

2.

From August 25, 1990 through October 26, 2011, Respondent JOEL RODRIGUEZ was licensed by the Department as a real estate salesperson, Department License No. 01086979. Respondent's real estate salesperson license expired on October 26, 2011. Respondent has renewal rights under Code Section 10201. The Department retains jurisdiction pursuant Code Section 10103.

3.

At no time mentioned herein has Casa Mar Financial Corporation also known as Casa Mar Financial Corp. ("Casa Mar") ever been licensed by the Department in any capacity. On or about April 26, 2008, JOEL RODRIGUEZ formed Casa Mar, a California corporation. JOEL RODRIGUEZ is Casa Mar's Chief Executive Officer and an officer or director of the corporation.

4.

At all times herein mentioned, Respondent JOEL RODRIGUEZ engaged in the business of, acted in the capacity of, advertised or assumed to act as real estate broker in the State of California, by doing or negotiating to do the following acts for another or others, for compensation or in expectation of compensation: (1) sell or offer to sell, solicit prospective sellers or purchasers of, solicit or obtain listings of, or negotiate the purchase, sale or exchange of real property within the meaning of Code Section 10131(a); and (2) solicit borrowers, negotiate loans, collect payments or perform services for borrowers in connection with loans secured directly or collaterally by liens on real property within the meaning of Code Section 10131(d).

5.

For an unknown period of time beginning no later than June 27, 2008, Respondent JOEL RODRIGUEZ engaged in the business of soliciting to modify or negotiate loans secured by real property, offering to negotiate the purchase, sale or exchange of real property, and claimed, demanded, charged, received, collected or contracted for the collection of advance fees, within the meaning of Code Section 10026, for borrowers including, but not limited to, Armando Santana Ramos.

6.

On or about June 27, 2008, Respondent JOEL RODRIGUEZ, while doing business as Casa Mar, offered to perform services in to borrower Armando Santana Ramos ("Ramos"). Ramos paid an initial advance fee payment of \$1,200 pursuant to an advance fee agreement for loan modification and negotiation services in connection with a loan secured by liens on real property. Respondent JOEL RODRIGUEZ failed to perform the loan modification and negotiation services that had been promised to Ramos. Respondent JOEL RODRIGUEZ refused Ramos' demand for a refund of his advance fees.

7.

The conduct, acts and/or omissions of Respondent JOEL RODRIGUEZ as set forth above, in engaging in acts that under Code Sections 10131 and 10132 require a real estate broker license or a salesperson license under the employment of a licensed broker, violate Code Sections 10130 and 10139, and are cause for the suspension or revocation of the licenses and license rights of Respondent JOEL RODRIGUEZ pursuant to Code Sections 10139, 10177(d), 10177(j) and 10177(g).

DETERMINATION OF ISSUES

1.

The conduct, acts and/or omissions of Respondent JOEL RODRIGUEZ as set forth above, in engaging in acts that under Code Sections 10131 and 10132 require a real estate broker license or a salesperson license under the employment of a licensed broker, violate Code Sections 10130 and 10139, and are cause for the suspension or revocation of the licenses and license rights of Respondent JOEL RODRIGUEZ pursuant to Code Sections 10139, 10177(d), 10177(j) and 10177(g).

2.

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

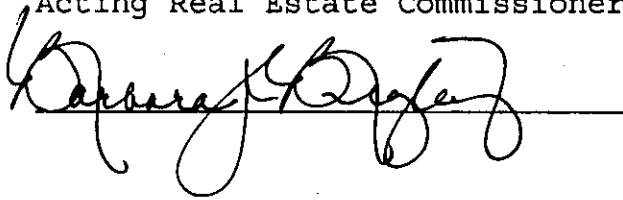
ORDER

The license and license rights of Respondent JOEL RODRIGUEZ 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 on February 13, 2012.

DATED: 1/10/12

BARBARA J. BIGBY
Acting Real Estate Commissioner

A handwritten signature in cursive script, appearing to read "Barbara J. Bigby", is written over a horizontal line.

1 Department of Real Estate
2 320 West Fourth Street, Suite 350
3 Los Angeles, California 90013-1105

FILED
DEC 29 2011
DEPARTMENT OF REAL ESTATE

By C

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Accusation of)
12 MARLON ORTEGA,)
13 JOEL RODRIGUEZ and)
14 ARMANDO MEMBRENO,)
15 Respondents.)

NO. H-37359 LA
DEFAULT ORDER

16 Respondent, JOEL RODRIGUEZ, having failed to file
17 a Notice of Defense within the time required by Section 11506
18 of the Government Code, is now in default. It is, therefore,
19 ordered that a default be entered on the record in this matter.

20 IT IS SO ORDERED December 29, 2011

21 BARBARA J. BIGBY
22 Acting Real Estate Commissioner

23 Dolores Weeks
24 By: DOLORES WEEKS
25 Regional Manager
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2.

Respondents are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code, "Code").

3.

From March 25, 2006 through the present, Respondent MARLON ORTEGA ("ORTEGA") has been licensed by the Department of Real Estate ("Department") as a real estate salesperson, Department License No. 01737070. At all times relevant herein, Respondent ORTEGA was licensed under the employment of broker Metro Golden Financial Funding Group, Inc., Department License No. 01523460.

4.

From August 25, 1990 through the present, Respondent JOEL RODRIGUEZ ("RODRIGUEZ") has been licensed by the Department as a real estate salesperson, Department License No. 01086979. At all times relevant herein, Respondent RODRIGUEZ was licensed under the employment of broker Metro Golden Financial Funding Group, Inc., Department License No. 01523460.

5.

From January 27, 2007 through January 26, 2011, Respondent ARMANDO MEMBRENO ("MEMBRENO") was licensed by the Department as a real estate salesperson, Department License No. 01786106. At all times relevant herein, Respondent MEMBRENO was licensed under the employment of broker Metro Golden Financial Funding Group, Inc., Department License No. 01523460.

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6.

At no time mentioned herein have Casa Mar Financial Corporation also known as Casa Mar Financial Corp. ("Casa Mar") ever been licensed by the Department in any capacity. On or about April 26, 2008, ORTEGA, RODRIGUEZ and MEMBRENO formed Casa Mar, a California corporation. RODRIGUEZ is Casa Mar's Chief Executive Officer and an officer or director of the corporation. MEMBRENO is the Secretary, Chief Financial Officer, a director, and agent for service of process for Casa Mar. ORTEGA also served as Secretary and a director for Casa Mar.

7.

All further references to "Respondents" include the parties listed in Paragraphs 3 through 6, above, as well as the officers, agents and employees of the parties listed in Paragraphs 3 through 6, above. Respondents engaged in the activities set forth below while doing business as Casa Mar Financial Corporation, Casa Mar Financial Corp. and/or any other fictitious names not known at this time.

8.

At all times herein mentioned, Respondents engaged in the business of, acted in the capacity of, advertised or assumed to act as real estate brokers in the State of California, by doing or negotiating to do the following acts for another or others, for compensation or in expectation of compensation: (1) sell or offer to sell, solicit prospective sellers or purchasers of, solicit or obtain listings of, or negotiate the purchase,

1 sale or exchange of real property within the meaning of Code
2 Section 10131(a); and (2) solicit borrowers, negotiate loans,
3 collect payments or perform services for borrowers in connection
4 with loans secured directly or collaterally by liens on real
5 property within the meaning of Code Section 10131(d).
6

7 FIRST CAUSE OF ACCUSATION
8 (Unlicensed Activity/Dishonest Dealing)

9 9.

10 For an unknown period of time beginning no later than
11 June 27, 2008, Respondents engaged in the business of soliciting
12 to modify or negotiate loans secured by real property, offering
13 to negotiate the purchase, sale or exchange of real property,
14 and claimed, demanded, charged, received, collected or
15 contracted for the collection of advance fees, within the
16 meaning of Code Section 10026, for borrowers including, but not
17 limited to, Armando Santana Ramos.

18 10.

19 On or about June 27, 2008, MEMBRENO solicited loan
20 modification and negotiation services on behalf of Respondents
21 doing business as Casa Mar to borrower Armando Santana Ramos
22 ("Ramos"). Ramos paid an initial advance fee payment of \$1,200
23 to Respondents pursuant to an advance fee agreement for loan
24 modification and negotiation services in connection with a loan
25 secured by liens on real property. Respondents failed to
26 perform the loan modification and negotiation services that had
been promised to Ramos. Respondents refused Ramos' demand for a

1 refund of his advance fees.

2 11.

3 The conduct, acts and/or omissions of Respondents
4 RODRIGUEZ, ORTEGA and MEMBRENO, as set forth above, in engaging
5 in acts that under Code Sections 10131 and 10132 require a real
6 estate broker license or a salesperson license under the
7 employment of a licensed broker, violate Code Sections 10130 and
8 10139, and are cause for the suspension or revocation of the
9 licenses and license rights of Respondents pursuant to Code
10 Sections 10139, 10177(d), 10177(j) or 10177(g).

11 WHEREFORE, Complainant prays that a hearing be
12 conducted on the allegations of this Accusation and that upon
13 proof thereof, a decision be rendered imposing disciplinary
14 action against all licenses and/or license rights of Respondents
15 MARLON ORTEGA, JOEL RODRIGUEZ and ARMANDO MEMBRENO, under the
16 Real Estate Law (Part 1 of Division 4 of the California Business
17 and Professions Code) and for such other and further relief as
18 may be proper under other applicable provisions of law.

19 this 27th day of June, 2011.

20
21 
22 MARIA SUAREZ
Deputy Real Estate Commissioner

23 cc: Marlon Ortega
24 Joel Rodriguez
25 Armando Membreno
26 IBJ, Inc.
Universal Executive Group, Inc.
Maria Suarez
Sacto.