

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

FILED
FEB 23 2010
DEPARTMENT OF REAL ESTATE

* * * *

R. K. Hedrick

In the Matter of the Accusation of)
)
CUEVA & ASSOCIATES, INC.,)
formerly dba The Real Estate)
Solutions Group and JUAN)
ANTONIO CUEVA, individually,)
and formerly designated)
officer of Cueva & Associates,)
Inc.)
)
Respondents.)
_____)

No. H-36070 LA

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on January 28, 2010, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision suspends or revokes one or more real estate licenses on the ground of violation of the Real Estate Law.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

I

On June 17, 2009, Robin Trujillo made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified

mail, to Respondent's last known mailing address on file with the Department on June 23, 2009.

On January 25, 2010, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondents CUEVA & ASSOCIATES, INC. and JUAN ANTONIO CUEVA'S default was entered herein.

II

CUEVA & ASSOCIATES, INC. and JUAN ANTONIO CUEVA, individually and as former designated officer of said corporation (hereinafter referred to as "Respondents"), are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code). On August 17, 2008, effective October 13, 2008, in Case No. H-35053 LA, the Real Estate Commissioner suspended the real estate broker license of Respondent JUAN ANTONIO CUEVA pursuant to Business and Professions Code Sections 10177(d), 10177(g) and 10177(h) for violations of the Real Estate Law.

III

In or about June 2006 through July 2006, Respondents CUEVA & ASSOCIATES, INC. and JUAN ANTONIO CUEVA employed Kevin Wilson, aka Kevin Fuller, who was not licensed as a real estate broker or salesperson, to solicit and negotiate a loan on real property located 10928 South Osage Avenue, #12, Inglewood, California, 90304 for borrower Greta Walker.

IV

CUEVA & ASSOCIATES, INC. and JUAN ANTONIO CUEVA violated Section 10137 of the Code by employing and/or compensating Kevin Wilson, an unlicensed individual, to solicit and negotiate sales of real property, and solicit and negotiate loans on real property, as set forth above. These activities require a real estate license under Sections 10131(d) of the Code.

DETERMINATION OF ISSUES

I

Cause for revocation of Respondent CUEVA & ASSOCIATES, INC.'S real estate corporation license and Respondent JUAN ANTONIO CUEVA'S real estate broker license exists under Business and Professions Code Sections 10137, 10177(d) and 10177(g).

II

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

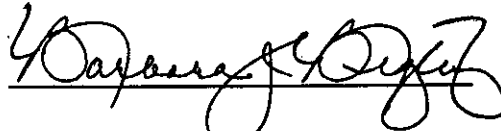
The license and license rights of Respondent, CUEVA & ASSOCIATES, INC., are revoked.

The license and license rights of Respondent, JUAN ANTONIO CUEVA, are revoked.

This Decision shall become effective at 12 o'clock noon MAR 15 2010.

DATED: 2/16/10

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Blgby
Chief Deputy Commissioner

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FILED
JAN 28 2010
DEPARTMENT OF REAL ESTATE

R. Niederholt

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H-36070 LA
)	
CUEVA & ASSOCIATES, INC.,)	
formerly dba The Real Estate)	
Solutions Group and)	
JUAN ANTONIO CUEVA,)	
individually and as former)	
designated officer of)	
Cueva & Associates, Inc.)	
)	
Respondents.)	

DEFAULT ORDER

Respondents CUEVA & ASSOCIATES INC. and JUAN ANTONIO CUEVA, having failed to file Notices of Defense within the time required by Section 11506 of the Government Code, are now in default. It is, therefore, ordered that a default be entered on the record in this matter.

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IT IS SO ORDERED

January 25, 2010

JEFF DAVI
Real Estate Commissioner

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

Shari

FILED
JUN 23 2009
DEPARTMENT OF REAL ESTATE

1 SHARI SVENINGSON, Counsel (SBN 195298)
Department of Real Estate
2 320 West Fourth Street, Suite 350
Los Angeles, CA 90013-1105
3
4 Telephone: (213) 576-6982
-or- (213) 576-6907 (Direct)

[Handwritten Signature]

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-36070 LA
12)
13) A C C U S A T I O N
14) CUEVA & ASSOCIATES, INC.,)
15) formerly dba The Real Estate)
16) Solutions Group and)
17) JUAN ANTONIO CUEVA,)
individually and as)
former designated officer of)
Cueva & Associates, Inc.)
Respondents.)

18
19 The Complainant, Robin L. Trujillo, a Deputy Real
20 Estate Commissioner of the State of California, for cause of
21 accusation against CUEVA & ASSOCIATES, INC., formerly doing
22 business as The Real Estate Solutions Group and JUAN ANTONIO
23 CUEVA, individually and as former designated officer of CUEVA &
24 ASSOCIATES, INC., alleges as follows:

25 I

26 The Complainant, Robin L. Trujillo, acting in her
27 official capacity as a Deputy Real Estate Commissioner of the

1 State of California, makes this Accusation against CUEVA &
2 ASSOCIATES, INC. and JUAN ANTONIO CUEVA.

3 II

4 CUEVA & ASSOCIATES, INC. and JUAN ANTONIO CUEVA,
5 individually and as former designated officer of said corporation
6 (hereinafter referred to as "Respondents"), are presently
7 licensed and/or have license rights under the Real Estate Law
8 (Part 1 of Division 4 of the Business and Professions Code,
9 hereinafter Code). On August 17, 2008, effective October 13,
10 2008, in Case No. H-35053 LA, the Real Estate Commissioner
11 suspended the real estate broker license of Respondent JUAN
12 ANTONIO CUEVA pursuant to Business and Professions Code Sections
13 10177(d), 10177(g) and 10177(h) for violations of the Real
14 Estate Law.

15 III

16 Respondent CUEVA & ASSOCIATES, INC. was originally
17 licensed as a real estate corporation on June 12, 2002. Pursuant
18 to Code Section 10159.2, Respondent JUAN ANTONIO CUEVA was
19 responsible for the supervision and control of the activities
20 conducted on behalf of the corporation by its officers and
21 employees as necessary to secure full compliance with the
22 provisions of the Real Estate Law, including the supervision of
23 salespersons licensed to the corporation in the performance of
24 acts for which a real estate license is required until his broker
25 license was suspended on October 13, 2008.

26 //

27 IV

VII

The conduct, acts and/or omissions of Respondent JUAN ANTONIO CUEVA in failing to ensure full compliance with the Real Estate Law by CUEVA & ASSOCIATES, INC. is in violation of Section 10159.2 of the Code and subjects his real estate licenses and license rights to suspension or revocation pursuant to Sections 10177(d), 10177(g) and/or 10177(h) of the Code.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of Respondents CUEVA & ASSOCIATES, INC. and JUAN ANTONIO CUEVA 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 day of June, 2009.


ROBIN L. TRUJILLO
Deputy Real Estate Commissioner

cc: CUEVA & ASSOCIATES, INC.
JUAN ANTONIO CUEVA
Robin L. Trujillo
Sacto.