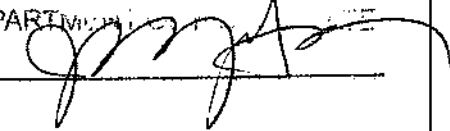


1 CHERYL D. KEILY SBN# 94008  
2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105

**FILED**

OCT 18 2012

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

DEPARTMENT OF REAL ESTATE  
BY: 

7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H- 38482 LA  
12 )  
13 VALDOVINOS INCORPORATED, doing )  
14 Business as Green Street ) A C C U S A T I O N  
15 Realty and as Green Street )  
16 Financial; and ALFONSO SPINDOLA )  
17 VALDOVINOS, individually, and )  
18 as designated officer for )  
19 Valdovinos Incorporated, )  
20 )  
21 Respondents. )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )

18 The Complainant, Robin Trujillo, a Deputy Real Estate  
19 Commissioner of the State of California, for cause of Accusation  
20 against VALDOVINOS INCORPORATED, doing business as Green Street  
21 Realty and as Green Street Financial, ("VALDOVINOS") and ALFONSO  
22 SPINDOLA VALDOVINOS, individually, and as designated officer for  
23 VALDOVINOS ("ALFONSO") is informed and alleges as follows:

25 ///

26 ///

27 ///

1.

1 The Complainant, Robin Trujillo, a Deputy Real Estate  
2 Commissioner of the State of California, makes this Accusation  
3 in her official capacity.  
4

2.

5 Respondent VALDOVINOS is presently licensed and/or has  
6 license rights under the Real Estate Law (Part 1 of Division 4  
7 of the Business and Professions Code, hereinafter "Code"), as a  
8 real estate corporation.  
9

3.

10 Respondent ALFONSO is presently licensed and/or has  
11 license rights under the Real Estate Law as a real estate  
12 broker. ALFONSO is, and at all times relevant herein was, the  
13 designated officer of VALDOVINOS.  
14

15 FIRST CAUSE OF ACCUSATION  
16 (Fraud Judgment Code §10177.5)

4.

17 On or about August 23, 2012, the final judgment of the  
18 Superior Court of the State of California, County of Los  
19 Angeles, Case No. BC467822, was entered against VALDOVINOS and  
20 ALFONSO based on the ground of fraud, misrepresentation, or  
21 deceit with reference to a transaction for which a real estate  
22 license is required. Punitive damages in the amount of \$279,000  
23 were awarded against both VALDOVINOS and ALFONSO.  
24

5.

25 The facts set forth in Paragraph 4 constitute cause  
26  
27

1 under Section 10177.5 of the Code for the suspension or  
2 revocation of all licenses and license rights of Respondents  
3 VALDOVINOS and ALFONSO under the Real Estate Law.

4 SECOND CAUSE OF ACCUSATION  
(Misrepresentation and Fraud or Dishonest Dealing)

5 6.

6 Complainant hereby incorporates by reference the  
7 allegations set forth in Paragraphs 1 through 5, above.

8 7.

9 On or about August 19, 2011, Martha Gallardo  
10 ("Gallardo") consulted ALFONSO and VALDOVINO with respect to  
11 Gallardo's interest in purchasing real estate. On the same date  
12 Gallardo executed an offer prepared by ALFONSO for the purchase  
13 of the property located at 1104 S. Glenn Alan Avenue, West  
14 Covina, California ("Glenn Alan Property"). ALFONSO represented  
15 to Gallardo that the Glenn Alan Property was being offered as a  
16 short sale for the sales price of \$439,000, and that Gallardo  
17 would need to deliver to ALFONSO a down payment equal to 20% of  
18 the purchase price in order to complete the purchase.

19 8.

20 On or about August 19, 2011, ALFONSO instructed  
21 Gallardo to give him a cashier's check made payable to Green  
22 Street Financial, a fictitious business name of VALDOVINO, in  
23 the amount of 20% of the purchase price of the Glenn Alan  
24 Property to be deposited to escrow and used as Gallardo's down  
25 payment.

9.

1  
2 On or about August 30, 2011, in accordance with  
3 ALFONSO's earlier instructions to Gallardo, Gallardo gave  
4 ALFONSO a cashier's check made payable to Green Street Financial  
5 in the amount of \$59,100 as an installment toward the down  
6 payment for the purchase of the Glenn Alan Property.  
7 Thereafter, Gallardo delivered to ALFONSO additional cashier's  
8 checks made payable Green Street Financial for the down payment  
9 as follows: (1) on September 6, 2011, a check in the amount of  
10 \$10,000; (2) on October 3, 2011, a check in the amount of  
11 \$3,000; and (3) on October 11, 2011, a check in the amount of  
12 \$7,000.

13  
14 10.

15 Thereafter, from October, 2011, to December, 2011,  
16 ALFONSO repeatedly represented to Gallardo that her purchase of  
17 the Glenn Alan Property would be completed by November or  
18 December, 2011, and that Gallardo need not worry.

19  
20 11.

21 By January, 2012, ALFONSO stopped telephoning Gallardo  
22 or accepting Gallardo's telephone calls to him. When Gallardo  
23 went to ALFONSO's office she discovered that ALFONSO had closed  
24 his office and moved to an undisclosed location.

25  
26 12.

27 In or around March, 2012, Gallardo obtained copies  
from her bank of the cashier's checks she had given to ALFONSO.  
According to the information on the checks Gallardo discovered

1 that ALFONSO had not deposited any of the checks to an escrow  
2 account for the purchase of the Glenn Alan Property. ALFONSO  
3 had instead deposited Gallardo's checks into various bank  
4 accounts of VALDOVINO.

5 13.

6 ALFONSO's representations to Gallardo as alleged in  
7 Paragraphs 7 through 10, above, were false and fraudulent in  
8 that ALFONSO had no intention of depositing any portion of  
9 Gallardo's funds into an escrow for the purchase of the Glenn  
10 Alan Property. Instead ALFONSO's representations were made with  
11 the intent to fraudulently induce Gallardo to give him and  
12 VALDOVINO money in the amounts alleged in Paragraph 9, above, so  
13 as to permit ALFONOS to convert Gallardo's money to his own use  
14 and benefit.

15 14.

16 Despite Gallardo's demand to ALFONSO for the return of  
17 the money Gallardo gave to ALFONSO and VALDOVINO, no portion of  
18 Gallardo's funds have been returned to her.

19 15.

20 The conduct, acts and/or omissions of ALFONSO and  
21 VALDOVINO, as described herein above, constitute making a  
22 substantial misrepresentation, the making of false promise(s)  
23 of a character likely to influence, persuade or induce, and/or  
24 fraud or dishonest dealing, and are cause for the suspension or  
25 revocation of all real estate licenses and license rights of  
26 ALFONSO and VALDOVINO under the provisions of Code Sections  
27

10176(a), 10176(g), 10176(i) and/or 10177(j).

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 Respondents  
5 VALDOVINOS INCORPORATED and ALFONSO SPINDOLA VALDOVINOS under  
6 the Real Estate Law, for the cost of investigation and  
7 enforcement as permitted by Code Section 10106, and for such  
8 other and further relief as may be proper under applicable  
9 provisions of law.  
10

11 Dated at Los Angeles, California

12 this 11 day of October, 2012.

13  
14  
15   
16 \_\_\_\_\_  
17 Robin Trujillo  
18 Deputy Real Estate Commissioner  
19  
20  
21  
22  
23  
24  
25

26 cc: VALDOVINOS INCORPORATED  
27 ALFONSO SPINDOLA VALDOVINOS  
Robin Trujillo  
Sacto.