

BEFORE THE DEPARTMENT OF REAL ESTATE

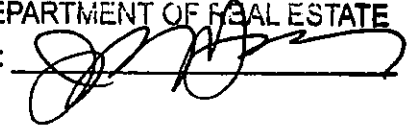
FILED

MAR 30 2011

STATE OF CALIFORNIA

* * * *

DEPARTMENT OF REAL ESTATE

BY: 

In the Matter of the Accusation of)
)
DIVERSIFIED INVESTMENTS INC.,)
 LTV PROPERTIES INC., and)
 CESAR ARMANDO HARO, indivi-)
 dually, and as designated)
 officer for LTV Properties)
 Inc. and for Diversified)
 Investments Inc.,)
)
 Respondents.)
)

No. H-36581 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 4, 2011, and the findings of fact set forth herein are based on one or more of the following: (1) Respondents' express admissions; (2) affidavits; and (3) other evidence.

This Decision suspends or revokes one or more real estate licenses on the ground of the violation of the Real Estate Law (commencing with Section 10000 of the Business and Professions Code (Code)) or Chapter 1 (commencing with Section 11000 of the Code) of Part 2 or the rules and regulations of the commissioner for the administration and enforcement of the Real Estate Law and Chapter 1 (commencing with Section 11000 of the Code) of Part 2.

FINDINGS OF FACT

I

On April 14, 2010, Maria Suarez 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 April 15, 2010.

Respondent DIVERSIFIED INVESTMENTS INC. ("DIVERSIFIED") failed to file a Notice of Defense within the time required by Section 11506 of the Government Code. Respondent's default was entered herein on January 4, 2011.

II

Respondent is presently licensed and/or have license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code") as a corporate real estate broker. Respondent's license expired on or about December 6, 2009. Pursuant to Code Section 10201 respondent retains renewal rights. Pursuant to Section 10103 the Department retains jurisdiction.

III

At all times material herein respondent engaged in the business of, acted in the capacity of, advertised or assumed to act as real estate broker in the State of California, within the meaning of Section 10131 subpart (a) and (d) of the Code, including soliciting prospective sellers or purchasers of real property, negotiating for the purchase, sale or exchange of real property, soliciting borrowers and lenders and negotiating loans on real property.

IV

In engaging in the activities alleged in Paragraph III, above, respondent maintained no business address with the Department which served as its main office for the transaction of business requiring a real estate license.

V

The evidence established that the conduct of Respondent alleged in Paragraph IV, above, violates Section 2715 of Title 10, Chapter 6, Code of Regulations ("Regulations") and Section 10162 of the Code.

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DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent DIVERSIFIED exists pursuant to Code Sections 10165, 10177(d) and 10177(g) for violation of Code Section 10162 and Section 2715 of the Regulations.

II

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

ORDER

The license and license rights of Respondent DIVERSIFIED INVESTMENTS INC. under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

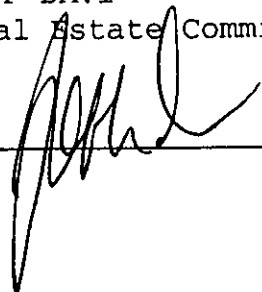
This Decision shall become effective at 12 o'clock

noon APR 19 2011

DATED: _____

3/23/2011

JEFF DAVI
Real Estate Commissioner



12/12

1 CHERYL D. KEILY SBN# 94008
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

FILED

FEB 22 2011

4 Telephone: (213) 576-6982
5 (Direct) (213) 576-6905

DEPARTMENT OF REAL ESTATE
BY: [Signature]

8
9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12	In the Matter of the Accusation of)	No. H-36581 LA
)	OAH L-2010050842
13	DIVERSIFIED INVESTMENTS INC.,)	
14	LTV PROPERTIES INC., and)	<u>STIPULATION & AGREEMENT</u>
15	CESAR ARMANDO HARO, indivi-)	
16	dually, and as designated)	
17	officer for LTV Properties Inc.)	
18	and for Diversified Investments)	
	Inc.,)	
)	
	Respondents.)	

19 It is hereby stipulated by and between CESAR ARMANDO
20 HARO, individually, and as designated broker-officer of LTV
21 Properties Inc. and Diversified Investments Inc. (sometimes
22 referred to as "Respondent"), and the Respondent's attorney
23 Robert Sievers, Esq., and the Complainant, acting by and through
24 Cheryl Keily, Counsel for the Department of Real Estate, as
25 follows for the purpose of settling and disposing of the
26 Accusation filed on April 15, 2010, 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 Respondent
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.

8 2. Respondent has received, read and understands the
9 Statement to Respondent, the Discovery Provisions of the APA
10 and the Accusation filed by the Department of Real Estate
11 ("Department") in this proceeding.

12 3. On May 5, 2010, Respondent filed a Notice of
13 Defense, pursuant to Section 11506 of the Government Code for
14 the purpose of requesting a hearing on the allegations in the
15 Accusation. Respondent hereby freely and voluntarily withdraws
16 said Notice of Defense. Respondent acknowledges that he
17 understands that by withdrawing said Notice of Defense he will
18 thereby waive his right to require the Commissioner to prove
19 the allegations in the Accusation at a contested hearing held
20 in accordance with the provisions of the APA and that he will
21 waive other rights afforded to him in connection with the
22 hearing, such as the right to present evidence in defense of
23 the allegations in the Accusation and the right to cross-
24 examine witnesses.

25 4. This Stipulation and Agreement is based on the
26 factual allegations contained in the Accusation filed in this
27 proceeding. In the interest of expedience and economy,

1 Respondent chooses not to litigate these allegations at a
2 formal administrative hearing, but to remain silent and
3 understand that, as a result thereof, these factual
4 allegations, without being admitted or denied, will serve as a
5 prima facie basis for the disciplinary action stipulated to
6 herein. This Stipulation and Agreement and Respondent's
7 decision not to contest the Accusation are hereby expressly
8 limited to this proceeding and made for the sole purpose of
9 reaching an agreed disposition of this proceeding. Respondent's
10 decision not to contest the factual allegations at a formal
11 administrative hearing is made solely for the purpose of
12 effectuating this Stipulation and Agreement and is intended to
13 be non-binding upon Respondent in any actions against him by
14 third parties. The Real Estate Commissioner shall not be
15 required to provide further evidence to prove said factual
16 allegations.

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

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

12 Respondent can signify acceptance and approval of the
13 terms and conditions of this Stipulation and Agreement by faxing
14 a copy of its signature page, as actually signed by Respondent,
15 to the Department at the following telephone/fax number (213)
16 576-6917. Respondent agrees, acknowledges, and understands that
17 by electronically sending to the Department a fax copy of his
18 actual signature as it appears on the Stipulation and Agreement,
19 that receipt of the faxed copy by the Department shall be as
20 binding on Respondent as if the Department had received the
21 original signed Stipulation and Agreement.

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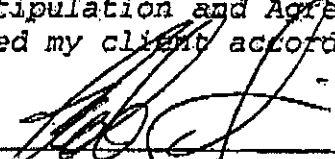
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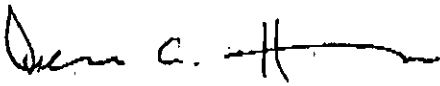
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I have reviewed the Stipulation and Agreement as to form and content and have advised my client accordingly.

DATED: 12/28/2010


Robert Sievers, Esq.
Attorney for Respondent

DATED: 12/28/10


CESAR ARMANDO HARO,
Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on _____, 2011.

IT IS SO ORDERED _____, 2011.

JEFF DAVI
Real Estate Commissioner

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I have reviewed the Stipulation and Agreement as to form and content and have advised my client accordingly.

DATED: _____
Robert Sievers, Esq.
Attorney for Respondent

DATED: _____
CESAR ARMANDO HARO,
Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on MAR 14 2011, 2011.

IT IS SO ORDERED 2/18, 2011.

JEFF DAVIS
Real Estate Commissioner

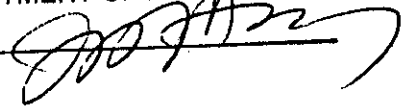
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FILED

FEB 22 2011

DEPARTMENT OF REAL ESTATE

BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-36581 LA
DIVERSIFIED INVESTMENTS INC.,)	L-2010050842
<u>LTV PROPERTIES INC.</u> , and CESAR)	
ARMANDA HARO, individually, and)	
as designated officer for LTV)	
Properties Inc. and for)	
Diversified Investments Inc.,)	
Respondent.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On April 15, 2010, an Accusation was filed in this matter against Respondent LTV PROPERTIES INC.

On November 10, 2010, Respondent petitioned the Commissioner to voluntarily surrender its real estate corporation license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent LTV PROPERTIES INC.'s petition for voluntary surrender of its real estate corporation license is accepted as of the effective date of this

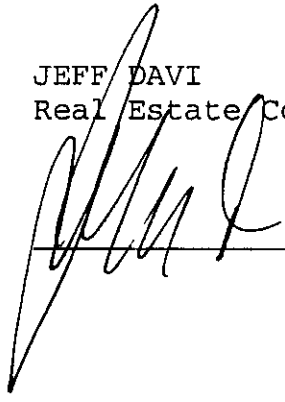
1 Order as set forth below, based upon the understanding and
2 agreement expressed in Respondent's Declaration dated
3 November 10, 2010 (attached as Exhibit "A" hereto). Respondent's
4 license certificate(s), pocket card(s) and any branch office
5 license certificate(s) shall be sent to the below listed address
6 so that they reach the Department on or before the effective date
7 of this Order:

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

13 This Order shall become effective at 12 o'clock noon
14 on MAR 14 2011, 2011.

15 DATED: 2/16, 2011

16 JEFF DAVI
17 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-36581 LA
)	OAH L-2010050842
DIVERSIFIED INVESTMENTS INC.,)	
LTV PROPERTIES INC., and)	
CESAR ARMANDO HARO, indivi-)	
dually, and as designated)	
officer for LTV Properties Inc.)	
and for Diversified Investments)	
Inc.,)	
)	
Respondents.)	
)	

DECLARATION

My name is Cesar Armando Haro. LTV PROPERTIES INC. is licensed as a real estate corporation and/or has license rights with respect to said license. I am currently an officer of LTV PROPERTIES INC., and am authorized and empowered to sign this declaration on behalf of LTV PROPERTIES INC.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code) I wish to

1 voluntarily surrender the real estate license of LTV PROPERTIES
2 INC. issued by the Department of Real Estate ("Department"),
3 pursuant to Business and Professions Code Section 10100.2.

4 I understand that by so voluntarily surrendering the
5 license of LTV PROPERTIES INC., the corporation may be
6 relicensed as a broker only by petitioning for reinstatement
7 pursuant to Section 11522 of the Government Code. I also
8 understand that by voluntarily surrendering the license of LTV
9 PROPERTIES INC., I agree to the following:

10 1. The filing of this Declaration shall be deemed as
11 the petition for voluntary surrender of LTV PROPERTIES INC.

12 2. It shall also be deemed to be an understanding
13 and agreement by LTV PROPERTIES INC. that it waives all rights
14 it has to require the Commissioner to prove the allegations
15 contained in the Accusation filed in this matter at a hearing
16 held in accordance with the provisions of the Administrative
17 Procedure Act (Government Code Sections 11400 et seq.), and that
18 it also waives other rights afforded to it in connection with
19 the hearing such as the right to discovery, the right to present
20 evidence in defense of the allegations in the Accusation and the
21 right to cross-examine witnesses.

22 3. LTV PROPERTIES INC. further agrees that upon
23 acceptance by the Commissioner, as evidenced by an appropriate
24 order, all affidavits and all relevant evidence obtained by the
25 Department in this matter prior to the Commissioner's
26 acceptance, and all allegations contained in the Accusation
27 filed by the Department in Case No. H-36581 LA may be considered

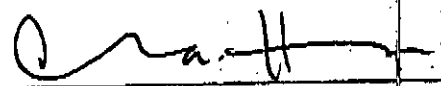
1 by the Department to be true and correct for the purpose of
 2 deciding whether to grant relicensure or reinstatement pursuant
 3 to Government Code Section 11522.

4 4. I, on behalf of LTV PROPERTIES INC., freely and
 5 voluntarily surrender all licenses and license rights of LTV
 6 PROPERTIES INC. under the Real Estate Law.

7 I declare under penalty of perjury under the laws of the
 8 State of California that the above is true and correct.

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11/10/10 / WEST COVINA
Date and Place


Cesar Armando Haro
LTV PROPERTIES INC.

1 CHERYL D. KEILY SBN# 94008
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6905

FILED

APR 15 2010

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

7
8
9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-36581 LA
13)
14 DIVERSIFIED INVESTMENTS INC.,) A C C U S A T I O N
15 LTV PROPERTIES INC., and)
16 CESAR ARMANDO HARO, indivi-)
17 dually, and as designated)
18 officer for LTV Properties Inc.)
19 and for Diversified Investments)
20 Inc.,)
21 Respondents.)

22 The Complainant, Maria Suarez, a Deputy Real Estate
23 Commissioner of the State of California, for cause of Accusation
24 against DIVERSIFIED INVESTMENTS INC. ("DIVERSIFIED"), LTV
25 PROPERTIES INC. ("LTV") and CESAR ARMANDO HARO ("HARO"),
26 individually, and as designated officer for Diversified
27 Investments Inc. and for LTV Properties Inc., is informed and
alleges as follows:

///
///

1.

1 The Complainant, Maria Suarez, a Deputy Real Estate
2 Commissioner of the State of California, makes this Accusation
3 in her official capacity.
4

2.

5 Respondent HARO is presently licensed and/or has
6 license rights under the Real Estate Law (Part 1 of Division 4
7 of the Business and Professions Code, hereinafter the "Code") as
8 a real estate broker.
9

3.

10 Respondent DIVERSIFIED is presently licensed and/or
11 has license rights under the Real Estate Law as a real estate
12 corporation. From December 7, 2005, to December 6, 2009,
13 Respondent HARO was the designated officer of Respondent
14 DIVERSIFIED. On or about December 6, 2009, the license of
15 Respondent DIVERSIFIED expired. Pursuant to Code Section 10201
16 Respondent DIVERSIFIED retains renewal rights. Pursuant to
17 Section 10103 the Department retains jurisdiction.
18
19

4.

20 Respondent LTV is presently licensed and/or has
21 license rights under the Real Estate Law, as a real estate
22 corporation acting by and through Respondent HARO as its
23 designated broker-officer.
24

5.

25 From December 7, 2005, to December 6, 2009, Respondent
26 HARO, as the officer designated by Respondent DIVERSIFIED
27

1 pursuant to Section 10211 of the Code, was responsible for the
2 supervision and control of the activities conducted on behalf of
3 Respondent DIVERSIFIED by its officers and employees as
4 necessary to secure full compliance with the Real Estate Law as
5 set forth in Section 10159.2 of the Code.

6 6.

7 From April 12, 2007, to the present, Respondent HARO,
8 as the officer designated by Respondent LTV pursuant to Section
9 10211 of the Code, was responsible for the supervision and
10 control of the activities conducted on behalf of Respondent LTV
11 by its officers and employees as necessary to secure full
12 compliance with the Real Estate Law as set forth in Section
13 10159.2 of the Code.

14 7.

15 At all times material herein, Respondents were engaged
16 in the business of, acted in the capacity of, advertised or
17 assumed to act as real estate brokers and/or real estate
18 corporations in the State of California within the meaning of
19 Code Section 10131 subparts (a) and (d) of the Code, including
20 soliciting prospective sellers or purchasers of real property,
21 negotiating for the purchase, sale or exchange of real property,
22 soliciting borrowers and lenders and negotiating loans on real
23 property.
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FIRST CAUSE OF ACCUSATION
(Office Abandonment by Respondent DIVERSIFIED)

8.

From September 4, 2007, to the expiration of its license on December 6, 2009, Respondent DIVERSIFIED maintained no business address with the Department which served as its office for the transaction of business requiring a real estate license. Prior to September 4, 2007, Respondent DIVERSIFIED maintained a business address with the Department at 550 N. Brand Boulevard, Suite 200, Glendale, California 91203.

9.

In or around June, 2007, Department representatives went to the business address of Respondent DIVERSIFIED in Glendale, as indicated in Paragraph 8, above, to make a physical inspection of the location. The Department representatives determined that Respondent DIVERSIFIED was not located at this address nor had Respondent DIVERSIFIED informed the Department of any new business address.

10.

At a time known to Respondent DIVERSIFIED, but unknown to the Department, Respondent DIVERSIFIED left and/or abandoned its business, as set forth in Paragraphs 8 and 9, above, thereby failing to maintain on file with the Commissioner of the Department a new address for the principal place of business for its real estate brokerage activities, in violation of Section

1 2715 of Title 10, Chapter 6, California Code of Regulations
2 ("Regulations") and Code Section 10162.

3 11.

4 The conduct, acts and/or omissions of Respondent
5 DIVERSIFIED, as set forth above, are cause for the suspension or
6 revocation of the licenses and license rights of Respondent
7 DIVERSIFIED pursuant to Code Sections 10165, 10177(d), and/or
8 10177(g).

9 SECOND CAUSE OF ACCUSATION
10 (Office Abandonment by Respondent HARO)

11 12.

12 Complainant incorporates herein by this reference the
13 allegations contained at Paragraphs 1 through 11, above.

14 13.

15 From February 11, 2009, to the present time,
16 Respondent HARO maintained a business address with the
17 Department at 28 N. Marengo Avenue, Pasadena, California 91101.

18 14.

19 On or about November 24, 2009, Department
20 representatives went to the business address of Respondent HARO
21 in Pasadena, as indicated in Paragraph 13, above, to make a
22 physical inspection of the location. The Department
23 representatives determined that Respondent HARO was not located
24 at this address nor had Respondent HARO informed the Department
25 of any new business address.

26 ///
27

15.

1 At a time known to Respondent HARO, but unknown to the
2 Department, Respondent HARO left and/or abandoned his business
3 address, as set forth in Paragraphs 13 and 14, above, thereby
4 failing to maintain on file with the Commissioner of the
5 Department an address for the principal place of business for
6 his real estate brokerage activities, in violation of Section
7 2715 of the Regulations and Code Section 10162.
8

9 16.

10 The conduct, acts and/or omissions of Respondent HARO,
11 as set forth above, are cause for the suspension or revocation
12 of the licenses and license rights of Respondent HARO pursuant
13 to Code Sections 10165, 10177(d), and/or 10177(g).
14

15 THIRD CAUSE OF ACCUSATION
 (Corporate Suspension by Respondent LTV)

16 17.

17 Complainant incorporates herein by this reference the
18 allegations contained at Paragraphs 1 through 16, above.
19

20 18.

21 On or about October 1, 2008, the Franchise Tax Board
22 of the State of California suspended the powers, rights and
23 privileges of Respondent LTV pursuant to the provisions of the
24 California Revenue and Taxation Code. The corporate powers,
25 rights and privileges of Respondent LTV remain suspended to
26 date.

27 ///

19.

1 The conduct of Respondent LTV as alleged above, is in
2 violation of Section 2742 of the Regulations, and subjects its
3 real estate license and license rights to suspension or
4 revocation pursuant to Code Section 10177(d), (f) and (g).
5

6 FOURTH CAUSE OF ACCUSATION
7 (Unauthorized Use of Fictitious Business
8 Name by Respondent HARO)

20.

9 Complainant incorporates herein by this reference the
10 allegations contained in Paragraphs 1 through 19, above.

21.

11 On or about October 16, 2007, Respondent HARO acted
12 without Department authorization in using the fictitious
13 business name "Equibanc Escrow Services" to engage in activities
14 requiring the issuance of a real estate license in violation of
15 the provisions of Section 10159.5 of the Code and Section 2731
16 of the Regulations.
17

22.

18 The conduct, acts and/or omissions of Respondent HARO,
19 as set forth in Paragraph 21, above, violate Code Section
20 10159.5 and Section 2731 of the Regulations and are cause for
21 the suspension or revocation of the licenses and license rights
22 of Respondent HARO pursuant to Code Section 10177(d) and/or
23 10177(g).
24

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FIFTH CAUSE OF ACCUSATION

(Failure to Supervise by Respondent HARO)

23.

Complainant incorporates herein by this reference the allegations contained at Paragraphs 1 through 22, above.

24.

Respondent HARO ordered, caused, authorized or participated in the conduct of Respondent DIVERSIFIED, as is alleged in this Accusation.

25.

The conduct, acts and/or omissions of Respondent HARO, in allowing Respondent DIVERSIFIED to violate the Real Estate Law, as set forth above, constitutes a failure by Respondent HARO as the officer designated by a corporate broker licensee to exercise the supervision and control over the activities of Respondent DIVERSIFIED, as required by Code Section 10159.2, and is cause to suspend or revoke the real estate licenses and license rights of Respondent HARO under Code Sections 10177(d), 10177(g) and/or 10177(h).

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2 WHEREFORE, Complainant prays that a hearing be
3 conducted on the allegations of this Accusation and that upon
4 proof thereof, a decision be rendered imposing disciplinary
5 action against all the licenses and license rights of Respondent
6 CESAR ARMANDO HARO, DIVERSIFIED INVESTMENTS INC. and LTV
7 PROPERTIES INC., and for such other and further relief as may be
8 proper under other applicable provisions of law.

9 Dated at Los Angeles, California
10 this 14th day of April, 2010.

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15 Maria Suarez
16 Deputy Real Estate Commissioner
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25 cc: CESAR ARMANDO HARO
26 DIVERSIFIED INVESTMENTS INC.
27 LTV PROPERTIES INC.
Maria Suarez
Sacto.