

DEPARTMENT OF REAL ESTATE

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No. H-37353 LA

-1-

II

Respondent is presently licensed and has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code).

III

At all times herein mentioned, Respondent was licensed by the Department of Real Estate of the State of California as a real estate salesperson employed by real estate broker Neal Arrington dba Interstate Realty And Investments.

IV

On or about October 1, 2008, for or in expectation of compensation, Respondent solicited and negotiated a re-finance loan and loan modification on real property located at 13503 Mesa Linda Ave., Victorville, California, for borrower Delfino Cruz.

V

On or about December 14, 2008, for or in expectation of compensation, Respondent solicited and negotiated a re-finance loan and loan modification on real property located at 6641 Sweetzer Way, Las Vegas, Nevada for borrowers Arnie Barajas and Lizbeth J. Palomo.

VI

Respondent's employing broker was unaware of the above transactions.

VII

Respondent violated Code Section 10145(c) by collecting advance fees from the borrowers Cruz and Barajas and Palomo and failed to turn the funds over to her employing broker.

VIII

Respondent's activities are acts requiring a real estate broker license under the provisions of Code Section 10131(d) and (e).

IX

Respondent misappropriated the funds she received from the borrowers Cruz and Barajas and Palomo without the knowledge or permission of the borrowers.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Section 10177(j), and Sections 10177(d) and 10177(g) for violation of Code Sections 10130 and 10145(c).

II

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

ORDER

The license and license rights of Respondent BONFILIA CALDERON 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 SEP 12 2011.

DATED: August 11, 2011

BARBARA J. BIGBY
Acting Real Estate Commissioner

William F. Moran

By WILLIAM E. MORAN
Assistant Commissioner, Enforcement

SACD
Hay

FILED
JUN 21 2011
DEPARTMENT OF REAL ESTATE
[Signature]

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

| | | |
|------------------------------------|---|----------------------------|
| In the Matter of the Accusation of |) | No. H-37353 LA |
| |) | |
| BONFILIA CALDERON, |) | <u>A C C U S A T I O N</u> |
| |) | |
| Respondent. |) | |

The Complainant, Joseph Aiu, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against BONFILIA CALDERON, alleges as follows:

I

The Complainant, Joseph Aiu, acting in his official capacity as a Deputy Real Estate Commissioner of the State of California, makes this Accusation against BONFILIA CALDERON.

II

BONFILIA CALDERON (hereinafter referred to as "Respondent") is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code).

1 III

2 At all times herein mentioned, Respondent was licensed
3 by the Department of Real Estate of the State of California as a
4 real estate salesperson employed by real estate broker Neal
5 Arrington dba Interstate Realty And Investments.

6 IV

7 On or about October 1, 2008, for or in expectation of
8 compensation, Respondent solicited and negotiated a re-finance
9 loan and loan modification on real property located at 13503 Mesa
10 Linda Ave., Victorville, California, for borrower Delfino Cruz.

11 V

12 On or about December 14, 2008, for or in expectation of
13 compensation, Respondent solicited and negotiated a re-finance
14 loan and loan modification on real property located at 6641
15 Sweetzer Way, Las Vegas, Nevada, for borrowers Arnie Barajas and
16 Lizbeth J. Palomo.

17 VI

18 Respondent's employing broker was not aware of the
19 above transactions.

20 VII

21 Respondent violated Code Section 10145(c) by collecting
22 advance fees from the borrowers Cruz and Barajas and Palomo and
23 failed to turn the funds over to her employing broker.

24 VIII

25 Respondent's activities are acts requiring a real
26 estate broker license under the provisions of Code Section
27 10131(d) and (e).

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IX

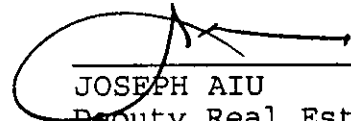
Respondent misappropriated the funds she received from the borrowers Cruz and Barajas and Palomo without the knowledge or permission of the borrowers.

X

The conduct of Respondent, as alleged above, subjects her real estate license and license rights to suspension or revocation pursuant to Sections 10177(f) and 10177(j) of the Code, and Sections 10177(d) and/or 10177(g) for violation of Code Sections 10130 and 10145(c).

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 Respondent BONFILIA CALDERON 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 San Diego, California
this 17 day of June, 2011.


JOSEPH AIU
Deputy Real Estate Commissioner

cc: Bonfilia Calderon
Joseph Aiu
Sacto.