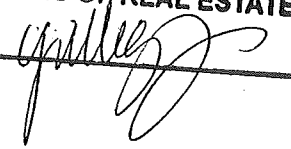


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BUREAU OF REAL ESTATE

By 

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of) No. H-39215 LA
)
ROMEL AMBARCHYAN,) FIRST AMENDED
) STATEMENT OF ISSUES
Respondent.)
)

This First Amended Statement of Issues amends the Statement of Issues filed on December 20, 2013. The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, acting in her official capacity, for Statement of Issues against ROMEL AMBARCHYAN ("Respondent") alleges as follows:

1.

On or about November 19, 2012, Respondent made application to the Bureau of Real Estate of the State of California for a real estate broker license.

2.

California Business and Professions Code section 10085.6(a), which is a part of the Real Estate Law, provides:

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1 Notwithstanding any other provision of law, it shall be unlawful for any licensee who
2 negotiates, attempts to negotiate, arranges, attempts to arrange, or otherwise offers to
3 perform a mortgage loan modification or other form of mortgage loan forbearance
4 for a fee or other compensation paid by the borrower, to do any of the following:

- 5 (1) Claim, demand, charge, collect or receive any compensation until after
6 the licensee has fully performed each and every service the licensee
7 contracted to perform or represented that he, she, or it would perform.
- 8 (2) Take any wage assignment, any lien of any type on real or personal
9 property, or other security to secure the payment of compensation.
- 10 (3) Take any power of attorney from the borrower for any purpose.

11 (LICENSE DISCIPLINARY ACTIONS: STATE BAR)

12 3.

13 On or about May 22, 2012, the Supreme Court of California, in case no.
14 S199672, suspended Respondent from the practice of law for one year, execution of that
15 suspension stayed, and placed Respondent on probation for two years subject to certain
16 conditions, including, but not limited to, Respondent being actually suspended for the first 60
17 days of probation and Respondent complying with the conditions of probation recommended by
18 the State Bar Court in its Order Approving Stipulation filed on December 9, 2011. The grounds
19 for discipline are set forth in the Stipulation re Facts, Conclusions of Law, and Disposition and
20 Order Approving ("Order Approving Stipulation I"), case nos. 10-O-10090, 10-O-10216, 10-O-
21 1103, 10-O-10538, 10-O-11824, 10-O-12055, 10-O-12936, 10-O-13588, 10-O-14017, and 10-
22 O-14382, filed on or about December 9, 2011. As more fully set forth in the Order Approving
23 Stipulation I, Respondent collected advanced fees for loan modification services in ten (10)
24 separate client matters and held himself to be eligible to practice law in the states of Florida,
25 New York, and Massachusetts in five (5) of those client matters. In the process, Respondent
26 violated five (5) counts of Rules of Professional Conduct rule 1-300(B) (practicing in a
27 jurisdiction where he is not entitled to do so), five (5) counts of Rules of Professional Conduct
rule 4-200(A) (entering into an agreement for, charging, and collecting illegal fees), five (5)
counts of California Civil Code section 2944.7 (demanding, charging, and collecting advanced
fees for loan modification services), and five (5) counts of California Business and Professions

1 Code section 6106.3(a) (charging and collecting compensation for services he had not yet fully
2 performed in his clients' residential mortgage loan modification matters).

3 4.

4 On or about June 9, 2014, the Supreme Court of California, in case no. S217564,
5 suspended Respondent from the practice of law for one year, execution of that suspension
6 stayed, and placed Respondent on probation for two years subject to certain conditions,
7 including, but not limited to, Respondent being actually suspended for the first 120 days of
8 probation and Respondent complying with the conditions of probation recommended by the
9 State Bar Court in its Order Approving Stipulation filed on February 12, 2014. The grounds for
10 discipline are set forth in the Stipulation re Facts, Conclusions of Law, and Disposition and
11 Order Approving ("Order Approving Stipulation II"), case nos. 12-O-15593-RAH, 12-O-18212,
12 13-O-10383, 13-O-10600, and 13-O-11211, filed on or about February 12, 2014. As more fully
13 set forth in Order Approving Stipulation II, Respondent collected advanced fees for loan
14 modification services in five (5) separate client matters, and held himself as eligible to practice
15 law in the state of Washington and North Carolina, where he was not licensed. In the process,
16 Respondent violated two counts of Rules of Professional Conduct rule 1-300(B) (practicing in a
17 jurisdiction where he is not entitled to do so), two counts of Rules of Professional Conduct rule
18 4-200(A) (entering into an agreement for, charging, and collecting illegal fees), three counts of
19 California Civil Code section 2944.7(a)(1) (demanding, charging, and collecting advanced fees
20 for loan modification services), and three counts of California Business and Professions Code
21 section 6106.3 (cause for discipline of an attorney for violating California Civil Code section
22 2944.6 or 2944.7).

23 5.

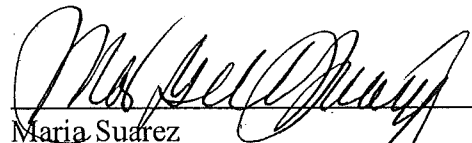
24 The prior license actions and the underlying acts of Respondent as alleged in
25 Paragraphs 3 and 4, above, constitute cause for denial of Respondent's application for a real
26
27

1 estate license under California Business and Professions Code sections 10177(d), 10177(f),
2 10177(g), and 10177(j).

3 These proceedings are brought under the provisions of Section 10100, Division
4 4 of the Business and Professions Code of the State of California and California Government
5 Code sections 11500 through 11528.

6 WHEREFORE, the Complainant prays that the above-entitled matter be set for
7 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
8 authorize the issuance of, and deny the issuance of, a real estate broker license to Respondent,
9 ROMEL AMBARCHYAN, and for such other and further relief as may be proper under other
10 applicable provisions of law.

11 Dated at Los Angeles, California: November 18th, 2014.

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13 
14 Maria Suarez
15 Deputy Real Estate Commissioner
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25 cc: ROMEL AMBARCHYAN
26 Maria Suarez
27 Sacto