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FILED

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DEPARTMENT OF REAL ESTATE

BY: ~~C~~

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of) NO. H-38742 LA
12 EVA CORREA & ASSOCIATES, INC.;) A C C U S A T I O N
13 TEUL CORPORATION;)
14 EVA CORREA, individually and as)
15 designated officer of Eva Correa)
16 & Associates, Inc. and Teul)
17 Corporation;)
18 TONY REYNOSO, individually and as)
19 former designated officer of)
20 Eva Correa & Associates, Inc. and)
21 Teul Corporation,)
22 Respondents.)

23 The Complainant, Robin Trujillo, a Deputy Real Estate
24 Commissioner of the State of California, for cause of Accusation
25 against EVA CORREA & ASSOCIATES, INC.; TEUL CORPORATION; EVA
26 CORREA, individually and as designated officer of Eva Correa &
27 Associates and Teul Corporation; and TONY REYNOSO, individually
28 and as former designated officer of Eva Correa & Associates and

1 Teul Corporation ("Respondents"), is informed and alleges as
2 follows:

3 1.

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

7 2.

8 From July 13, 2005, through the present, Respondent
9 EVA CORREA & ASSOCIATES, INC. ("ECAI") has been licensed by the
10 Department of Real Estate ("Department") as a corporate real
11 estate broker, License ID 01502216.

12 3.

13 From November 18, 2005, through the present,
14 Respondent TEUL CORPORATION ("TEUL") has been licensed by the
15 Department as a corporate real estate broker, License
16 ID 01519456.

17 4.

18 From February 22, 2010, through the present,
19 Respondent EVA CORREA ("CORREA") has been licensed by the
20 Department of Real Estate ("Department") as a real estate
21 broker, License ID 01272173.

22 5.

23 From August 18, 2005, through the present, Respondent
24 TONY REYNOSO ("REYNOSO") has been licensed by the Department as
25 a real estate broker, License ID 01362086. REYNOSO has been
26 licensed to do business as Palm Vista Properties and El Camino
27 Realty since October 10, 2011.

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From October 4, 2005, through February 16, 2010, Respondent ECAI was acting by and through Respondent REYNOSO as its designated officer pursuant to Code Section 10159.2 to be responsible for ensuring compliance with the Real Estate Law.

7.

From October 18, 2005, through February 16, 2010, Respondent TEUL was acting by and through Respondent REYNOSO as its designated officer pursuant to Code Section 10159.2 to be responsible for ensuring compliance with the Real Estate Law.

8.

Respondents ECAI and TEUL are California corporations owned and operated by Respondent CORREA. From April 12, 2010, through the present, Respondents ECAI and TEUL have been acting by and through Respondent CORREA as their designated officer pursuant to Code Section 10159.2 to be responsible for ensuring compliance with the Real Estate Law.

FIRST CAUSE OF ACCUSATION

(Suspended Corporate Status/

Material Misstatement of Fact on License Renewal Application)

9.

On May 1, 2008, the corporate powers, rights and privileges of Respondent ECAI were suspended with the Office of the Secretary of State of California pursuant to the provisions of the California Revenue and Taxation Code. ECAI's corporate status remains suspended.

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1 10.

2 The corporate powers, rights and privileges of
3 Respondent TEUL are currently suspended by the Office of the
4 Secretary of State of California.

5 11.

6 On September 30, 2009, Respondent REYNOSO signed the
7 officer certification of ECAI's officer renewal application
8 certifying that the statements on the application were true and
9 correct under penalty of perjury. In response to Question 17,
10 to wit, "[I]s the corporation currently in good standing with
11 the Office of the Secretary of State?", Respondents ECAI and
12 REYNOSO marked the answer box "Yes" and failed to disclose that
13 ECAI's corporate status had been suspended on May 1, 2008.

14 12.

15 The suspension of Respondents ECAI and TEUL's
16 corporate status is in violation of Regulation 2742(c) of the
17 Regulations of the Real Estate Commissioner, Title 10, Chapter
18 6, California Code of Regulations ("Regulations") and
19 constitutes grounds to suspend or revoke Respondents ECAI and
20 TEUL's corporate real estate broker licenses pursuant to Code
21 Sections 10177(f), 10177(d) and/or 10177(g). Respondent ECAI
22 further violated Regulation 2742(c) by engaging in the
23 activities described below in Paragraphs 16 and 17.

24 13.

25 Respondents ECAI and REYNOSO's failure to disclose the
26 suspended corporate status of ECAI on ECAI's officer renewal
27 application as set forth in Paragraph 11, above, constitutes the
28 procurement of a real estate license by fraud, misrepresentation

1 or deceit, or by making a material misstatement of fact, knowing
2 misrepresentation of a material fact, or by knowingly omitting
3 to state a material fact, which constitutes cause for the
4 suspension or revocation of Respondents ECAI and REYNOSO's
5 licenses and license rights of under the Real Estate Law
6 pursuant to Code Sections 498, 10177(a), and/or 10177(g) .

7 14.

8 The conduct, acts and/or omissions of Respondent
9 REYNOSO as set forth in Paragraphs 11 and 13, above, in failing
10 to adequately supervise the activities of Respondent ECAI to
11 ensure compliance with the Real Estate Law, is in violation of
12 Section 10159.2 of the Code and constitutes grounds to
13 discipline the license and/or license rights of Respondent
14 REYNOSO pursuant to Code Sections 10177(h), 10177(d) and/or
15 10177(g) .

16 SECOND CAUSE OF ACCUSATION

17 (Fraud/Dishonest Dealing)

18 15.

19 There is hereby incorporated in this Second, separate,
20 Cause of Accusation, all of the allegations contained in
21 Paragraphs 1 through 14 above, with the same force and effect as
22 if herein fully set forth.

23 16.

24 On July 28, 2011, Francisco V. entered into a
25 California residential purchase income agreement ("purchase
26 agreement") with seller Rosalina H. to purchase through a short
27 sale the property described as 9926 Anzac Avenue and 1961 E.
28 Century Blvd., Los Angeles, California 90002 ("subject

1 property"). ECAI was listed as the listing agent representing
2 seller Rosalina H. and Palm Vista Properties was listed as the
3 selling agent representing buyer Francisco V. on the purchase
4 agreement. Buyer Francisco V. dealt exclusively with Respondent
5 CORREA who represented to Francisco V. that she was acting as
6 his broker in the transaction. Buyer Francisco V. never met
7 REYNOSO. REYNOSO subsequently admitted to signing the purchase
8 agreement at CORREA's request and never met Francisco V. or
9 acted as his broker.

10 17.

11 Las Flores Escrow handled the escrow transaction which
12 closed on November 1, 2011. REYNOSO instructed Las Flores
13 Escrow to forward a commission check for \$6,600 made out to Palm
14 Vista Properties to CORREA. The check was altered to include
15 TEUL as a payee and was cashed by CORREA. Las Flores Escrow
16 submitted a separate commission check to ECAI for \$6,541. The
17 check was altered to include TEUL as a payee and was cashed by
18 CORREA. Las Flores Escrow forwarded a refund check made out to
19 Francisco V. for \$509.12 as a refund. The refund check was
20 altered to include TEUL as a payee and was cashed by CORREA.
21 The seller's lender approved the short sale based on a
22 misrepresentation of material facts and omissions as to the true
23 distribution of proceeds from the short sale.

24 18.

25 Respondents ECAI, TEUL, CORREA and REYNOSO's conduct,
26 acts and/or omissions as set forth above constitute grounds for
27 the suspension or revocation of the licenses and license rights
28 of Respondents ECAI, TEUL, CORREA and REYNOSO pursuant to Code

1 Sections 10176(a) (making any substantial misrepresentation),
2 10176(b) (making any false promises of a character likely to
3 influence, persuade or induce), 10176(i) (conduct...which
4 constitutes fraud or dishonest dealing), 10177(d) (violation of
5 the Real Estate Law), and/or 10177(g) (negligence).

6 19.

7 The conduct, acts and/or omissions of Respondent
8 CORREA, in allowing Respondents ECAI and TEUL to violate the
9 Real Estate Law, as set forth above, constitutes a failure by
10 Respondent CORREA, as the officer designated by the corporate
11 broker licensees, to exercise the supervision and control over
12 the activities of Respondents ECAI and TEUL, as required by Code
13 Section 10159.2 and Regulation 2725, and is cause to suspend or
14 revoke the real estate license and license rights of Respondent
15 CORREA under Code Sections 10177(h), 10177(d) and/or 10177(g).

16 20.

17 Code Section 10106 provides, in pertinent part, that
18 in any order issued in resolution of a disciplinary proceeding
19 before the Department of Real Estate, the Commissioner may
20 request the administrative law judge to direct a licensee found
21 to have committed a violation of this part to pay a sum not to
22 exceed the reasonable costs of the investigation and enforcement
23 of the 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 Respondents
5 EVA CORREA & ASSOCIATES, INC.; TEUL CORPORATION; EVA CORREA,
6 individually and as designated officer of Eva Correa &
7 Associates and Teul Corporation; and TONY REYNOSO, individually
8 and as former designated officer of Eva Correa & Associates and
9 Teul Corporation under the Real Estate Law (Part 1 of Division 4
10 of the Business and Professions Code), for the cost of
11 investigation and enforcement as permitted by law, and for such
12 other and further relief as may be proper under other provisions
13 of law.

14 Dated at Los Angeles, California

15 this 21 day of February, 2013.

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18 ROBIN TRUJILLO
19 Deputy Real Estate Commissioner
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23 cc: Eva Correa & Associates, Inc.
24 Teul Corporation
25 Eva Correa
26 Tony Reynoso
27 Robin Trujillo
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