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Docket
file

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FILED

MAY 30 2012

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DEPARTMENT OF REAL ESTATE
BY: R. M. ...

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-38178 LA
12)
13 OMEGA REALTY &) A C C U S A T I O N
14 INVESTMENTS, INC.,)
15 Respondent.)

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18 The Complainant, Robin Trujillo, a Deputy Real Estate
19 Commissioner of the State of California, for cause of accusation
20 against OMEGA REALTY & INVESTMENTS, INC., alleges as follows:

21 1. The Complainant, Robin Trujillo, acting in her
22 official capacity as a Deputy Real Estate Commissioner of the
23 State of California, makes this Accusation against OMEGA REALTY &
24 INVESTMENTS, INC.

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1 2. OMEGA REALTY & INVESTMENTS, INC. (hereinafter
2 referred to as "Respondent") is presently licensed and/or has
3 license rights under the Real Estate Law (Part 1 of Division 4 of
4 the Business and Professions Code, hereinafter Code).

5 3. On or about August 26, 2010 Respondent was licensed
6 as a corporate real estate broker.

7 4. During May, 2009, through July, 2009, for or in
8 expectation of compensation, Respondent solicited and negotiated
9 a re-finance loan and loan modification on real property located
10 at 15416 Kinzie St., North Hills, California for borrower Eleanor
11 D. M. Respondent collected advance fees from Eleanor D. M.
12 Eleanor D. M. did not obtain a re-finance or modification of her
13 loan.

14 5. Respondent violated Code Section 10130 by engaging
15 in the above activities without a real estate broker license.
16 Such activities require a real estate broker license under Code
17 Sections 10131(d) and (e).

18 6. Respondent misappropriated the funds it received
19 from the borrower without the knowledge or permission of the
20 borrower.

21 7. Respondent violated Regulation 2742(c) by being
22 suspended by the California Franchise Tax Board.

23 8. The conduct of Respondent, as alleged above,
24 subjects its real estate licenses and license rights to
25 suspension or revocation pursuant to Code Section 10177(j) for
26 fraud and/or dishonest dealings, and Code Sections 10177(d),
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1 10177(f), and/or 10177(g) for violation of Code Section 10130 and
2 Regulation 2742(c).


3 COST RECOVERY

4 Code Section 10106 provides, in pertinent part, that in
5 any order issued in resolution of a disciplinary proceeding
6 before the department, the commissioner may request the
7 administrative law judge to direct a licensee found to have
8 committed a violation of this part to pay a sum not to exceed the
9 reasonable costs of the investigation and enforcement of the
10 case.

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 license rights of Respondent
15 OMEGA REALTY & INVESTMENTS, INC. under the Real Estate Law (Part
16 1 of Division 4 of the Business and Professions Code), for the
17 cost of investigation and enforcement as permitted by law, and
18 for such other and further relief as may be proper under other
19 applicable provisions of law.

20 Dated at Los Angeles, California

21 this 30 day of April, 2012.

22 

23 ROBIN TRUJILLO
24 Deputy Real Estate Commissioner

25 cc: Omega Realty & Investments, Inc.
26 Robin Trujillo
27 Sacto.