1	Department of Real Estate					
2	320 West 4th Street, Suite 350JUL 2 € 2012Los Angeles, California 90013-1105JUL 2 € 2012					
3	DEPARTMENT OF REAL ESTATE					
4	BY:					
5						
6						
7						
8	BEFORE THE DEPARTMENT OF REAL ESTATE					
9	STATE OF CALIFORNIA					
10						
11						
12	To: ) No. H-38296 LA					
13	RONALDO ROMERO BAUTISTA, ) ORDER TO DESIST   JOHN MARCELO, and ) AND REFRAIN					
14	JOHN MARCELO, and ) <u>AND REFRAIN</u> 1 <sup>ST</sup> PRIORITY GROUP, INC. ) (B&P Code Section 10086)					
15	The Commissioner ("Commissioner") of the Department of Real Estate					
16	("Department") of the State of California caused an investigation to be made of the activities of					
17	RONALDO ROMERO BAUTISTA ("BAUTISTA"), JOHN MARCELO ("MARCELO"), and					
18	1 <sup>ST</sup> PRIORITY GROUP, INC. ("1 <sup>ST</sup> PRIORITY"). Based on that investigation the					
19						
20	Commissioner has determined that BAUTISTA, MARCELO, and 1 <sup>ST</sup> PRIORITY have engaged in, are engaging in acts or attempting to engage in the business of, acting in the capacity of,					
21						
22	and/or advertising or assuming to act as real estate brokers in the State of California within the					
23	meaning of Business and Professions Code Sections 10131(d) (advertising, soliciting borrowers					
24	for, and offering to negotiate loans or perform loan modification services for borrowers in					
25	connection with loans secured by liens on real property) and 10131.2 (collecting advance fees in					
26	connection with those services).					
27						
	- 1 -					

4PC

In addition, based on that investigation, the Commissioner has determined that 1 BAUTISTA, MARCELO, and 1<sup>ST</sup> PRIORITY have engaged in or are engaging in acts or are 2 3 attempting to engage in practices constituting violations of the California Business and Professions Code ("Code"). Based on the findings of that investigation, set forth below, the 4 5 Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and 6 Refrain Order under the authority of Section 10086 of the Code. 7 FINDINGS OF FACT 1. From April 14, 2005, through the present, BAUTISTA has been licensed as a 8 real estate salesperson, license no. 01483154. From January 7, 2009, through April 13, 2011, 9 BAUTISTA was licensed under the employment of broker, Premier Advantage Properties, Inc. 10 2. 1<sup>ST</sup> PRIORITY and MARCELO have never been licensed by the Department 11 in any capacity. At all times relevant herein, BAUTISTA was the president and chief executive 12 officer of 1<sup>ST</sup> PRIORITY. MARCELO was the chief financial officer and a director of 1<sup>ST</sup> 13 PRIORITY. 14 3. On or about July 26, 2009, MARCELO, while acting on behalf of BAUTISTA 15 and 1<sup>ST</sup> PRIORITY, solicited loan modification and negotiation services to borrower Arlene F. 16 Arlene F. paid an advance fee of \$2,490 to 1<sup>ST</sup> PRIORITY pursuant to an advance fee agreement 17 for loan modification and negotiation services in connection with a loan secured by a lien on real 18 property. 1<sup>ST</sup> PRIORITY failed to perform the loan modification and negotiation services that 19 20 had been promised to Arlene F. CONCLUSIONS OF LAW 21 22 Based on the information contained in Paragraphs 1 through 3, above, RONALDO ROMERO BAUTISTA, JOHN MARCELO, and 1<sup>ST</sup> PRIORITY GROUP, INC. 23 violated Code Section 10130 by engaging in activities requiring a real estate license without first 24 obtaining a broker license from the Department or acting as a salesperson under the employment 25 of a licensed real estate broker. 26 27

## - 2 -

1	DESIST AND REFRAIN ORDER					
2	Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated					
3	herein, IT IS HEREBY ORDERED THAT RONALDO ROMERO BAUTISTA, JOHN					
4	MARCELO, and 1 <sup>ST</sup> PRIORITY GROUP, INC., whether doing business under their own name					
5	or any other fictitious business names, immediately desist and refrain from performing any acts					
6	within the State of California for which a real estate broker license is required, including:					
7	(i) soliciting borrowers and/or performing services for borrowers or lenders in					
8	connection with loans secured directly or collaterally by one or more liens on real property, and					
9	(ii) charging, demanding, or collecting a fee for any of the services you offer to					
10	others, unless and until you obtain a real estate broker license issued by the Department, and					
11	until you demonstrate and provide evidence satisfactory to the Commissioner that you are in full					
12	compliance with all of the requirements of the Code and Commissioner's Regulations relating to					
13	charging, collecting, and accounting for fees.					
14	DATED:, 2012.					
15						
16	Real Estate Commissioner					
17	E Pad					
18	By WAYNE S. BELL					
19	ChiefCounsel					
20	<b>Notice:</b> Business and Professions Code Section 10139 provides that "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words					
21	indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by					
22	imprisonment in the county jail for a term not to exceed six months, or by both fine and					
23	imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars (\$60,000)."					
24	cc: Ronaldo Romero Bautista / 1 <sup>st</sup> Priority Group, Inc.					
25	26440 Oakdale Lane Canyon Country, CA 91387					
26	Canyon Country, CA 91387					
27						
	- 3 -					

	11		· · · · · · · · · · · · · · · · · · ·
	1 <sup>st</sup> Priority Group, Inc.		
. 1	27125 Cherry Laurel Place		
2	Canyon Country, CA 91387		
3	John Marcelo		
	27125 Cherry Laurel Place		
4	Canyon Country, CA 91387		
5			
6			
7 .			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22		2	
23			
24			
25			
26			
27			
		A	
		- 4 -	