

1 3.

2 From June 26, 2003, through the present, Respondent
3 has been licensed by the Department of Real Estate
4 ("Department") as a real estate salesperson, Department License
5 No. 01387840.

6 4.

7 At no time mentioned herein was Reynoso Group, Inc.,
8 Daniel Spear or Spear Jackson, Inc. licensed by the Department
9 in any capacity.

10 5.

11 Reynoso Group, Inc. is a California corporation.
12 Respondent is Reynoso Group Inc.'s President, Chief Executive
13 Officer, Chief Financial Officer and agent for service of
14 process.

15 6.

16 Spear Jackson, Inc. is a California corporation.
17 Daniel Spear is Spear Jackson, Inc.'s Chief Executive Officer
18 and Secretary.

19 7.

20 All further references to "Respondent" include the
21 parties listed in Paragraphs 4 through 6, above, as well as the
22 officers, agents and employees of the parties listed in
23 Paragraphs 4 through 6, above. Respondent engaged in the
24 activities set forth below while doing business as Reynoso
25 Group, Inc, Spear Jackson, Inc., and any other fictitious
26 business names unknown at this time.

1 8.

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

14 FIRST CAUSE OF ACCUSATION
15 (Unlicensed Activity)

16 9.

17 For an unknown period of time beginning no later than
18 February 3, 2009, and continuing to the present, Respondent
19 engaged in the business of soliciting to modify or negotiate
20 loans secured by liens on real property, and claimed, demanded,
21 charged, received, collected or contracted for the collection of
22 advance fees, within the meaning of Code Section 10026, for
23 borrowers including, but not limited to, those listed below:

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10.

Jose Guerrero

On or about February 3, 2009, Respondent, while using the unlicensed fictitious business name, Reynoso Group, Inc., solicited loan modification and negotiation services to Jose Guerrero. Jose Guerrero paid advance fees totaling \$6,600 to Respondent pursuant to an advance fee agreement for loan modification and negotiation services in connection with a loan secured by real property. Respondent failed to perform the loan modification and negotiation services that had been promised to Jose Guerrero. Respondent refused Jose Guerrero's demand for a refund of his advance fees.

11.

Gloria Elizabeth Ruiz

On or about September 23, 2009, Respondent and Daniel Spear solicited loan modification and negotiation services to Gloria Elizabeth Ruiz. Gloria Elizabeth Ruiz paid advance fees totaling \$7,500 to Reynoso Group, Inc. and Spear Jackson, Inc. pursuant to an advance fee agreement for loan modification and negotiation services in connection with a loan secured by real property. Respondent failed to perform the loan modification and negotiation services that had been promised to Gloria Elizabeth Ruiz. Respondent refused Gloria Elizabeth Ruiz' demand for a refund of her advance fees.

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12.

The activities described in Paragraphs 9 through 11, above, require a real estate broker license under Code Sections 10131(d) and 10131.2 or a real estate salesperson license while acting under the employment and supervision of his or her licensed broker under Code Section 10132.

13.

The conduct, acts and/or omissions of Respondent as set forth above, was in violation of Code Section 10130 and constitutes grounds for the suspension or revocation of the license and license rights of Respondent ROBERT FLORES REYNOSO pursuant to Code Sections 10177(d) or 10177(g).

SECOND CAUSE OF ACCUSATION
(Fraud/Dishonest Dealing)

14.

There is hereby incorporated in this Second, separate, Cause of Accusation, all of the allegations contained in Paragraphs 1 through 13 above, with the same force and effect as if herein fully set forth.

15.

The facts alleged above constitute fraud or dishonest dealing and are grounds for the suspension or revocation of the license and license rights of Respondent ROBERT FLORES REYNOSO under Code Section 10177(j).

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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and/or license rights of Respondent
5 ROBERT FLORES REYNOSO, under the Real Estate Law (Part 1 of
6 Division 4 of the California Business and Professions Code) and
7 for such other and further relief as may be proper under other
8 applicable provisions of law.

9 this 28 day of November, 2011.

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11 
12 ROBIN TRUJILLO
13 Deputy Real Estate Commissioner
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23 cc: Robert Flores Reynoso
24 Andre James Massengale
25 Robin Trujillo
26 Sacto.