

**FILED**

APR 16 2013

DEPARTMENT OF REAL ESTATE  
BY: James B. Olson

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
RAY CHARLES LEYVA, )  
Respondent. )

No. H-38815 LA

A C C U S A T I O N

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against RAY CHARLES LEYVA is informed and alleges as follows:

1.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

2.

RAY CHARLES LEYVA, (hereinafter "Respondent") is presently licensed under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter

1 "Code"), as a real estate salesperson. At the time of the  
2 transactions at issue, Respondent was licensed under the employ  
3 of the real estate broker "Canear Inc".

4 3.

5 On or about March 12, 2010, Respondent filed a  
6 Fictitious Business Name Statement with the Orange County  
7 Clerk-Recorder, which named Respondent as the registered owner  
8 of the fictitious business name "Integrity Law Group".

9 4.

10 Integrity Law Group has never been licensed by the  
11 California Department of Real Estate in any capacity.

12 5.

13 Respondent engaged in the business of a real estate  
14 broker in the State of California within the meaning of Code  
15 Sections 10131(d) and 10131.2, including performing loan  
16 modification activities and claiming, demanding, charging,  
17 receiving, collecting or contracting for the collection of an  
18 advance fee, within the meaning of Code Section 10026,  
19 including, but not limited to, the following loan modification  
20 activity, with respect to loans which were secured by liens on  
21 real property.

22 6.

23 Carlos F. Transaction

24 On or about June 16, 2010, Carlos F. paid an advance  
25 fee of \$1,495 to Integrity Law Group for loan modification  
26 services. Carlos F. never received a loan modification from  
27 Integrity Law Group.

1 7.

2 Alejandro G. Transaction

3 On or about June 19, 2010, Alejandro G. paid an  
4 advance fee of \$1,495 to Integrity Law Group for loan  
5 modification services. Alejandro G. never received a loan  
6 modification from Integrity Law Group.

7 8.

8 Effective on October 11, 2009, Code Section 10085.6  
9 made it unlawful to collect any compensation for mortgage loan  
10 modification services until after the licensee has fully  
11 performed each and every service the licensee contracted to  
12 perform. Therefore, Respondent's collection of the advance  
13 fees described in paragraphs 6 and 7 above, violates Code  
14 Sections 10085.5 and 10085.6.

15 9.

16 Under Code Section 10137, no salesperson shall be  
17 employed by, or accept compensation, from any person other than  
18 the broker under who he is at the time employed. At the time  
19 of the transactions described in paragraphs 6 and 7 above,  
20 Respondent was licensed under the employ of Canear Inc, not  
21 Integrity Law Group. Therefore, pursuant to Code Section  
22 10132, Respondent's actions were in violation of Code Section  
23 10130.

24 10.

25 By using a fictitious business name for activity  
26 requiring a real estate license, without holding a license  
27 bearing the fictitious name, as set forth above, Respondent

1 violated Title 10, Chapter Six, California Code of Regulations,  
2 ("Regulation") Section 2731.

3 11.

4 The conduct, acts and/or omissions of Respondent, as  
5 set forth above, are in violation of Code Sections 10085.5,  
6 10085.6, 10130 and 10137, as well as Regulation 2731, and are  
7 cause for the suspension or revocation of the licenses and  
8 license rights of Respondent, pursuant to Code Sections 10137,  
9 10177(d) and/or 10177(g).

10 12.

11 Code Section 10106, provides, in pertinent part, that  
12 in any order issued in resolution of a disciplinary proceeding  
13 before the Department, the Commissioner may request the  
14 administrative law judge to direct a licensee found to have  
15 committed a violation of this part to pay a sum not to exceed  
16 the reasonable costs of the investigation and enforcement of  
17 the case.

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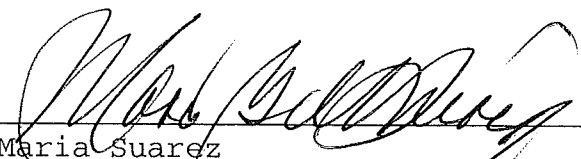
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1                   WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against all the licenses and license rights under the  
5 Real Estate Law of Respondent RAY CHARLES LEYVA, for the cost  
6 of investigation and enforcement as permitted by law, and for  
7 such other and further relief as may be proper under other  
8 applicable provisions of law.

9 Dated at Los Angeles, California

10 this 20th day of March, 2013.

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13   
14 Maria Suarez  
15 Deputy Real Estate Commissioner  
16  
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18  
19  
20  
21  
22  
23  
24

25 CC: RAY CHARLES LEYVA  
26 Blasco Real Estate Inc  
27 Maria Suarez  
Sacto.