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JUN - 62012

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DEPARTMENT OF REAL ESTATE
BY: *R. Theodorholt*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

11 In the Matter of the Accusation of) No. H- 38187 LA
12)) A C C U S A T I O N
13 IRENE M. TORRES))
dba Torres Real Estate,))
14 Respondent.))
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17 The Complainant, Veronica Kilpatrick, a Deputy Real
18 Estate Commissioner of the State of California, for cause of
19 accusation against IRENE M. TORRES dba Torres Real Estate,
20 alleges as follows:

21 1. The Complainant, Veronica Kilpatrick, acting in her
22 official capacity as a Deputy Real Estate Commissioner of the
23 State of California, makes this Accusation against IRENE M.
24 TORRES.

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

5 3. At all times herein mentioned, Respondent was
6 licensed as a real estate broker.

7 4. On or about May 27, 2009, for or in expectation of
8 compensation, Respondent solicited and negotiated a re-finance
9 loan and loan modification on real property located at 2039 Dairy
10 Mart Road #2, San Ysidro, California, for borrower Jose A. L.

11 5. Respondent violated Code Section 10145(a) and Title
12 10, Chapter 6, California Code of Regulations ("Regulations"),
13 Section 2832 by collecting advance fees from the borrower and not
14 depositing the fees into a real estate broker trust account.

15 6. Respondent misappropriated the funds she received
16 from the borrower without the knowledge or permission of the
17 borrower.

18 7. Respondent violated Code Section 10085 and
19 Regulation 2970 by failing to provide advance fee
20 material/agreements to be used to the Commissioner for review and
21 approval ten days prior to there use.

22 8. The conduct of Respondent, as alleged above,
23 subjects her real estate licenses and license rights to
24 suspension or revocation pursuant to Code Section 10176(i) for
25 misappropriation of funds, Code Sections 10177(d) and/or 10177(g)
26 for violation of Code Sections 10085, 10145, and Regulations 2832
27 and 2970.

1 COST RECOVERY

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

9 WHEREFORE, Complainant prays that a hearing be
10 conducted on the allegations of this Accusation and that upon
11 proof thereof, a decision be rendered imposing disciplinary
12 action against all licenses and license rights under the Real
13 Estate Law (Part 1 of Division 4 of the California Business and
14 Professions Code) of Respondent IRENE M. TORRES, for the cost of
15 investigation and enforcement as permitted by law, and for such
16 other and further relief as may be proper under other applicable
17 provisions of law.

18 Dated at Los Angeles, California

19 this 26 day of April, 2012.

20
21 
22 VERONICA KILPATRICK
23 Deputy Real Estate Commissioner

24 cc: Irene M. Torres
25 Veronica Kilpatrick
26 Sacto.
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