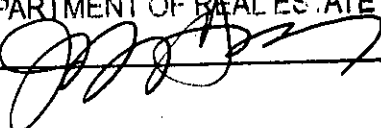


MAG

1 DEPARTMENT OF REAL ESTATE
2 320 West Fourth Street, Ste. 350
3 Los Angeles, California 90013
4
5 (213) 576-6982

FILED

MAY 03 2011

DEPARTMENT OF REAL ESTATE
BY: 

9 STATE OF CALIFORNIA
10 DEPARTMENT OF REAL ESTATE

11 To:)
12 PAOLA GUZMAN,) NO. H- 37244 LA
13)
14) ORDER TO DESIST AND
15 Respondent.) REFRAIN
16) (B&P Code Section 10086)
17)

17 The Commissioner ("Commissioner") of the California Department of Real Estate
18 ("Department") caused an investigation to be made of the activities of PAOLA GUZMAN,
19 a.k.a. Paula Guzman ("GUZMAN"). Based on that investigation, the Commissioner has
20 determined that GUZMAN has engaged in or are engaging in, or is attempting to engage in, acts
21 or practices constituting violations of the California Business and Professions Code ("Code")
22 and/or Title 10, California Code of Regulations ("Regulations"), including the business of,
23 acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State
24 of California within the meaning of Code Section 10131(a) (selling or offering to sell, buy or
25 offering to buy, solicit prospective sellers or purchasers of, soliciting or obtaining listings of, or
26
27

1 negotiating the purchase, sale or exchange of real property or a business opportunity). Based on
2 the findings of that investigation, set forth below, the Commissioner hereby issues the following
3 Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of
4 Section 10086 of the Code.

5 Whenever acts referred to below are attributed to GUZMAN, those acts are alleged to have
6 been done by GUZMAN, acting by herself, or by and/or through one or more agents, associates,
7 affiliates, and/or co-conspirators, including, but not limited to GUZMAN and using the name
8 "Hartman Mortgage Services, Inc." or other names or fictitious names unknown at this time.
9

10
11 FINDINGS OF FACT

12 1. GUZMAN is not now, and has never been, licensed by the Department in any capacity.

13 2. At the time set forth below, GUZMAN sold or offered to sell and solicited a listening
14 and negotiated the sale of real property for compensation or in expectation of compensation.

15 3. On or about September 2007, GUZMAN, representing herself as an agent of Hartman
16 Mortgage Services, Inc., offered via telephone to assist Mirna L. with the upcoming foreclosure
17 on her real property located at 16509 S. Muriel Avenue, Compton, California, 90221. While
18 Mirna L.'s niece Maira M. listened on the telephone line, GUZMAN offered to assist Mirna L.
19 with the opportunity to sell her Muriel Avenue property. Mirna L. did not consent to allowing
20 GUZMAN to sell the Muriel Avenue property.
21

22 4. One week after Mirna L.'s telephone conversation with GUZMAN, Maira M. received
23 a telephone call from GUZMAN informing that her Muriel Avenue property was lost. On or
24 about January 2009, Mirna L. became aware that her Muriel Avenue property sold under her
25 name when she received: (a) a copy of a Sale Open Order Form from Intermediate Escrow Corp.
26
27

1 dated September 17, 2007 listing herself, Mirna L., as the seller and Alicia Soberano/ Juana
2 Guevara as the buyers, with a 4% commission to the seller's representative, "Paola;" (b) Sale
3 Escrow Instructions from Intermediate Escrow Corp. dated September 19, 2007 regarding the
4 sale of the Muriel Avenue property and listing Juana Guevara as the buyer and Mirna L. as the
5 seller, with a signature on the escrow instructions that is not her signature; and (c) Wiring
6 Instructions from Hartman Mortgage Services, Inc. in Santa Fe Springs, California, dated
7 October 30, 2007, instructing broker funds to be wired to GUZMAN's Union Bank account.
8

9 CONCLUSIONS OF LAW

10 5. Based on the findings of fact contained in paragraphs 1 through 4, GUZMAN
11 violated Sections 10130 and 10131(a) of the Code by engaging in certain activities without first
12 obtaining a real estate license from the Department.

13 ///
14 ///
15 ///
16 ///
17 ///
18 ///
19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///

