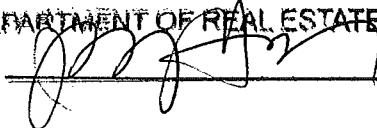


1 CHERYL D. KEILY, SBN# 94008
2 Department of Real Estate
3 320 West Fourth Street, Ste. 350
4 Los Angeles, California 90013

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6905

FILED

AUG 08 2012

DEPARTMENT OF REAL ESTATE
BY: 

7
8
9 DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * * * *

12 In the Matter of the Accusation

No. H-38324 LA

13	AT YOUR SERVICE REALTY &)	<u>A</u> <u>C</u> <u>C</u> <u>U</u> <u>S</u> <u>A</u> <u>T</u> <u>I</u> <u>O</u> <u>N</u>
14	INVESTMENTS INC.; and)	
15	JOSE L. CORDOVA, indivi-)	
16	dually, and as designated)	
17	officer for At Your Service)	
18	Realty & Investments Inc.,)	
)	
	Respondents.)	
	_____)	

19 The Complainant, Robin Trujillo, a Deputy Real Estate
20 Commissioner of the State of California, for cause of Accusation
21 against AT YOUR SERVICE REALTY & INVESTMENTS INC. ("AYSR"), and
22 JOSE L. CORDOVA ("CORDOVA"), individually, and as designated
23 officer for AYSR, is informed and alleges as follows:

24 1.

25 The Complainant, Robin Trujillo, a Deputy Real Estate
26 Commissioner of the State of California, makes this Accusation in
27

her official capacity.

2.

Respondent AYSR is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter "Code"), as a real estate corporation. During the period from October 4, 2010, to May 24, 2011, AYSR was unlicensed.

3.

Respondent CORDOVA is presently licensed and/or has license rights under the Real Estate Law as a real estate broker. At all times during which AYSR was licensed as a real estate corporation CORDOVA was the designated officer.

4.

Respondent CORDOVA, as the officer designated by Respondent AYSR pursuant to Section 10211 of the Code, was responsible for the supervision and control of the activities conducted on behalf of Respondent AYSR by its officers and employees as necessary to secure full compliance with the Real Estate Law as set forth in Section 10159.2 of the Code, including the supervision of salespersons licensed to the corporation in the performance of acts for which a real estate license is required.

5.

Frank Montes ("Montes") is presently licensed and/or has license rights under the Real Estate Law as a real estate salesperson. From April 12, 2007, to February 15, 2009, and from

1 December 6, 2011, to the present time Montes was licensed under
2 the broker license of CORDOVA. From November 13, 2009, to October
3 3, 2010, Montes was licensed under the broker license of AYSR.

4 6.

5 At all times herein mentioned, Respondents, on behalf
6 of others and in expectation of compensation, engaged in the
7 business, acted in the capacity of, advertised or assumed to act
8 as a real estate broker in the State of California within the
9 meaning of Section 10131 subpart (a) of the Code, including
10 soliciting prospective sellers or purchasers of real property,
11 and negotiating for the purchase, sale or exchange of real
12 property.

13 7.

14 All further references to Respondents herein include
15 AYSR and CORDOVA, and also include officers, directors,
16 employees, agents and real estate licensees employed by or
17 associated with AYSR and CORDOVA, and who at all times herein
18 mentioned were engaged in the furtherance of the business or
19 operations of AYSR and CORDOVA, and who were acting within the
20 course and scope of their authority and employment.

22 FIRST CAUSE OF ACCUSATION

23 (Code Sections 10176(a) and 10176(i)
24 against Respondent CORDOVA)

25 8.

26 In or around February, 2011, Eddie Gonzales ("Eddie")
27 and Kenny Gonzales ("Kenny") jointly owned the real property at

1 1102 Davenrich Street, Santa Fe Springs, California 90670 (the
2 "Property"). The Property was subject to a Notice of Trustee's
3 Sale recorded at the office of the Los Angeles County Recorder
4 providing notice of the mortgage lender's intention to sell the
5 Property at a trustee's sale on March 7, 2011.

6 9.

7 Out of concern that the Property was about to be lost
8 to foreclosure by virtue of the pending trustee's sale, on or
9 about February 17, 2011, Eddie contacted CORDOVA and AYSR to
10 determine what, if anything, could be done to prevent the loss of
11 Eddie and Kenny's interest in the Property.

12 10.

13 On or about February 19, 2011, CORDOVA directed Eddie
14 to sign a series of documents including a residential listing
15 agreement which by its terms listed the Property for sale for
16 \$250,000. CORDOVA failed to provide Eddie with copies of the
17 documents he signed. At no time did CORDOVA disclose to Eddie
18 that CORDOVA intended to seek lender approval for a "short sale"
19 of the Property. A "short sale" of the Property would permit the
20 sale of the Property for less than the amount owed on the loans
21 against it. Despite Kenny's co-ownership interest in the
22 Property, CORDOVA failed to obtain Kenny's signature on the
23 listing agreement.
24

25 11.

26 The listing agreement described in Paragraph 10, above,
27 was dated January 28, 2011, and falsely represented that AYSR was

1 the listing broker though CORDOVA, as the designated officer,
2 knew that AYSR was at that time unlicensed.

3 12.

4 Thereafter, without Eddie's knowledge or consent,
5 Respondents prepared a written offer for the purchase of the
6 Property dated February 1, 2011, which falsely represented that a
7 buyer named Robert Leung ("Leung") was offering to purchase the
8 Property for \$220,000. The purchase offer further contained the
9 false representation that Leung was represented in the
10 transaction by Treeline Realty & Investment Inc., a licensed real
11 estate corporation, through its agent Diana Wong, a licensed real
12 estate salesperson. Neither Treeline Realty & Investment Inc. nor
13 Diana Wong was in any way involved in the transaction. Nor were
14 they aware that Respondents fraudulently used their names on the
15 offer to purchase the Property. At no time was Ms. Wong employed
16 by or associated with Treeline Realty & Investment Inc.
17

18 13.

19 Without Eddie's knowledge or consent, Respondents also
20 prepared a fraudulent mortgage qualification certificate on the
21 letterhead of GE-KE Mortgage Broker ("GE-KE"), a Division of GE-
22 KE Financial Group Inc., a licensed real estate corporation. The
23 certificate falsely represented that buyer Leung was approved for
24 a mortgage loan in the amount of \$220,000 to be secured by a
25 trust deed on the Property. The mortgage qualification
26 certificate identified Montes, a licensed real estate
27 salesperson, as a loan officer for GE-KE. GE-KE had no knowledge

1 of Leung or of the existence of the fraudulent mortgage
2 qualification certificate. At no time was Montes employed by or
3 associated with GE-KE; nor was he at that point in time employed
4 by Respondents.

5 14.

6 On or about February 22, 2011, Respondents submitted a
7 "short sale" package to the mortgage lender on the Property
8 seeking the lender's agreement to permit the sale of the Property
9 at the purchase price in the Leung offer though the proposed
10 purchase price would provide insufficient proceeds to satisfy all
11 encumbrances on the Property. Eddie was unaware of Respondents'
12 actions.

13 15.

14 On or about February 26, 2011, Eddie obtained copies of
15 the fraudulent documents described in Paragraphs 9 through 13,
16 above, and thereby determined that he had been deceived by
17 Respondents.
18

19 16.

20 The conduct, acts and/or omissions of Respondent
21 CORDOVA, as described herein above, constitute making substantial
22 misrepresentations and engaging in fraud or dishonest dealing and
23 is cause for the suspension or revocation of all real estate
24 licenses and license rights of Respondent CORDOVA under the
25 provisions of Code Sections 10176(a), 10176(i), 10177(d),
26 10177(g) and 10177(j).

27 ///

SECOND CAUSE OF ACCUSATION

(Unlicensed Conduct in Violation of Code Section 10130 by AYRS)

17.

Complainant incorporates by this reference the allegations set forth in Paragraphs 1 through 16, above.

18.

The activities described in Paragraphs 8 through 15, above, require a real estate broker license under Sections 10131(a).

19.

Respondent AYSR performed and/or engaged in the business, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of Section 10131 subpart (a) of the Code, including soliciting prospective sellers or purchasers of real property, and negotiating for the purchase, sale or exchange of real property, when AYSR was not licensed as a real estate corporation.

20.

The conduct, acts and/or omissions of Respondent AYSR, as set forth, above, violates Code Section 10130, and is cause for the suspension or revocation of the licenses and license rights of Respondent AYSR pursuant to Code Sections 10177(d), 10177(g) and/or 10177(j).

///

///

THIRD CAUSE OF ACCUSATION

(Employment of Unlicensed Person in Violation of Code Section 10137 by Respondent CORDOVA)

21.

Complainant incorporates by this reference the allegations set forth in Paragraphs 1 through 20, above.

22.

In connection with the activities of Respondent CORDOVA as a real estate broker, as described above, Respondent violated Section 10137 of the Code by employing Respondent AYSR, who was at that time unlicensed as a real estate broker, to engage in activities requiring a real estate license pursuant to the provisions of Code Section 10131(a).

23.

The conduct, acts and/or omissions of Respondent CORDOVA, as alleged above, subject his real estate licenses and license rights to suspension or revocation pursuant to Sections 10137, 10177(d) and/or 10177(g) of the Code.

FOURTH CAUSE OF ACCUSATION

(Corporate Suspension of Respondent AYSR)

24.

Complainant hereby incorporates by reference the allegations set forth in Paragraphs 1 through 23, above.

25.

On or about August 2, 2010, the California Franchise Tax Board suspended the corporate powers, rights and privileges

1 of AYSR pursuant to the provisions of the California Revenue and
2 Taxation Code. The corporate powers, rights and privileges of
3 Respondent AYSR remain suspended to date.

4 26.

5 The conduct of Respondent AYSR, as alleged above, is in
6 violation of Section 2742(c) of Title 10, Chapter 6, California
7 Code of Regulations, and subjects its real estate license and
8 license rights to suspension or revocation pursuant to Code
9 Section 10177(d), (f) and (g).

10 ///

11 ///

12 ///

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

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 the licenses and license rights of Respondents
5 JOSE L. CORDOVA and AT YOUR SERVICE REALTY & INVESTMENTS INC.,
6 under the Real Estate Law (Part 1 of Division 4 of the Business
7 and Professions Code), for the cost of investigation and
8 enforcement as permitted by law, and for such other and further
9 relief as may be proper under other applicable provisions of law.

10 Dated at Los Angeles, California

11 this 3 day of August, 2012.

12
13 
14 _____
15 Robin Trujillo
16 Deputy Real Estate Commissioner
17
18
19
20
21
22
23
24

25 cc: Jose L. Cordova
26 At Your Service Realty & Investments Inc.
27 Robin Trujillo
Sacto.