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FILED

APR 11 2014

BUREAU OF REAL ESTATE

By Horne

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7
8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) CalBRE No. H-39405 LA
12)
EZ PROCESSING, INC. and) ACCUSATION
13 JORGE ROQUE ALMAGUER,)
individually and as designated)
14 officer of EZ PROCESSING, INC.,)
Respondents.)

16
17 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of
18 California, for cause of Accusation against EZ PROCESSING, INC. and JORGE ROQUE
19 ALMAGUER, individually and as designated officer of EZ Processing, Inc. (collectively
20 "Respondents"), is informed and alleges as follows:

21 1.

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

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2.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to the Regulations of the Real Estate Commissioner, Title 10, Chapter 6, California Code of Regulations.

3.

From August 2, 2013 through the present, Respondent EZ PROCESSING, INC. ("EZPI") has been licensed and/or has license rights by the Bureau of Real Estate ("Bureau") as a real estate corporation, License ID 01906380. At all times relevant herein, Respondent EZPI did not maintain an unique mortgage loan originator ("MLO") license endorsement.

4.

From August 17, 2007 through the present, Respondent JORGE ROQUE ALMAGUER ("ALMAGUER") has been licensed and/or has license rights by the Bureau as a real estate broker, License ID 0129310. At all times relevant herein, Respondent ALMAGUER did not maintain an unique MLO license endorsement that allowed him to engage in activities requiring a MLO license endorsement while doing business as EZPI.

5.

From August 2, 2013 through the present, Respondent EZPI has been authorized to act by and through Respondent ALMAGUER as its broker designated pursuant to Code Section 10159.2 to be responsible for ensuring compliance with the Real Estate Law. ALMAGUER is also the Secretary of EZPI.

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2 6.

3 Code Section 10166.03 states:

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5 (a) A loan processor or underwriter who does not represent to
6 the public, through advertising or other means of communicating or
7 providing information, including the use of business cards, stationery,
8 brochures, signs, rate lists, or other promotional items, that the individual
9 can or will perform any of the activities of a mortgage loan originator shall
10 not be required to obtain a license endorsement as a mortgage loan
11 originator.

12
13 (b) An individual engaging solely in loan processor or
14 underwriter activities shall not represent to the public, through advertising
15 or other means of communicating or providing information, including the
16 use of business cards, stationery, brochures, signs, rate lists, or other
17 promotional items, that the individual can or will perform any of the
18 activities of a mortgage loan originator.

19
20 (c) An independent contractor who is employed by a mortgage
21 loan originator may not engage in the activities of a loan processor or
22 underwriter for a residential mortgage loan unless the independent
23 contractor loan processor or underwriter obtains and maintains an
24 endorsement as a mortgage loan originator under this article. Each
independent contractor loan processor or underwriter who obtains and
maintains an endorsement as a mortgage loan originator under this article
shall have and maintain a valid unique identifier issued by the Nationwide
Mortgage Licensing System and Registry.

18 7.

19 For an unknown period of time starting no later than September 12, 2013, Respondent
20 EZPI advertised and offered to perform loan processor services for others on the following
21 website: <http://ezprocessinginc.com>.

22 8.

23 On September 17, 2013, a special investigator for the Bureau sent a letter to Respondents
24 advising them that advertisements on EZPI's website were in violation of the Real Estate Law.

1 Respondents were advised to discontinue said advertisements.

2 9.

3 On September 30, 2013, Respondent ALMAGUER signed a letter addressed to the
4 Bureau's investigator stating that the advertisements on EZPI's website had been removed.

5 10.

6 On October 8, 2013, the Bureau's investigator searched EZPI's website:
7 <http://ezprocessinginc.com> and discovered that the advertisements still appeared on that website.

8 11.

9 On or about October 8, 2013, a special investigator for the Bureau telephoned the
10 business phone number listed on EZPI's website and spoke with Joy Rodriguez, a representative
11 for EZPI. The Bureau's investigator claimed to be a mortgage broker seeking loan processing
12 services from EZPI. Joy Rodriguez stated that EZPI offered loan processing services for
13 purchase and refinance loans including, but not limited to, FHA, VA, Cal-Vet, USDA, and
14 reverse mortgages for a fee of \$695 per loan.

15 12.

16 The conduct, acts and/or omissions of Respondent EZPI as set forth above in Paragraphs
17 3 through 11, are in violation of Code section 10166.03(c) and constitute cause for the
18 suspension or revocation of the licenses and license rights of Respondent EZPI pursuant to Code
19 Sections 10177(d) (violation of the Real Estate Law) and/or 10177(g) (negligence).

20 13.

21 The conduct, acts and/or omissions of Respondent ALMAGUER, in allowing
22 EZPI to violate the Real Estate Law, as set forth above, constitutes a failure by Respondent
23 ALMAGUER to exercise the supervision and control over the activities of Respondents EZPI as
24 required by Code Section 10159.2 and Regulation 2725, and are cause to suspend or revoke the

1 real estate license and license rights of Respondent ALMAGUER under Code Sections 10177(h),
2 10177(d), and/or 10177(g).

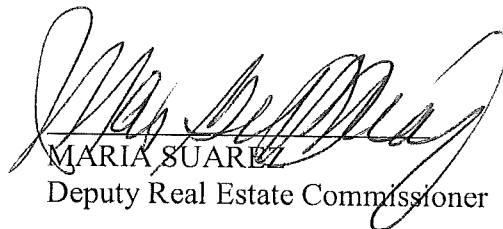
3 14.

4 Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a
5 disciplinary proceeding before the Bureau of Real Estate, the Commissioner may request the
6 administrative law judge to direct a licensee found to have committed a violation of this part to
7 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

8 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this
9 Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action
10 against all licenses and/or license rights of Respondents EZ PROCESSING, INC. and JORGE
11 ROQUE ALMAGUER, individually and as designated officer of EZ Processing, Inc. under the
12 Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of
13 investigation and enforcement as permitted by law, and for such other and further relief as may
14 be proper under other provisions of law.

15 Dated at Los Angeles, California

16 this 4th day of April, 2014.

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19 
20 MARIA SUAREZ
Deputy Real Estate Commissioner

21 cc: EZ Processing, Inc.
22 Jorge Roque Almaguer
23 Maria Suarez
24 Sacto