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3 Los Angeles, CA 90013

JAN 10 2012

DEPARTMENT OF REAL ESTATE
BY: *James Demus*

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8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	No. H-37779 LA
12 PARK ESTATES INTERNATIONAL CORP,)	<u>A C C U S A T I O N</u>
13 SUSANNE B. MENDOZA and ARTHUR)	
14 JOSEPH SAVEDRA,)	
15 Respondents.)	

16 The Complainant, Robin L. Trujillo, a Deputy Real
17 Estate Commissioner of the State of California, for cause of
18 Accusation against PARK ESTATES INTERNATIONAL CORP, SUZANNE B.
19 MENDOZA and ARTHUR JOSEPH SAVEDRA, alleges as follows:

20 I

21 The Complainant, Robin L. Trujillo, acting in her
22 official capacity as a Deputy Real Estate Commissioner of the
23 State of California, makes this Accusation against PARK ESTATES
24 INTERNATIONAL CORP, SUZANNE B. MENDOZA and ARTHUR JOSEPH SAVEDRA.

25 II

26 PARK ESTATES INTERNATIONAL CORP ("PEIC") is presently
27 licensed and/or has license rights under the Real Estate Law

1 (Part 1 of Division 4 of the Business and Professions Code,
2 hereinafter "Code") as a corporate real estate broker.

3 III

4 SUSANNE B. MENDOZA ("MENDOZA") is presently licensed
5 and/or has license rights under the Real Estate Law as a real
6 estate broker. From March 5, 2008, through the present, MENDOZA
7 has been the designated officer and broker responsible, pursuant
8 to Code Section 10159.2 for supervising the activities requiring
9 a real estate license conducted on behalf of PEIC by PEIC's
10 officers, agents and employees.

11 IV

12 ARTHUR JOSEPH SAVEDRA ("SAVEDRA") is presently licensed
13 and/or has license rights under the Real Estate Law as a real
14 estate salesperson. From February 7, 2008 to February 25, 2010,
15 SAVEDRA was licensed with the California Department of Real
16 Estate ("Department") as employed by Allianza Mortgage Services
17 Inc. From February 26, 2010 through the present, SAVEDRA has
18 been intermittently licensed with the Department as employed by
19 ReMax Dynasty Inc. SAVEDRA has never been licensed with the
20 Department as employed by PEIC.

21 V

22 Respondent PEIC's corporation license is currently
23 suspended by the Secretary of State for the State of California.

24 VI

25 In or about June 2009, Luis Enrique Valdez ("Valdez")
26 was solicited by SAVEDRA at an open house in Pico Rivera, CA.
27 SAVEDRA gave Valdez a card from "Re/Max Higher Standards" but

1 claimed he intended to change real estate offices. The following
2 day, SAVEDRA showed Valdez a property located at 1105 Carob Way,
3 Montebello, CA ("the property"). This property had an Agreement,
4 effective June 12, 2009, which granted PEIC the exclusive right
5 to sell and specified that "no compensation shall be paid to
6 outside brokers". Between June and September 2009, SAVEDRA sent
7 emails and faxes to Valdez which represented SAVEDRA as employed
8 by PEIC. On July 20, 2009 Valdez signed a Residential Purchase
9 Agreement and Joint Escrow Instructions for the property, which
10 listed PEIC as both the selling firm and the listing firm. On
11 October 19, 2009, escrow closed on the property, with \$10,000 in
12 broker's fees wired to PEIC. Valdez never met any PEIC employee
13 other than SAVEDRA, who represented himself to be Valdez's agent.

14 VII

15 Under Code Section 10137, it is unlawful for any
16 licensed real estate broker to employ any person to perform acts
17 requiring a license who is not a real estate salesperson licensed
18 under the broker. Likewise, Code Section 10137 states that no
19 salesperson shall be employed by any person other than the broker
20 under whom he is at the time licensed. Code Section 10131(a)
21 defines soliciting prospective purchasers of real property as
22 activity requiring a real estate license. Therefore, by allowing
23 SAVEDRA to solicit Valdez on behalf of PEIC, when he was not
24 licensed under PEIC, MENDOZA and PEIC violated Code Section
25 10137.

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VIII

The conduct, acts, or omissions of Respondent PEIC, as alleged in paragraph V above, is in violation of Section 2742 of Title 10, Chapter 6, California Code of Regulations, and subjects its real estate licenses and license rights to suspension or revocation pursuant to Code Sections 10177(d), 10177(g) and/or 10177(f).

IX

The conduct, acts, or omissions of Respondents PEIC and MENDOZA, as alleged in paragraphs VI and VII above, subjects their real estate licenses and license rights to suspension or revocation pursuant to Code Sections 10137, 10177(d) and/or 10177(g).

X

The overall conduct of Respondent MENDOZA constitutes a failure on her part, as officer designated by a corporate broker licensee, to exercise the reasonable supervision and control over the licensed activities of PEIC as required by Code Section 10159.2, and to keep PEIC in compliance with the Real Estate Law, and is cause for the suspension or revocation of the real estate license and license rights of MENDOZA pursuant to the provisions of Code Sections 10177(d), 10177(g) and 10177(h).

XI

The conduct of Respondent SAVEDRA, as alleged in paragraphs VI and VII above, subjects his real estate license and license rights to suspension or revocation pursuant to Sections 10137, 10176(a), 10177(d) and/or 10177(g) of the Code.

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 license rights of respondents
5 PARK ESTATES INTERNATIONAL CORP, SUZANNE B. MENDOZA and ARTHUR
6 JOSEPH SAVEDRA under the Real Estate Law (Part 1 of Division 4 of
7 the Business and Professions Code) and for such other and further
8 relief as may be proper under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this 2 day of December, 2011.

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14 ROBIN L. TRUJILLO
15 Deputy Real Estate Commissioner
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24 cc: Park Estates International Corp
25 Suzanne B. Mendoza
26 Arthur Joseph Savedra
27 ReMax Dynasty Inc.
Robin L. Trujillo
Sacto.