequent audit conducted pursuant to Business and  
21 Professions Code Section 10148 to determine if the violations  
22 have been corrected. The maximum cost of the subsequent audit  
23 will not exceed \$18,538.04  
24

25 ///

26 ///

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DETERMINATION OF ISSUES

1  
2 By reason of the foregoing, it is stipulated and agreed  
3 that the following determination of issues shall be made:

4 I.

5 The conduct, acts or omissions of MONEY PLUS FINANCIAL  
6 INC. and JORGE OCHOA (LA 050175), as described in Paragraph 4,  
7 above, is in violation of Section 10145 of the Business and  
8 Professions Code ("Code") and Sections 2831, 2831.1, 2832(a),  
9 2834, 2950(d), 2950(g), 2950(h) and 2951 of Title 10, Chapter 6  
10 of the California Code of Regulations ("Regulations") and is a  
11 basis for the suspension or revocation of Respondent's license  
12 and license rights as a violation of the Real Estate Law pursuant  
13 to Code Section 10177(d).

14 II.

15 The conduct, acts or omissions of MONEY PLUS FINANCIAL  
16 INC. and JORGE OCHOA (LA 050174), as described in Paragraph 4,  
17 above, is in violation of Code Sections 10145 and 10176(e) and  
18 Regulations 2831, 2831.1, 2950(d), and 2951, and is a basis for  
19 the suspension or revocation of Respondents' license and license  
20 rights as a violation of the Real Estate Law pursuant to Code  
21 Section 10177(d).

22 III.

23 The conduct, acts or omissions of MONEY PLUS FINANCIAL  
24 INC. and LAURA P. CISNEROS (LA 050143), as described in Paragraph  
25 4, above, is in violation of Code Sections 10145 and 10163 and  
26  
27

1 Regulations 2715, 2831, 2831.1, 2832.1, 2832(a), 2834, 2950(d),  
2 2950(g), 2950(h) and 2951, and is a basis for the suspension or  
3 revocation of Respondents' license and license rights as a  
4 violation of the Real Estate Law pursuant to Code Section  
5 10177(d).

6 IV.

7 The conduct, acts or omissions of MONEY PLUS FINANCIAL  
8 INC. and JORGE OCHOA (LA 050142), as described in Paragraph 4,  
9 above, is in violation of Code Sections 10145 and 10176(e) and  
10 Regulations 2831, 2831.1, 2950(d), and 2951, and is a basis for  
11 the suspension or revocation of Respondents' license and license  
12 rights as a violation of the Real Estate Law pursuant to Code  
13 Section 10177(d).

14 V.

15 The conduct, acts or omissions of MONEY PLUS FINANCIAL  
16 INC., JORGE OCHOA and LAURA P. CISNEROS (LA 040334), as described  
17 in Paragraph 4, above, is in violation of Code Section 10145 and  
18 Regulation 2831, and is a basis for the suspension or revocation  
19 of Respondents' license and license rights as a violation of the  
20 Real Estate Law pursuant to Code Section 10177(d).

22 VI.

23 The conduct, acts or omissions of JORGE OCHOA and LAURA  
24 P. CISNEROS, as described in Paragraph 4, constitutes negligence  
25 and is a basis the suspension or revocation of Respondents'  
26 license and license rights pursuant to Code Section 10177(g).  
27

VII.

The conduct, acts or omissions of JORGE OCHOA and LAURA P. CISNEROS, as described in Paragraph 4, constitutes a failure to keep MONEY PLUS FINANCIAL INC. in compliance with the Real Estate Law during the time that they were the officers designated by a corporate broker licensee in violation of Section 10159.2 of the Code. This conduct is a basis for the suspension or revocation of Respondents' license pursuant to Code Section 10177(h).

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

All licenses and licensing rights of Respondents MONEY PLUS FINANCIAL INC. and LAURA P. CISNEROS, under the Real Estate Law are suspended for a period of ninety (90) days from the effective date of this Decision; provided, however, that if Respondents request, the initial thirty (30) days of said suspension (or a portion thereof) shall be stayed upon condition that:

A. 1. Respondents each pay a monetary penalty pursuant to Section 10175.2 of the Business and Professions Code of \$5,000 (at the rate of \$166.66 per day for each day of the suspension) for a monetary penalty of \$10,000.

1                   2. Said payment shall be in the form of a cashier's  
2 check or certified check made payable to the Recovery Account of  
3 the Real Estate Fund. Said check must be received by the  
4 Department prior to the effective date of the Decision in this  
5 matter.

6                   3. No further cause for disciplinary action against  
7 the real estate licenses of Respondents occurs within two (2)  
8 years from the effective date of the Decision in this matter.

9                   4. If Respondents fail to pay the monetary penalty in  
10 accordance with the terms of the Decision, the Commissioner may,  
11 without a hearing, order the immediate execution of all or any  
12 part of the stayed suspension, in which event the Respondents  
13 shall not be entitled to any repayment nor credit, prorated or  
14 otherwise, for money paid to the Department under the terms of  
15 this Decision.

16                   5. If Respondents pay the monetary penalty and if no  
17 further cause for disciplinary action against the real estate  
18 license of Respondent occurs within two (2) years from the  
19 effective date of the Decision, the stay hereby granted shall  
20 become permanent

21                   B. The remaining sixty (60) days of the ninety (90)  
22 day suspension shall be stayed for two (2) years upon the  
23 following terms and conditions:  
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1 (a) Respondents shall obey all laws, rules and  
2 regulations governing the rights, duties and responsibilities of  
3 a real estate licensee in the State of California; and

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

12 II.

13 All licenses and licensing rights of Respondent  
14 JORGE OCHOA, under the Real Estate Law are suspended for a  
15 period of ninety (90) days from the effective date of this  
16 Decision; provided, however, that if Respondent requests, the  
17 initial thirty (30) days of said suspension (or a portion  
18 thereof) shall be stayed upon condition that:

19 A. 1. Respondent pays a monetary penalty pursuant to  
20 Section 10175.2 of the Business and Professions Code of \$2,500  
21 (at the rate of \$83.33 per day for each day of the suspension)  
22 for a monetary penalty of \$2,500.

23 2. Said payment shall be in the form of a cashier's  
24 check or certified check made payable to the Recovery Account of  
25 the Real Estate Fund. Said check must be received by the  
26

1 Department prior to the effective date of the Decision in this  
2 matter.

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

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

13 5. If Respondent pays the monetary penalty and if no  
14 further cause for disciplinary action against the real estate  
15 license of Respondent occurs within two (2) years from the  
16 effective date of the Decision, the stay hereby granted shall  
17 become permanent

18 B. The remaining sixty (60) days of the ninety (90)  
19 day suspension shall be stayed for two (2) years upon the  
20 following terms and conditions:

21 (a) Respondent shall obey all laws, rules and  
22 regulations governing the rights, duties and responsibilities of  
23 a real estate licensee in the State of California; and

24 (b) That no final subsequent determination be made  
25 after hearing or upon stipulation, that cause for disciplinary  
26  
27



1 action occurred within two (2) years from the effective date of  
2 this Decision. Should such a determination be made, the  
3 Commissioner may, in his discretion, vacate and set aside the  
4 stay order and reimpose all or a portion of the stayed  
5 suspension. Should no such determination be made, the stay  
6 imposed herein shall become permanent.

7 III.

8 Pursuant to Section 10148 of the Business and  
9 Professions Code, Respondents MONEY PLUS FINANCIAL INC., LAURA P.  
10 CISNEROS, and JORGE OCHOA, shall pay the Commissioner's  
11 reasonable cost for (a) the audit(s) which led to this  
12 disciplinary action (b) a subsequent audit(s) to determine if  
13 Respondents are now in compliance with the Real Estate Law. The  
14 cost of the audit(s) which led to this disciplinary action is  
15 \$18,538.04. In calculating the amount of the Commissioner's  
16 reasonable cost, the Commissioner may use the estimated average  
17 hourly salary for all persons performing audits of real estate  
18 brokers, and shall include an allocation for travel time to and  
19 from the auditor's place of work. Said amount for the prior and  
20 subsequent audits shall not exceed \$37,076.08.

22 Respondents shall pay such cost within 60 days of  
23 receiving an invoice from the Commissioner detailing the  
24 activities performed during the audit and the amount of time  
25 spent performing those activities.

26 The Commissioner may suspend the license of Respondents  
27

1 pending a hearing held in accordance with Section 11500, et seq.,  
2 of the Government Code, if payment is not timely made as provided  
3 for herein, or as provided for in a subsequent agreement between  
4 the Respondent and the Commissioner. The suspension shall remain  
5 in effect until payment is made in full or until Respondents  
6 enter into an agreement satisfactory to the Commissioner to  
7 provide for payment, or until a decision providing otherwise is  
8 adopted following a hearing held pursuant to this condition.

9 IV.

10 All licenses and licensing rights of Respondents LAURA

11 P. CISNEROS and JORGE OCHOA, are indefinitely suspended unless or

12 until each Respondent provides proof satisfactory to the  
13 Commissioner, of having taken and successfully completed the  
14 continuing education course on trust fund accounting and handling  
15 specified in paragraph (3) of subdivision (a) of Section 10170.5  
16 of the Business and Professions Code. Proof of satisfaction of  
17 this requirement includes evidence that each respondent has  
18 successfully completed the trust fund account and handling  
19 continuing education course within 120 days prior to the  
20 effective date of the Decision in this matter.  
21

22  
23 DATED: 7-25-07

24 ELLIOTT MAC LENNAN, Counsel for  
25 the Department of Real Estate

\* \* \*

1  
2 EXECUTION OF THE STIPULATION

3 We have read the Stipulation. Its terms are understood  
4 by us and are agreeable and acceptable to us. We understand that  
5 we are waiving rights given to us by the California  
6 Administrative Procedure Act (including but not limited to  
7 Sections 11506, 11508, 11509 and 11513 of the Government Code),  
8 and we willingly, intelligently and voluntarily waive those  
9 rights, including the right of requiring the Commissioner to  
10 prove the allegations in the Accusation at a hearing at which we  
11 would have the right to cross-examine witnesses against us and to  
12 present evidence in defense and mitigation of the charges.


13 MAILING AND FACSIMILE

14 Respondent (1) shall mail the original signed signature  
15 page of the stipulation herein to Elliott Mac Lennan: Attention:  
16 Legal Section, Department of Real Estate, 320 W. Fourth St.,  
17 Suite 350, Los Angeles, California 90013-1105. Additionally,  
18 Respondent shall also (2) facsimile a copy of signed signature  
19 page, to the Department at the following telephone/fax number:  
20 (213) 576-6917, Attention: Elliott Mac Lennan.  
21


22 A facsimile constitutes acceptance and approval of the  
23 terms and conditions of this stipulation. Respondent agrees,  
24 acknowledges and understands that by electronically sending to  
25 the Department a facsimile copy of Respondent's actual signature  
26 as it appears on the stipulation, that receipt of the facsimile  
27

1 copy by the Department shall be as binding on Respondent as if  
2 the Department had received the original signed stipulation.

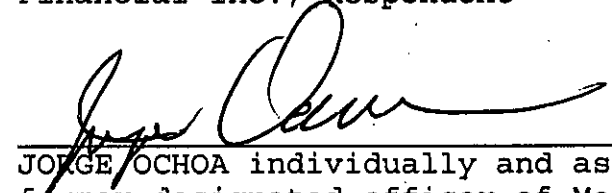
3  
4 DATED: 8/17/07

  
MONEY PLUS FINANCIAL INC., a  
corporate real estate broker,  
BY: LAURA P. CISNEROS, D.O.,  
Respondent

7  
8 DATED: 8/17/07

  
LAURA P. CISNEROS individually and  
as designated officer of Money Plus  
Financial Inc., Respondent

11  
12 DATED: 08/17/07

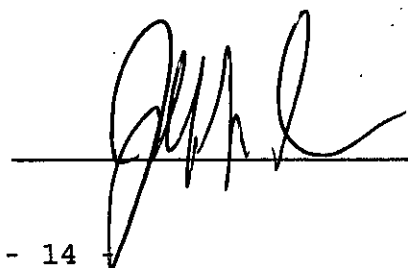
  
JORGE OCHOA individually and as  
former designated officer of Money  
Plus Financial Inc., Respondent

14 \* \* \*

15  
16 The foregoing Stipulation and Agreement is hereby  
17 adopted as my Decision as to Respondents MONEY PLUS FINANCIAL  
18 INC., LAURA P. CISNEROS and JORGE OCHOA, individually and as  
19 designated officer and former designated officers of Money Plus  
20 Financial Inc. and shall become effective at 12 o'clock noon on  
21 January 2, 2008.

22 IT IS SO ORDERED 11-13, 2007.

23  
24 JEFF DAVI  
Real Estate Commissioner

25  
26   
27

*Janice Waddell*

**FILED**  
MAY - 4 2007  
DEPARTMENT OF REAL ESTATE

1 ELLIOTT MAC LENNAN, SBN 66674  
2 Department of Real Estate  
3 320 West 4th Street, Ste. 350  
4 Los Angeles, California 90013-1105  
5  
6  
7  
8 Telephone: (213) 576-6911 (direct)  
9 -or- (213) 576-6982 (office)

*Hinderholt*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

11 In the Matter of the Accusation of )  
12 MONEY PLUS FINANCIAL INC. doing )  
13 business as 1<sup>st</sup> Family Realty; )  
14 LAURA P. CISNEROS, individually )  
15 and as designated officer; and )  
16 JORGE OCHOA, individually and as )  
17 former designated officer of )  
Money Plus Financial Inc., )  
Respondents. )

No. H-33957LA

A C C U S A T I O N

18 The Complainant, Janice Waddell, a Deputy Real Estate  
19 Commissioner of the State of California, for cause of Accusation  
20 against MONEY PLUS FINANCIAL INC. dba 1<sup>st</sup> Family Realty; LAURA P.  
21 CISNEROS, individually and as designated officer; and JORGE  
22 OCHOA, individually and as former designated officer of Money  
23 Plus Financial Inc., alleges as follows:  
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1.

1 The Complainant, Janice Waddell, acting in her official  
2 capacity as a Deputy Real Estate Commissioner of the State of  
3 California, makes this Accusation against MONEY PLUS FINANCIAL  
4 INC., LAURA P. CISNEROS and JORGE OCHOA, .

2.

7 All references to the "Code" are to the California  
8 Business and Professions Code and all references to "Regulations"  
9 are to Title 10, Chapter 6, California Code of Regulations unless  
10 specified otherwise.

11 LICENSE HISTORY

3.

13 A. At all times mentioned, MONEY PLUS FINANCIAL INC.  
14 ("MPFI") was licensed or had license rights issued by the  
15 Department of Real Estate ("Department") as a real estate broker.  
16 On June 11, 1999, MPFI was originally licensed as a real estate  
17 broker.

19 B. On September 22, 2000, in Case No. H-28770 LA, an  
20 Accusation was filed against Respondent MONEY PLUS FINANCIAL  
21 INC., that resulted in discipline as set forth below in Paragraph  
22 27.

23 C. At all times mentioned, LAURA P. CISNEROS  
24 ("CISNEROS") was licensed or had license rights issued by the  
25 Department as a real estate broker. On July 19, 1997, CISNEROS  
26 was originally licensed as a real estate salesperson. On October  
27

1 15, 1999, CISNEROS was originally licensed as a real estate  
2 broker. On December 13, 2004, CISNEROS was licensed as the  
3 designated officer of MPFI.

4 D. At all times mentioned, JORGE OCHOA ("OCHOA") was  
5 licensed or had license rights issued by the Department as a real  
6 estate broker. On July 9, 2003, OCHOA was originally licensed as  
7 a real estate salesperson. On March 9, 2002, OCHOA was  
8 originally licensed as a real estate broker. From July 20, 2004  
9 to December 13, 2004, OCHOA was licensed as the designated  
10 officer of MPFI.

11 E. At all times material herein, MPFI was licensed by  
12 the Department as a corporate real estate broker by and through  
13 CISNEROS and OCHOA, as the designated officers and brokers  
14 responsible, pursuant to Code Section 10159.2 of the Business and  
15 Professions Code for supervising the activities requiring a real  
16 estate license conducted on behalf MPFI of by MPFI's officers,  
17 agents and employees, including CISNEROS and OCHOA.

18  
19 LICENSED ACTIVITIES AND BROKERAGE

20 4.

21 At all times mentioned, in the City of Rancho  
22 Cucamonga, County of Los Angeles, MPFI acted as a real estate  
23 broker and conducted licensed activities within the meaning of:

24 A. Code Section 10131(a). MPFI operated a residential  
25 resale brokerage dba 1<sup>st</sup> Family Realty.  
26  
27

1 B. Code Section 10131(d). MPFI operated a mortgage  
2 and loan brokerage dba 1<sup>st</sup> Family Realty; and

3 C. In addition, MPFI conducted broker-controlled  
4 escrows through its escrow division for 1st Family Realty, under  
5 the exemption set forth in California Financial Code Section  
6 17006(a)(4) for real estate brokers performing escrows incidental  
7 to a real estate transaction where the broker is a party and  
8 where the broker is performing acts for which a real estate  
9 license is required.

10 FIRST CAUSE OF ACTION

11 BROKER ESCROW AUDIT

12 LA 050175

13 FORMER DESIGNATED OFFICER JORGE OCHOA

14 5.

15 On January 20, 2006, the Department completed an audit  
16 examination of the books and records of MPFI pertaining to the  
17 broker-escrow activities described in Paragraph 4, that require a  
18 real estate license. The audit examination covered a period of  
19 time beginning on December 13, 2004 to October 17, 2005. The  
20 audit examination revealed violations of the Code and the  
21 Regulations as set forth in the following paragraphs, and more  
22 fully set forth in Audit Report LA 050175 and the exhibits and  
23 workpapers attached thereto.  
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TRUST ACCOUNTS

6.

At all times mentioned, in connection with the activities described in Paragraph 4, above, MPFI accepted or received funds including funds in trust (hereinafter "trust funds") from or on behalf of actual or prospective parties to transactions including buyers, sellers, borrowers and escrowholders handled by MPFI and thereafter made deposits and or disbursements of such funds. From time to time herein mentioned during the audit period, said trust funds were deposited and/or maintained by MPFI in the bank accounts as follows:

"Money Plus Financial Inc. 1<sup>st</sup> Family Realty Division  
07508-07683"  
Bank of America  
1211 W. Foothill Blvd  
Upland, CA 91784 ("T/A #1")

"Money Plus Financial Inc. 1<sup>st</sup> Family Realty Division  
07508-07683"  
Bank of America  
1211 W. Foothill Blvd  
Upland, CA 91784 ("T/A #2")

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BROKER ESCROW AUDIT

LA 050175

FORMER DESIGNATED OFFICER JORGE OCHOA

VIOLATIONS OF THE REAL ESTATE LAW

7.

In the course of activities described in Paragraphs 4 and 6, above, and during the examination period described in Paragraph 5, Respondents MPFI and OCHOA, acted in violation of the Code and the Regulations in that they:

(a) Permitted, allowed or caused the disbursement of trust funds from the escrow trust accounts set forth below where the disbursement of funds reduced the total of aggregate funds in the escrow trust accounts, to an amount which, on October 17, 2005, was less than the existing aggregate trust fund liability of MPFI to every principal who was an owner of said funds, without first obtaining the prior written consent of the owners of said funds, as required by Code Section 10145 and Regulations 2832.1, 2950(d), 2950(g) and 2951:

T/A #1: \$4,242,80 (shortage)

T/A #2: \$ 394.80 (shortage)

for a total shortage of \$5,637.60.

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1 (b) Failed to maintain an accurate and complete control  
2 record in the form of a columnar record in chronological order of  
3 all trust funds received, deposited and disbursed by the escrow  
4 trust accounts, in violation of Code Section 10145 and  
5 Regulations 2831, 2950(d) and 2951.

6 (c) Failed to maintain an accurate and complete separate  
7 record for each beneficiary or transaction, thereby failing to  
8 account for all trust funds received, deposited into and  
9 disbursed from the escrow trust accounts, as required by Code  
10 Section 10145 and Regulation 2831.1, 2950(d) and 2951.

11 (d) The escrow trust accounts were not designated as  
12 trust accounts, in violation of Code Section 10145 of the Code  
13 and Regulations 2832(a), 2950(d) and 2951.

14 (e) Permitted an unlicensed and unbonded person,  
15 Jennifer Carmean, Chief Financial Officer of MPFI, to be an  
16 authorized signatory on the escrow trust accounts, without proper  
17 bonding, in violation of Code Section 10145 and Regulations 2834,  
18 2950(d) and 2951; and

19 (f) Failed to disclose in writing to all parties of  
20 MPFI's financial interest and ownership of its escrow division  
21 for 1<sup>st</sup> Family Realty, as required by Code Section 10145 and  
22 Regulation 2950(h).  
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The conduct of Respondents MPFI and OCHOA, described in Paragraph 7, above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
7(a)	Code Section 10145 and Regulations 2832.1, 2950(d), 2950(g) and 2951
7(b)	Code Section 10145 and Regulations 2831, 2950(d) and 2951
7(c)	Code Section 10145 and Regulations 2831.1, 2950(d) and 2951
7(d)	Code Section 10145 and Regulations 2832(a), 2950(d) and 2951
7(e)	Code Section 10145 and Regulations 2834, 2950(d) and 2951
7(f)	Code Section 10145 and Regulation 2950(h)

The foregoing violations constitutes cause for the suspension or revocation of the real estate license and license rights of MPFI and OCHOA under the provisions of Code Sections 10177(d) and/or 10177(g).

1 SECOND CAUSE OF ACTION

2 MORTGAGE AND LOAN BROKERAGE AUDIT

3 LA 050174

4 FORMER DESIGNATED OFFICER JORGE OCHOA

5 9.

6 On January 24, 2006, the Department completed an audit  
7 examination of the books and records of MPFI pertaining to the  
8 mortgage and loan brokerage activities described in Paragraph 4,  
9 that require a real estate license. The audit examination  
10 covered a period of time beginning on December 13, 2004 to  
11 October 25, 2005. The audit examination revealed violations of  
12 the Code and the Regulations as set forth in the following  
13 paragraphs, and more fully set forth in Audit Report LA 050174  
14 and the exhibits and workpapers attached thereto.  
15

16 TRUST ACCOUNT

17 10.

18 MPFI accepted or received funds including funds in  
19 trust (hereinafter "trust funds") from or on behalf of actual or  
20 prospective parties to transactions including buyers, sellers,  
21 borrowers and escrowholders handled by MPFI, including credit  
22 report and appraisal fees. During the audit period, MPFI did not  
23 maintain a trust account for its mortgage and loan brokerage.

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MORTGAGE AND LOAN BROKERAGE AUDIT

LA 050174

FORMER DESIGNATED OFFICER JORGE OCHOA

VIOLATIONS OF THE REAL ESTATE LAW

11.

In the course of activities described in Paragraphs 4 and 10, above, and during the examination period described in Paragraph 9, Respondents MPFI and OCHOA, acted in violation of the Code and the Regulations in that they:

(a) Mixed and commingled trust funds and personal funds by depositing appraisal and credit report fees received at the close of escrow into MPFI's general operating account and thereby issued checks from said account to the appraisers or credit companies after the escrow checks were deposited, in violation of Code Sections 10145 and 10176(e) and Regulations 2950(d) and 2951.

(b) Failed to maintain a control record in the form of a columnar record in chronological order of all "Trust Funds Received, Not Placed Broker's Trust Account", including failure to record appraisal and credit report fees, in violation of Code Section 10145 and Regulation 2831, 2950(d) and 2951; and

(c) Failed to maintain a separate record for each beneficiary or transaction, thereby failing to account for all trust funds received, deposited into and disbursed from all trust

1 accounts, as required by Code Section 10145 and Regulation  
2 2831.1, 2950(d) and 2951.

3 12.

4 The conduct of Respondents MPFI and OCHOA, described in  
5 Paragraph 11, above, violated the Code and the Regulations as set  
6 forth below:

7 PARAGRAPH

PROVISIONS VIOLATED

8 11(a)

Code Sections 10145 and 10176(e)  
9 and Regulations 2950(d) and 2951  
10

11 11(b)

Code Section 10145 and Regulations  
12 2831, 2950(d) and 2951  
13

14 11(c)

Code Section 10145 and Regulations  
15 2831.1, 2950(d) and 2951  
16

17 The foregoing violations constitutes cause for the suspension or  
18 revocation of the real estate license and license rights of MPFI  
19 and OCHOA under the provisions of Code Sections 10176(e),  
20 10177(d) and/or 10177(g).

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THIRD CAUSE OF ACTION

BROKER ESCROW AUDIT

LA 050143

DESIGNATED OFFICER LAURA P. CISNEROS

13.

On January 20, 2006, the Department completed an audit examination of the books and records of MPFI pertaining to the broker-escrow activities described in Paragraph 4, that require a real estate license. The audit examination covered a period of time beginning on December 13, 2004 to October 17, 2005. The audit examination revealed violations of the Code and the Regulations as set forth in the following paragraphs, and more fully set forth in Audit Report LA 050143 and the exhibits and workpapers attached thereto.

TRUST ACCOUNTS

14.

The trust accounts are the same as set forth in Paragraph 6.

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BROKER ESCROW AUDIT

LA 050143

DESIGNATED OFFICER LAURA P. CISNEROS

VIOLATIONS OF THE REAL ESTATE LAW

15.

In the course of activities described in Paragraphs 4 and 5, above, and during the examination period described in Paragraph 13, Respondents MPFI and CISNEROS, acted in violation of the Code and the Regulations in that they:

(a) Permitted, allowed or caused the disbursement of trust funds from the escrow trust accounts set forth below where the disbursement of funds reduced the total of aggregate funds in said escrow trust accounts, to an amount which, on October 17, 2005, was less than the existing aggregate trust fund liability of MPFI to every principal who was an owner of said funds, without first obtaining the prior written consent of the owners of said funds, as required by Code Section 10145 and Regulations 2832.1, 2950(d), 2950(g) and 2951:

T/A #1: \$4,242,80 (shortage)

T/A #2: \$ 394.80 (shortage)

for a total shortage of \$5,637.60.

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1 (b) Failed to maintain an accurate and complete control  
2 record in the form of a columnar record in chronological order of  
3 all trust funds received, deposited and disbursed by the escrow  
4 trust accounts, in violation of Code Section 10145 and  
5 Regulations 2831, 2950(d) and 2951.

6 (c) Failed to maintain a accurate and complete separate  
7 record for each beneficiary or transaction, thereby failing to  
8 account for all trust funds received, deposited into and  
9 disbursed from the escrow trust accounts, as required by Code  
10 Section 10145 and Regulation 2831.1, 2950(d) and 2951.

11 (d) The escrow trust accounts were not designated as  
12 trust accounts, in violation of Code Section 10145 of the Code  
13 and Regulations 2832(a), 2950(d) and 2951.

14 (e) Permitted an unlicensed and unbonded person,  
15 Jennifer Carmean, Chief Financial Officer of MPFI, to be an  
16 authorized signatory on the escrow trust accounts, in violation  
17 of Code Section 10145 and Regulations 2834, 2950(d) and 2951.

18 (f) Conducted escrow activities at 9607 Business Center  
19 Drive, Building 31-D and at 9037 Arrow Route, Suite 160, in  
20 Rancho Cucamonga, California, prior to obtaining branch office  
21 licenses from the Department, in violation of Code Section 10163  
22 and Regulation 2715.

23 (g) Failed to disclose in writing to all parties of its  
24 financial interest and ownership of its escrow division for 1<sup>st</sup>  
25  
26  
27

1 Family Realty, as required by Code Section 10145 and Regulation  
2 2950(h).

3 16.

4 The conduct of Respondents MPFI and CISNEROS, described  
5 in Paragraph 15, above, violated the Code and the Regulations as  
6 set forth below:

7 PARAGRAPH

PROVISIONS VIOLATED

8 15(a)

Code Section 10145 and Regulations  
9 2832.1, 2950(d), 2950(g) and 2951

11 15(b)

Code Section 10145 and Regulations  
12 2831, 2950(d) and 2951

14 15(c)

Code Section 10145 and Regulations  
15 2831.1, 2950(d) and 2951

18 15(d)

Code Section 10145 and Regulations  
19 2832(a), 2950(d) and 2951

21 15(e)

Code Section 10145 and Regulations  
22 2834, 2950(d) and 2951

24 15(f)

Code Section 10163 and Regulation  
25 2715

15(g)

Code Section 10145 and Regulation  
2950(h)

The foregoing violations constitutes cause for the suspension or revocation of the real estate license and license rights of MPFI and CISNEROS under the provisions of Code Sections 10177(d) and/or 10177(g).

FOURTH CAUSE OF ACTION

MORTGAGE AND LOAN BROKERAGE AUDIT

LA 050142

FORMER DESIGNATED OFFICER JORGE OCHOA

17.

On January 10, 2006, the Department completed an audit examination of the books and records of MPFI pertaining to the mortgage and loan brokerage activities described in Paragraph 4, that require a real estate license. The audit examination covered a period of time beginning on January 1, 2004 to December 12, 2004. The audit examination revealed violations of the Code and the Regulations as set forth in the following paragraphs, and more fully set forth in Audit Report LA 050142 and the exhibits and workpapers attached thereto.

TRUST ACCOUNT

18.

MPFI accepted or received funds including funds in trust (hereinafter "trust funds") from or on behalf of actual or prospective parties to transactions including buyers, sellers,

1 borrowers and escrowholders handled by MPFI, including credit  
2 report and appraisal fees. During the audit period, MPFI did not  
3 maintain a trust account for its mortgage and loan brokerage.

4 MORTGAGE AND LOAN BROKERAGE AUDIT

5 LA 050142

6 FORMER DESIGNATED OFFICER JORGE OCHOA

7 VIOLATIONS OF THE REAL ESTATE LAW

8 19.

9  
10 In the course of activities described in Paragraphs 4  
11 and 18, above, and during the examination period described in  
12 Paragraph 17, Respondents MPFI and OCHOA, acted in violation of  
13 the Code and the Regulations in that they:

14 (a) Mixed and commingled trust funds and personal funds  
15 by depositing appraisal and credit report fees received at the  
16 close of escrow into MPFI's general operating account and  
17 thereafter issued checks from said account to the appraisers or  
18 credit companies after the escrow checks were deposited, in  
19 violation of Code Sections 10145 and 10176(e) and Regulations,  
20 2950(d) and 2951.

21 (b) Failed to maintain a control record in the form of  
22 a columnar record in chronological order of all trust funds  
23 received, deposited and disbursed by the escrow trust accounts,  
24 in violation of Code Section 10145 and Regulations 2831, 2950(d)  
25 and 2951.  
26  
27

1 (c) Failed to maintain a separate record for each  
2 beneficiary or transaction, thereby failing to account for all  
3 trust funds received, deposited into and disbursed from the  
4 escrow trust accounts, as required by Code Section 10145 and  
5 Regulation 2831.1, 2950(d) and 2951.

6 20.

7 The conduct of Respondents MPFI and OCHOA, described in  
8 Paragraph 19, above, violated the Code and the Regulations as set  
9 forth below:

10 <u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
11 19(a)	Code Sections 10145 and 10176(e) 12 and Regulations 2950(d) and 2951
14 19(b)	Code Section 10145 and Regulations 15 2831, 2950(d) and 2951
18 19(c)	Code Section 10145 and Regulations 19 2831.1, 2950(d) and 2951

20 The foregoing violations constitutes cause for the suspension or  
21 revocation of the real estate license and license rights of MPFI  
22 and OCHOA under the provisions of Code Sections 10176(e),  
23 10177(d) and/or 10177(g).

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1 FIFTH CAUSE OF ACTION

2 RESIDENTIAL RESALE BROKERAGE AUDIT

3 LA 040334

4 FORMER DESIGNATED OFFICER JORGE OCHOA

5 21.

6 On November 30, 2005, the Department completed an audit  
7 examination of the books and records of MPFI pertaining to the  
8 residential resale brokerage activities described in Paragraph 4,  
9 that require a real estate license. The audit examination  
10 covered a period of time beginning on January 1, 2004 to  
11 September 30, 2005. The audit examination revealed violations of  
12 the Code and the Regulations as set forth in the following  
13 paragraphs, and more fully set forth in Audit Report LA 040334  
14 and the exhibits and workpapers attached thereto.  
15

16 TRUST ACCOUNT

17 22.

18 MPFI accepted or received funds including funds in  
19 trust (hereinafter "trust funds") from or on behalf of actual or  
20 prospective parties to transactions including buyers and sellers,  
21 handled by MPFI, including purchase money deposits for the  
22 MaryBeth real estate transactions. During the audit, MPFI did  
23 not maintain a trust account for its residential resale  
24 brokerage.  
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1 RESIDENTIAL RESALE BROKERAGE AUDIT

2 LA 040334

3 DESIGNATED OFFICERS JORGE OCHOA AND LAURA P. CISNEROS

4 VIOLATIONS OF THE REAL ESTATE LAW

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6 23.

7 In the course of activities described in Paragraphs 4  
8 and 22, above, and during the examination period described in  
9 Paragraph 21, Respondents MPFI, OCHOA and CISNEROS, acted in  
10 violation of the Code and the Regulations in that they:

11 (a) Failed to maintain a control record in the form of  
12 a columnar record in chronological order of all "Trust Funds  
13 Received, Not Placed Broker's Trust Account", including failure  
14 to record purchase money deposits for the MaryBeth Rojas purchase  
15 transactions for 9277 Pepperidge and 12747 Waynoka, in violation  
16 of Code Section 10145 and Regulation 2831.  
17

18 24.

19 The conduct of Respondents MPFI, OCHOA and CISNEROS,  
20 described in Paragraph 22, above, violated the Code and the  
21 Regulations as set forth below:

22 PARAGRAPH

PROVISIONS VIOLATED

23 22 (a)

Code Section 10145 and Regulation  
24 2831

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1 The foregoing violations constitutes cause for the suspension or  
2 revocation of the real estate license and license rights of MPFI,  
3 OCHOA and CISNEROS under the provisions of Code Sections 10177(d)  
4 and/or 10177(g).

5 NEGLIGENCE

6 25.

7 The overall conduct of Respondents MPFI, CISNEROS and  
8 OCHOA constitute negligence or incompetence. This conduct and  
9 violation are cause for the suspension or revocation of the real  
10 estate license and license rights of said pursuant to Code  
11 Section 10177(g).

12 SUPERVISION AND COMPLIANCE WITH THE REAL ESTATE LAW

13 26.

14 The overall conduct of CISNEROS and OCHOA constitutes a  
15 failure on their part, as officers designated by a corporate  
16 broker licensee, responsible for the supervision and control over  
17 the activities conducted on behalf of MPFI by its officers,  
18 managers and employees as necessary to secure full compliance  
19 with the provisions of the Real Estate Law including the  
20 supervision of the salespersons licensed to the corporation in  
21 the performance of acts for which a real estate license is  
22 required, including having no system in place for regularly  
23 monitoring MPFI's compliance with the Real Estate Law especially  
24 in regard to establishing policies to review trust fund handling,  
25 in violation of Code Sections 10159.2 and 10177(h).  
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PRIOR DEPARTMENTAL ACTION

27.

On September 22, 2000, in Case No. H-28770 LA, an Accusation was filed against Respondent MONEY PLUS FINANCIAL INC. dba 1<sup>st</sup> Family Realty et al, that resulted in stipulated discipline including a stayed suspension and monetary penalty for violations of Code Section 10137, effective January 2, 2001.

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 the license and license rights of Respondents MONEY PLUS FINANCIAL INC., LAURA P. CISNEROS and JORGE OCHOA, 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 *17 April 2007*

  
Deputy Real Estate Commissioner

cc: Money Plus Financial Inc.  
c/o Laura P. Cisneros D.O.  
Jorge Ochoa  
Janice Waddell  
Sacto  
Audits - Jennifer Lin