

Department of Real Estate  
320 West 4th Street, Suite 350  
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**FILED**  
JUL - 2 2010  
DEPARTMENT OF REAL ESTATE

By \_\_\_\_\_

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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To:	)	NO. H-36711 LA
	)	
NORMA RIVAS.	)	<u>ORDER TO DESIST</u>
	)	<u>AND REFRAIN</u>
	)	(B&P Code §10086)
	)	

The Real Estate Commissioner of the State of California ("Commissioner")  
caused an investigation to be made of the activities of Picassa Realty, Mass Loans, and  
NORMA RIVAS.

Whenever acts referred to below are attributed to Picassa Realty and Mass  
Loans, those acts are alleged to have been done by or through its officers, directors, agents,  
associates, affiliates, employees, and/or co-conspirators, including, but not limited to, NORMA  
RIVAS.

The Commissioner has determined from the findings set forth below that  
NORMA RIVAS has violated Section 10130 of the Business and Professions Code ("Code") by  
engaging in the business of a real estate broker within the State of California without a real  
estate broker license. Furthermore, based on the investigation, the Commissioner hereby  
issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under  
the authority of Section 10086 of the Code.

FINDINGS OF FACT

1  
2           1. At no time herein mentioned, has NORMA RIVAS, been licensed by the  
3 Department of Real Estate of the State of California ("Department") as a real estate broker or  
4 salesperson.

5           2. During a period of time from the last three years to the present, NORMA  
6 RIVAS, engaged in the business of, acted in the capacity of, advertised or assumed to act as a  
7 real estate broker in the State of California, for another or others, including, but not  
8 necessarily limited to, John Malicci, Jr., within the meaning of Code Section 10131 for or in  
9 expectation of compensation. NORMA RIVAS' activities included, but were not necessarily  
10 limited to, soliciting prospective purchaser John Malicci, Jr. and negotiating the purchase, sale  
11 or exchange of real property located at 11304 Haskell Avenue, Granada Hills, California and  
12 13780 Daventry Street, Pacoima, California.

13           3. In or around April, 2007, through May, 2007, while working as an unlicensed  
14 assistant for Michael Jaimes and Mass Loans, NORMA RIVAS made numerous material  
15 misrepresentations, prepared or caused to be prepared falsified documents, forged documents  
16 and committed dishonest dealing in connection with the purchase of two separate properties by  
17 John Malicci, Jr.

18           4. John Malicci, Jr. is a permanently disabled veteran. He cannot maintain  
19 employment and financially depends on veteran's disability benefits which are controlled by  
20 his guardian, John Malicci, Sr. John Malicci, Jr. is a psychiatric patient of the Sepulveda  
21 Mental Health Clinic.

22           5. In or around April, 2007, NORMA RIVAS prepared, or caused to be  
23 prepared, a California Residential Purchase Agreement ("RPA") for John Malicci, Jr.'s  
24 purchase of real property located at 11304 Haskell Avenue, Granada Hills, California 91344  
25 ("Haskell Avenue property"). A \$5,000 deposit from John Malicci, Jr. is noted on the RPA.  
26 John Malicci, Jr. never provided a \$5,000 deposit. NORMA RIVAS and Michael Jaimes could  
27 not provide proof of said deposit from John Malicci, Jr. being placed into a trust fund account.

1           6. Two Uniform Residential Loan Applications ("URLAs") for borrower, John  
2 Malicci, Jr., were prepared and purportedly signed by John Malicci, Jr. The URLAs were for  
3 the purchase of the Haskell Avenue property. Michael Jaimes signed the URLA certifying that  
4 he conducted a face-to-face interview with John Malicci, Jr. for Mass Loans. The URLAs  
5 contain false information regarding John Malicci, Jr.'s employment, income, assets and  
6 liabilities. John Malicci, Jr. never met with Michael Jaimes to prepare the URLAs.

7           7. In or around May, 2007, NORMA RIVAS prepared, or caused to be  
8 prepared, a California RPA for John Malicci, Jr.'s purchase of real property located at 13780  
9 Daventry Street, Pacoima, California 91331 ("Daventry Street property"). Michael Jaimes and  
10 Piccasa Realty are listed as real estate brokers on the RPA.

11           8. Two URLAs for borrower, John Malicci, Jr., were prepared by Mass Loans.  
12 The URLAs were for the purchase of the Daventry Street property. Lucia Cardenas was listed  
13 as the person who conducted a face-to-face interview with John Malicci, Jr. for Mass Loans.  
14 The URLAs contain false information regarding John Malicci, Jr.'s employment, income,  
15 assets and liabilities. John Malicci, Jr. never met with Lucia Cardenas to prepare the URLAs.

16           9. NORMA RIVAS made material misrepresentations and engaged in fraud or  
17 dishonest dealing to induce John Malicci, Jr. to purchase the Haskell Avenue and Daventry  
18 Street properties. False and forged documents were prepared and submitted to verify John  
19 Malicci, Jr.'s employment and income. NORMA RIVAS provided a \$500 cash payment and a  
20 written promissory note of \$5,000 compensation from Juan J. Reyes to John Malicci, Jr. for the  
21 sale and purchase of the Haskell Avenue property.

22           10. On or around May 21, 2007, John Malicci, Sr. became aware of the \$500  
23 given to his son John Malicci, Jr. by NORMA RIVAS. John Malicci, Sr. went to Mass Loans'  
24 office and learned of the Haskell Avenue and Daventry Street transactions involving his son,  
25 John Malicci, Jr. John Malicci, Sr. demanded that NORMA RIVAS cancel the real estate  
26 transactions and subsequently made a complaint to SRAR.

27           11. NORMA RIVAS' acts as described in Paragraphs 2 through 10, above, are  
acts requiring a real estate license under the provision of Code Section 10131(a).

1 CONCLUSIONS OF LAW

2 1. Based on the findings of fact contained in Paragraphs 1 through 11 above,  
3 NORMA RIVAS performed acts requiring a real estate license under the provisions of Code  
4 Section 10131(a).

5 2. NORMA RIVAS violated Code Section 10130 by engaging in the activities  
6 described in Paragraphs 1 through 11, above, without first obtaining a real estate license from  
7 the Department.

8 DESIST AND REFRAIN ORDER

9 Based upon the findings of fact and conclusions of law stated herein, it is  
10 hereby ordered that NORMA RIVAS immediately desist and refrain from performing any and  
11 all acts requiring a real estate license in the State of California (individually and under any  
12 fictitious business name) until you obtain the required license from the Department.

13  
14  
15 DATED: \_\_\_\_\_

6/25/20

16 JEFF DAVI  
Real Estate Commissioner

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22 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a  
23 real estate broker or real estate salesperson without a license or who advertises using words  
24 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
25 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by  
26 imprisonment in the county jail for a term not to exceed six months, or by both fine and  
imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars  
(\$60,000)."

27 cc: Norma Rivas  
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