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**FILED**

SEP 13 2012

DEPARTMENT OF REAL ESTATE  
BY: R. Hederholt

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of ) No. H-37970 LA  
MARES REALTY GROUP and )  
MARIA ELVIA MARES individually )  
and as designated officer of )  
MARES REALTY GROUP, )  
Respondents. )

ORDER DENYING RECONSIDERATION

On June 4, 2012, a Decision was rendered to become effective on September 4, 2012, but was stayed by separate order to September 14, 2012.

On August 30, 2012, Respondent petitioned for reconsideration of the Decision of June 4, 2012.

I have given due consideration to the petition of Respondent and reconsideration is hereby denied.

IT IS SO ORDERED

9/12/2012  
Real Estate Commissioner

By Wayne S. Bell  
Chief Counsel

*Handwritten signature*

**FILED**

SEP - 4 2012

DEPARTMENT OF REAL ESTATE

BY: *Handwritten signature*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \* \*

In the Matter of the Accusation of ) No. H-37970 LA  
MARES REALTY GROUP and, )  
MARIA ELVIA MARES, individually )  
and as designated officer of )  
Mares Realty Group, )  
Respondents. )

ORDER STAYING EFFECTIVE DATE

On June 4, 2012, a Default Decision was rendered in the above-entitled matter against MARES REALTY GROUP and MARIA ELVIA MARES to become effective September 4, 2012.

IT IS HEREBY ORDERED that the effective date of the Default Decision of June 4, 2012, is stayed for a period of 10 days.

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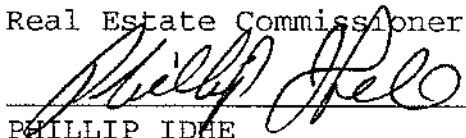
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1           The Default Decision of June 4, 2012, shall become  
2 effective at 12 o'clock noon on September 14, 2012.

3           IT IS SO ORDERED SEPTEMBER 4, 2012

4                           Real Estate Commissioner

5                             
6 By: PHILLIP IDHE  
7                           Regional Manager  
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AUG 15 2012

DEPARTMENT OF REAL ESTATE  
BY: *[Signature]*

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## DECISION

## FINDINGS OF FACT

On May 23, 2012, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent MARES REALTY GROUP's default was entered herein.

3. At all times herein mentioned, Respondent MARES REALTY GROUP was licensed as a real estate broker with Respondent MARIA ELVIA MARES as its designated officer.

4. At all times herein mentioned, Respondents engaged in the business, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of Sections 10131(a) and 10131(d) of the Code including soliciting and negotiating the sale of real property and soliciting and negotiating loans on real property.

5. On or about May 2, 2011, the Department completed an examination of Respondent's books and records pertaining to the activities described in Paragraph 4 above covering a period from May 12, 2009, through March 31, 2011, which examination revealed violations of the Code and of Title 10, Chapter 6, California Code of Regulations (Regulations) as set forth below.

6. The examination described in Paragraph 5 above determined that in connection with the activities described in Paragraph 4 above Respondent accepted or received funds including funds in trust (hereinafter "trust funds") from or on behalf of principals and thereafter made deposit or disbursement of such funds.

7. In the course of activities described in Paragraphs 4 and 6 and during the examination period described in Paragraph 5, Respondents acted in violation of the Code and the Regulations as follows, and as more specifically set forth in Audit Report No. LA 100185 and related exhibits.

a. Violated Code Section 10146 by receiving advance fees from Francisco Cambero and William John Lowe and failed to deposit the funds into a real estate broker trust account.

b. Violated Code Section 10176(i) by misappropriating the funds received from Cambero and Lowe to their own personal use and benefit without the knowledge or permission of Cambero and Lowe.

c. Violated Code Section 10085 and Regulation 2979 by not submitting to the Department of Real Estate for its review and approval all Advance Fee Agreements and Materials.

d. Violated Code Section 10146 and Regulation 2972 by not providing the borrowers with the required itemized accounting.

e. Violated Code Section 10148 by not retaining copies of all books and records for the above transactions.

f. Respondent MARES REALTY GROUP violated Regulation 2742(c) by being suspended by the California Franchise Tax Board on or about October 1, 2009.

g. Violated Code Section 10162 and Regulation 2715 by not at all times maintaining a main business address for the transaction of business.

8. In connection with the above activities, Respondent MARES failed to exercise reasonable supervision over Respondent corporation.

#### DETERMINATION OF ISSUES

1. Cause for disciplinary action against Respondent MARES REALTY GROUP exists pursuant to Business and Professions Code Sections 10176(i), 10177(d) and 10177(g) for violation of Code Sections 10085, 10146, 10148, 10162 and Regulations 2715, 2742(c), 2970 and 2972.

2. Cause for disciplinary action against Respondent MARIA ELVIA MARES exists pursuant to Code Section 10159.2 and Regulation 2725 pursuant to Sections 10177(d), 10177(g), and 10177(h).

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

#### ORDER

All licenses and license rights of Respondents MARES REALTY GROUP and MARIA ELVIA MARES 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 - 4 2012.

DATED: \_\_\_\_\_

6/4/2012

REAL ESTATE COMMISSIONER



By WAYNE S. BELL  
Chief Counsel

**FILED**

MAY 23 2012

Department of Real Estate  
320 West Fourth Street, Suite 350  
Los Angeles, California 90013-1105  
(213) 576-6982

DEPARTMENT OF REAL ESTATE  
BY: *R. H. H. H.*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of )

NO. H-37970 LA

MARES REALTY GROUP  
and MARIA ELVIA MARES  
individually and as  
designated officer of  
Mares Realty Group,

Respondents. )

DEFAULT ORDER

Respondents, MARES REALTY GROUP and MARIA ELVIA  
MARES, having failed to file a Notice of Defense within the  
time required by Section 11506 of the Government Code, are now  
in default. It is, therefore, ordered that a default be  
entered on the record in this matter.

IT IS SO ORDERED APRIL 23, 2012.

Real Estate Commissioner

By: *Phillip Ihde*

PHILLIP IHDE  
Regional Manager