

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 24, 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 December 1, 2007, through January 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 100144 and related exhibits.

a. Violated Code Section 10146 and Regulation 2832 by collecting advance fees from Adolfo L. for loan modification services for property located at 1103 W. Herald, Lake Elsinore, California and failing to deposit the funds into a real estate broker trust account.

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

c. Violated Code Section 10145 and Regulation 2831 and 2831.1 by not maintaining records for the funds received from Adolfo L.

d. Violated Code Section 10176(e) by commingling the funds received from Adolfo L. with the broker's funds.

e. Violated Code Section 10085 and Regulation 2970 by not submitting to the Department of Real Estate for its review and approval all advance fee agreements and materials.

f. Violated Code Section 10146 and Regulation 2972 by collecting advance fees from borrowers without maintaining and providing an accounting to borrowers showing the description of the services to be rendered, which trust account the funds were deposited and details of how the funds were disbursed.

g. Violated Code Section 10162 and Regulation 2715 by not at all times maintaining a definite place of business for the transaction of real estate activity and failing to notify the Department of the change in business location.

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

8. During March, 2009 through May, 2009, for or in expectation of compensation, Respondents solicited advance fees from Dorothy M. and failed to deposit the fees into a real estate broker trust account. Respondents failed to provide a verified accounting to Dorothy M.

9. Respondents misappropriated the funds received from Dorothy M. without the knowledge or permission of Dorothy M.

10. Respondents violated Code Section 10085 and Regulation 2970 by failing to provide advance fee material agreements to the Commissioner for review and approval ten days prior to use.

11. Respondent SANCHEZ failed to perform reasonable supervision of the corporation in these matters.

DETERMINATION OF ISSUES

1. Cause for disciplinary action against Respondent VENTURE WEST CAPITAL, INC. exists pursuant to Business and Professions Code Sections 10176(e), 10176(i), 10177(d) and 10177(g) for violation of Code Sections 10085, 10145, 10146, 10148, 10162 and Regulations 2715, 2831, 2831.1, 2832, 2970 and 2972.

2. Cause for disciplinary action against Respondent SANCHEZ 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 VENTURE WEST CAPITAL, INC. and ANTHONY ORLANDO SANCHEZ 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 18 2012.

DATED: 7/2/2012

REAL ESTATE COMMISSIONER

A handwritten signature in black ink, appearing to read 'Wayne S. Bell', is written over a horizontal line.

By WAYNE S. BELL
Chief Counsel

FILED

MAY 30 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. Hedgesholt

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)

NO. H- 38026 LA

VENTURE WEST CAPITAL, INC.;
and ANTHONY ORLANDO SANCHEZ
individually and as
designated officer of
Venture West Capital, Inc.

Respondents.)

DEFAULT ORDER

Respondents, VENTURE WEST CAPITAL, INC. and ANTHONY
ORLANDO SANCHEZ, 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

REAL ESTATE COMMISSIONER

By:

Dolores Weeks
DOLORES WEEKS
Regional Manager