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**FILED**

JUN 29 2012

DEPARTMENT OF REAL ESTATE  
 BY: [Signature]

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
 9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) NO. H-38230 LA  
 12 )  
 RONALDO ROMERO BAUTISTA, ) A C C U S A T I O N  
 13 )  
 Respondent. )  
 14 )

15  
 16 The Complainant, Veronica Kilpatrick, a Deputy Real  
 17 Estate Commissioner of the State of California, for cause of  
 18 Accusation against RONALDO ROMERO BAUTISTA ("Respondent") is  
 19 informed and alleges as follows:

20 1.

21 The Complainant, Veronica Kilpatrick, a Deputy Real  
 22 Estate Commissioner of the State of California, makes this  
 23 Accusation in her official capacity.

24 2.

25 At all times herein mentioned, Respondent was licensed  
 26 and/or has license rights under the Real Estate Law (Part 1 of  
 27 Division 4 of the California Business and Professions Code).  
 28

1 3.

2 All references to the "Code" are to the California  
3 Business and Professions Code and all references to  
4 "Regulations" are to Title 10, Chapter 6, California Code of  
5 Regulations.

6 4.

7 From April 14, 2005, through the present, Respondent  
8 has been licensed by the Department of Real Estate  
9 ("Department") as a real estate salesperson, license no.  
10 01483154. From January 7, 2009, through April 13, 2011,  
11 Respondent was licensed under the employment of broker, Premier  
12 Advantage Properties, Inc.  
13

14 5.

15 Code Section 10131 defines a real estate broker as a  
16 person who: (a) sells or offers to sell, buys or offers to buy,  
17 solicits prospective sellers or purchasers of, solicits or  
18 obtains listing of, or negotiates the purchase, sale or exchange  
19 of real property or a business opportunity; or (d) solicits  
20 borrowers or lenders for or negotiates loans or collects  
21 payments or performs services for borrowers or lenders or note  
22 owners in connection with loans secured directly or collaterally  
23 by liens on real property. Code Section 10131.2 defines a real  
24 estate broker as a person who engages in the business of  
25 claiming, demanding, charging, receiving, collecting or  
26 contracting for the collection of an advance fee in connection  
27 with any employment undertaken to promote the sale or lease of  
28 real property or of a business opportunity by advance fee

1 listing, advertisement or other offering to sell, lease,  
2 exchange or rent property or a business opportunity, or to  
3 obtain a loan or loans thereon.

4 6.

5 Code Section 10132 defines a real estate salesperson  
6 as a natural person who, for a compensation or in expectation of  
7 a compensation, is employed by a licensed real estate broker to  
8 do one or more of the acts set forth in Sections 10131, 10131.1,  
9 10131.2, 1013.3, 10131.4, and 10131.6.

10 7.

11 1<sup>st</sup> Priority Group, Inc. and John Marcelo have  
12 never been licensed by the Department in any capacity. At all  
13 times relevant herein, Respondent was the president and chief  
14 executive officer of 1<sup>st</sup> Priority Group, Inc. John Marcelo was  
15 the chief financial officer and a director of 1<sup>st</sup> Priority Group,  
16 Inc. All references to 1<sup>st</sup> Priority Group include Respondent, as  
17 well as the officers, agents and employees of 1<sup>st</sup> Priority Group,  
18 Inc.

19 8.

20 On or about July 26, 2009, John Marcelo, while acting  
21 on behalf of Respondent and 1<sup>st</sup> Priority Group, Inc., solicited  
22 loan modification and negotiation services to borrower Arlene  
23 Grace Ferrer ("Ferrer"). Ferrer paid an advance fee of \$2,490  
24 to 1<sup>st</sup> Priority Group, Inc. pursuant to an advance fee agreement  
25 for loan modification and negotiation services in connection  
26 with a loan secured by a lien on real property. Respondent  
27

1 failed to perform the loan modification and negotiation services  
2 that had been promised to Ferrer.

3 9.

4 As set forth above, Respondent performed or offered to  
5 perform activities that require a real estate broker license, or  
6 to be done under the employment and supervision of Respondent's  
7 employing broker, in violation of Code Section 10130 which  
8 constitutes grounds for the suspension or revocation of the  
9 license and license rights of Respondent pursuant to Code  
10 Sections 10177(d) and/or 10177(g).

11 10.

12 Section 10106 of the Code provides, in pertinent part,  
13 that in any order issued in resolution of a disciplinary  
14 proceeding before the Department, the commissioner may request  
15 the administrative law judge to direct a licensee found to have  
16 committed a violation of this part to pay a sum not to exceed  
17 the reasonable costs of the investigation and enforcement of the  
18 case.  
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1           WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against all licenses and/or license rights of Respondent  
5 RONALDO ROMERO BAUTISTA under the Real Estate Law (Part 1 of  
6 Division 4 of the Business and Professions Code), for the cost  
7 of investigation and enforcement as permitted by law, and for  
8 such other and further relief as may be proper under other  
9 provisions of law.

10 Dated at Los Angeles, California

11 this 22 day of June, 2012.

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14   
15 VERONICA KILPATRICK  
16 Deputy Real Estate Commissioner  
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24 cc: Ronaldo Romero Bautista  
25 Rogin Torno Albania  
26 Veronica Kilpatrick  
27 Sacto.  
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