

SACTO
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FILED

1 DEPARTMENT OF REAL ESTATE
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OCT 21 2010

DEPARTMENT OF REAL ESTATE
BY: James B. [Signature]

STATE OF CALIFORNIA
DEPARTMENT OF REAL ESTATE

To:)
NELSON SERRANO.) NO. H-36879-LA
))
) ORDER TO DESIST AND
) REFRAIN
) (B&P Code Section 10086)
)

16
17 The Commissioner (Commissioner) of the California Department of Real Estate
18 (Department) caused an investigation to be made of the activities of NELSON SERRANO
19 (SERRANO). Based on that investigation, the Commissioner has determined that SERRANO,
20 has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting
21 violations of the California Business and Professions Code (Code), including the business of,
22 acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State
23 of California within the meaning of Section 10131(a) (offering to buy, soliciting, or negotiating
24 the prospective purchases of real property) of the Code. Furthermore, based on the investigation,
25 the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist
26 and Refrain Order under the authority of Section 10086 of the Code.
27

1 Whenever acts referred to below are attributed to SERRANO, those acts are
2 alleged to have been done by SERRANO , acting by himself, or by and/or through one or more
3 agents, associates, affiliates, and/or co-conspirators.

4 FINDINGS OF FACT

5 1. SERRANO, is not now, and has never been, licensed by the Department in
6 any capacity.

7 2. From approximately May 2007 through November 2007, SERRANO was
8 compensated by Latin Mortgage Corporation for soliciting prospective real estate buyers at swap
9 meets. During this time period, Maria M. was solicited by SERRANO to purchase a home. On
10 July 18, 2007, SERRANO solicited Jesus R. and Angela R. by offering to help in either the
11 purchase or sale of a home.

12 3. After soliciting Maria M., SERRANO showed Maria M. homes for
13 sale. In October 2007, Maria M. decided to make an offer on a home SERRANO showed
14 to her . SERRANO helped Maria M. with the loan and filled out all of the paperwork.
15 On November 7, 2007, Amended Escrow Instructions were issued regarding the property.
16 These instructions authorized issuing a check payable to SERRANO, in the amount of
17 \$3903, at the close of escrow. On November 15, 2007, a Seller's Final Settlement
18 Statement for the property granted \$3,903 to SERRANO.

19 CONCLUSIONS OF LAW

20 4. Based on the findings of fact contained in paragraphs 1 through 3,
21 SERRANO, acting by himself, or by and/or through one or more agents, associates, affiliates,
22 and/or co-conspirators, solicited prospective purchasers and negotiated the purchase of real
23 property, which acts require a real estate broker license under Section 10131(a) of the Code,
24 during a period of time when SERRANO was not licensed by the Department as a real estate
25 broker, in violation of Section 10130 of the Code.

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