

**FILED**

AUG 24 2012

BEFORE THE DEPARTMENT OF REAL ESTATE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA BY: [Signature]

\* \* \* \*

In the Matter of the Accusation of )  
 ) No. H-38187 LA  
 IRENE M. TORRES, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on July 8, 2012, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

The right to reinstatement of a revoked license is controlled by Section 11522 of the Government Code. A copy of the Commissioner's Criteria of Rehabilitation is attached hereto for the information of the Respondent.

FINDINGS OF FACT

1.

On April 26, 2012, Veronica Kilpatrick made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondent's last known mailing address on file with the Department on June 6, 2012.

On July 8, 2012, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2.

Respondent is presently licensed and has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code).

3.

At all times herein mentioned, Respondent was licensed by the Department of Real Estate of the State of California as a real estate broker.

4.

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

5.

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

6.

Respondent misappropriated the funds she received from the borrower without the knowledge or permission of the borrower.

7.

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

#### DETERMINATION OF ISSUES

1.

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 10176(i) and 10177(d) for violation of Code Sections 10085, 10145, and Sections 2832 and 2970, Title 10, California Code of Regulations.

2.

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

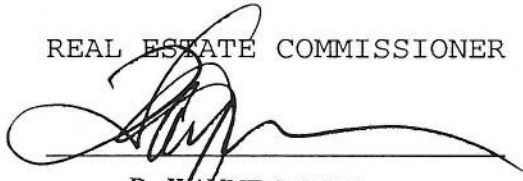
ORDER

All licenses and license rights of Respondent IRENE M. TORRES 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 13 2012.

DATED: 8/13/2012.

REAL ESTATE COMMISSIONER



By WAYNE S. BELL  
Chief Counsel

1 Department of Real Estate  
320 West Fourth Street, Suite 350  
2 Los Angeles, California 90013-1105  
3 (213) 576-6982

**FILED**

JUL - 8 2012

4 DEPARTMENT OF REAL ESTATE  
BY: *R. Mederholt*

6 BEFORE THE DEPARTMENT OF REAL ESTATE

7 STATE OF CALIFORNIA

8 \* \* \* \*

9 In the Matter of the Accusation of )  
10 IRENE M. TORRES, ) NO. H-38187 LA  
11 ) )  
12 Respondent. ) DEFAULT ORDER

13  
14 Respondent, IRENE M. TORRES, having failed to file a  
15 Notice of Defense within the time required by Section 11506 of  
16 the Government Code, is now in default. It is, therefore,  
17 ordered that a default be entered on the record in this  
18 matter.

19 IT IS SO ORDERED

*June 25, 2012*

20 Real Estate Commissioner

21  
22 BY:

*Dolores Weeks*

23 DOLORES WEEKS  
24 Regional Manager  
25  
26  
27