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BUREAU OF REAL ESTATE

By John G. Gink

1 LISSETE GARCIA, Counsel (SBN 211552)  
Bureau of Real Estate  
2 320 West 4th Street, Suite 350  
Los Angeles, California 90013-1105  
3 Telephone: (213) 576-6982  
Direct: (213) 576-6914  
4 Fax: (213) 576-6917  
Attorney for Complainant

BEFORE THE BUREAU OF REAL ESTATE  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

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In the Matter of the Accusation against	)	CalBRE No. H- <sup>40498</sup> [REDACTED] LA
	)	
SALVATORE MARCHIO,	)	<u>ACCUSATION</u>
	)	
	)	
Respondent.	)	

16 The Complainant, Maria Suarez, a Supervising Special Investigator of the State of  
17 California, for cause of Accusation against SALVATORE MARCHIO ("Respondent"), is  
18 informed and alleges as follows:

19 1.

20 The Complainant, Maria Suarez, a Supervising Special Investigator of the State of  
21 California, makes this Accusation in her official capacity.

22 ///

23 ///

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.

Respondent is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Code).

4.

From February 17, 2004, through the present, Respondent has been licensed by the Bureau of Real Estate<sup>1</sup> ("Bureau") as a real estate broker, License ID 01334403. Respondent was previously licensed by the Bureau as a real estate salesperson from approximately July 11, 2002 through February 16, 2004. Respondent hold a Mortgage Loan Originator ("MLO") license endorsement, Nationwide Mortgage Licensing System ("NMLS") ID: 366055.

5.

At all times relevant herein, Respondent was not licensed to do business as Impax Solutions, LLC, Impax Solutions, or Impax Mortgage.

6.

At all times relevant herein, Impax Solutions, LLC, Impax Solutions, and Impax Mortgage were not licensed by the Bureau in any capacity. Respondent is the owner and Chief Executive Officer of Impax Solutions, LLC ("Impax").

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<sup>1</sup> Effective July 1, 2013, the Department of Real Estate became the Bureau of Real Estate ("Bureau"). All references to the agency are to the successor Bureau.

1 FIRST CAUSE OF ACCUSATION

2 7.

3 On July 15, 2016, the Bureau received a complaint against Respondent and Impax from  
4 J.D.<sup>2</sup> who owns or owned a property located at 9463 Konocti St., Rancho Cucamonga, California  
5 91730 ("Konocti property"). On or about February 5, 2015, J.D. entered into a "Loan  
6 Modification Services Fee Agreement" with Impax for loan modification, refinance, or  
7 foreclosure forbearance services for the Konocti property. Respondent charged J.D. an advance  
8 fee of \$795 for said services. On February 10, 2015, Respondent collected an advance fee for  
9 said services from J.D. in the form of a check for \$795 made payable to Respondent, check no.  
10 4014. Respondent had not performed or completed the services promised to J.D. at the time that  
11 the advance fee was paid to Respondent. Respondent failed to perform or complete the services  
12 promised to J.D. Respondent stopped taking or returning J.D.'s calls after collecting the advance  
13 fee for said services.

14 8.

15 In response to an inquiry from the Bureau concerning J.D.'s complaint against  
16 Respondent, Respondent claimed that he had completed two (2) prior loan modifications for the  
17 same Konocti property in 2009 and 2013, respectively. In response to the Bureau's request for  
18 all documents related to the Konocti property transactions, Respondent further claimed that he  
19 had shredded his transaction files for the Konocti property, in violation of Code section 10148.  
20 In response to a Broker Office Survey performed by the Bureau's investigator in September of  
21 2016, Respondent acknowledged that he did not maintain a broker trust account.

22 ///

23 <sup>2</sup> Initials are used in place of individuals' full names to protect their privacy. Documents containing individuals' full  
24 names will be provided during the discovery phase of this case to Respondent(s) and/or their attorneys, after service  
of a timely and proper request for discovery on Complainant's counsel.

1 9.

2 The conduct, acts and/or omissions of Respondent as set forth above in Paragraphs 7 and  
3 8, constitute cause for the suspension or revocation of the mortgage loan originator license  
4 endorsements, real estate licenses, and license rights of Respondent pursuant to Code Sections  
5 Code sections 10166.051, subdivisions (a)(violation of Article 2.1 or any rules or regulations  
6 adopted hereunder) and (b) (failure to meet requirements of Code Section 10166.05(c)),  
7 Regulation 2945.1 (effect of license discipline on mortgage loan originator endorsement) and  
8 Code section 10177(d), for violation of Code sections 10148, 10085.5, 10085.6, 10146, Civil  
9 Code sections 2944.7, 2945.4, Code section 10159.5, and Regulation 2731.

10 STATUTORY PROVISIONS

11 10.

12 Code section 10148 states:

13 (a) A licensed real estate broker shall retain for three years copies of all listings,  
14 deposit receipts, canceled checks, trust records, and other documents executed by  
15 him or her or obtained by him or her in connection with any transactions for  
16 which a real estate broker license is required. The retention period shall run from  
17 the date of the closing of the transaction or from the date of the listing if the  
18 transaction is not consummated. After notice, the books, accounts, and records  
19 shall be made available for examination, inspection, and copying by the  
commissioner or his or her designated representative during regular business  
hours; and shall, upon the appearance of sufficient cause, be subject to audit  
without further notice, except that the audit shall not be harassing in nature. This  
subdivision shall not be construed to require a licensed real estate broker to retain  
electronic messages of an ephemeral nature, as described in subdivision (d) of  
Section 1624 of the Civil Code.

20 (b) The commissioner shall charge a real estate broker for the cost of any audit, if  
21 the commissioner has found, in a final desist and refrain order issued under  
22 Section 10086 or in a final decision following a disciplinary hearing held in  
23 accordance with Chapter 5 (commencing with Section 11500) of Part 1 of  
24 Division 3 of Title 2 of the Government Code that the broker has violated Section  
10145 or a regulation or rule of the commissioner interpreting Section 10145.

1 (c) If a broker fails to pay for the cost of an audit as described in subdivision (b)  
2 within 60 days of mailing a notice of billing, the commissioner may suspend or  
3 revoke the broker's license or deny renewal of the broker's license. The  
suspension or denial shall remain in effect until the cost is paid or until the  
broker's right to renew a license has expired.

4 (d) The commissioner may maintain an action for the recovery of the cost of an  
5 audit in any court of competent jurisdiction. In determining the cost incurred by  
6 the commissioner for an audit, the commissioner may use the estimated average  
hourly cost for all persons performing audits of real estate brokers.

7 (e) The bureau may suspend or revoke the license of any real estate broker, real  
8 estate salesperson, or corporation licensed as a real estate broker, if the real estate  
9 broker, real estate salesperson, or any director, officer, employee, or agent of the  
10 corporation licensed as a real estate broker knowingly destroys, alters, conceals,  
mutilates, or falsifies any of the books, papers, writings, documents, or tangible  
objects that are required to be maintained by this section or that have been sought  
by the commissioner.

11 11.

12 Code section 10085.5 states:

- 13 (a) It shall be unlawful for any person to claim, demand, charge, receive, collect,  
14 or contract for an advance fee (1) for soliciting lenders on behalf of borrowers  
15 or performing services for borrowers in connection with loans to be secured  
directly or collaterally by a lien on real property, before the borrower becomes  
obligated to complete the loan or, (2) for performing any other activities for  
which a license is required, unless the person is a licensed real estate broker  
and has complied with the provisions of this part.
- 16 (b) This section does not prohibit the acceptance or receipt of an advance fee by  
17 any bank, savings association, credit union, industrial loan company, or  
18 person acting within the scope of a license issued to that person pursuant to  
19 Division 9 (commencing with Section 22000) of the Financial Code, in  
connection with loans to be secured directly or collaterally by a lien on real  
property. This section does not apply to charges made by title insurers and  
controlled escrow companies pursuant to Chapter 1 (commencing with  
Section 12340) of Part 6 of Division 2 of the Insurance Code.
- 20 (c) A violation of this section is a public offense punishable by a fine not  
21 exceeding ten thousand dollars (\$10,000), by imprisonment in the county jail  
22 for a term not to exceed six months, or by both that fine and imprisonment, or  
if by a corporation, the violation is punishable by a fine not exceeding fifty  
thousand dollars (\$50,000).

23 ///

12.

Code section 10085.6 states:

- (a) Notwithstanding any other provision of law, it shall be unlawful for any licensee who negotiates, attempts to negotiate, arranges, attempts to arrange, or otherwise offers to perform a mortgage loan modification or other form of mortgage loan forbearance for a fee or other compensation paid by the borrower, to do any of the following:
- (1) Claim, demand, charge, collect, or receive any compensation until after the licensee has fully performed each and every service the licensee contracted to perform or represented that he, she, or it would perform.
  - (2) Take any wage assignment, any lien of any type on real or personal property, or other security to secure the payment of compensation.
  - (3) Take any power of attorney from the borrower for any purpose.
- (b) A violation of this section by a natural person who is a licensee is a public offense punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the county jail for a term not to exceed one year, or by both that fine and imprisonment, or if by a corporation, the violation is punishable by a fine not exceeding fifty thousand dollars (\$50,000). These penalties are cumulative to any other remedies or penalties provided by law.
- (c) This section shall apply only to mortgages and deeds of trust secured by residential real property containing four or fewer dwelling units.

13.

Code section 10146 states:

Any real estate broker who contracts for or collects an advance fee from any other person, hereinafter referred to as the "principal," shall deposit any such amount or amounts, when collected in a trust account with a bank or other recognized depository. Such funds are trust funds and not the funds of the agent. Amounts may be withdrawn therefrom for the benefit of the agent only when actually expended for the benefit of the principal or five days after the verified accounts mentioned hereinafter have been mailed to the principal. Upon request of the commissioner, a broker shall furnish to the commissioner an authorization for examination of financial records of the trust account in accordance with the procedures set forth in Section 7473 of the Government Code.

The commissioner may issue such rules and regulations as he or she deems necessary to regulate the method of accounting, and to accomplish the purpose of the provisions of this code relating to advance fees including, but not limited to, establishing forms for and determining information to be included in such accountings. Each principal shall be furnished a verified copy of such accountings at the end of each calendar quarter and when the contract has been completely

1 performed by the licensee. The commissioner shall be furnished a verified copy of  
2 any account or all accounts on his or her demand therefor.

3 Where advance fees actually paid by or on behalf of any principal are not handled  
4 in accordance with the preceding paragraph, it shall be presumed that the agent  
5 has violated Sections 506 and 506a of the Penal Code. The principal may recover  
6 treble damages for amounts so misapplied and shall be entitled to reasonable  
7 attorney's fees in any action brought to recover the same.

8 14.

9 Civil Code section 2944.7 states:

- 10 (a) Notwithstanding any other law, it shall be unlawful for any person who  
11 negotiates, attempts to negotiate, arranges, attempts to arrange, or otherwise  
12 offers to perform a mortgage loan modification or other form of mortgage  
13 loan forbearance for a fee or other compensation paid by the borrower, to do  
14 any of the following:
- 15 (1) Claim, demand, charge, collect, or receive any compensation until after the  
16 person has fully performed each and every service the person contracted to  
17 perform or represented that he or she would perform.
  - 18 (2) Take any wage assignment, any lien of any type on real or personal property,  
19 or other security to secure the payment of compensation.
  - 20 (3) Take any power of attorney from the borrower for any purpose.
- 21 (b) A violation of this section by a natural person is punishable by a fine not  
22 exceeding ten thousand dollars (\$10,000), by imprisonment in the county jail  
23 for a term not to exceed one year, or by both that fine and imprisonment, or if  
24 by a business entity, the violation is punishable by a fine not exceeding fifty  
thousand dollars (\$50,000). These penalties are cumulative to any other  
remedies or penalties provided by law.
- (c) In addition to the penalties and remedies provided by Chapter 5 (commencing  
with Section 17200) of Part 2 of Division 7 of the Business and Professions  
Code, a person who violates this section shall be liable for a civil penalty not  
to exceed twenty thousand dollars (\$20,000) for each violation, which shall be  
assessed and recovered in a civil action brought in the name of the people of  
the State of California by the Attorney General, by any district attorney, by  
any county counsel authorized by agreement with the district attorney in  
actions involving a violation of a county ordinance, by any city attorney of a  
city having a population in excess of 750,000, by any city attorney of any city  
and county, or, with the consent of the district attorney, by a city prosecutor in  
any city having a full-time city prosecutor, in any court of competent  
jurisdiction pursuant to Chapter 5 (commencing with Section 17200) of Part 2  
of Division 7 of the Business and Professions Code.
- (d) Nothing in this section precludes a person, or an agent acting on that person's  
behalf, who offers loan modification or other loan forbearance services for a  
loan owned or serviced by that person, from doing any of the following:

1. (1) Collecting principal, interest, or other charges under the terms of a loan, before the loan is modified, including charges to establish a new payment schedule for a nondelinquent loan, after the borrower reduces the unpaid principal balance of that loan for the express purpose of lowering the monthly payment due under the terms of the loan.
2. (2) Collecting principal, interest, or other charges under the terms of a loan, after the loan is modified.
3. (3) Accepting payment from a federal agency in connection with the federal Making Home Affordable Plan or other federal plan intended to help borrowers refinance or modify their loans or otherwise avoid foreclosures.
4. (e) This section shall apply only to mortgages and deeds of trust secured by residential real property containing four or fewer dwelling units.

7  
8 15.

9 Civil Code section 2945.1 states:

10 The following definitions apply to this chapter:

- 11 (a) "Foreclosure consultant" means any person who makes any solicitation, representation, or offer to any owner to perform for compensation or who, for compensation, performs any service which the person in any manner represents will in any manner do any of the following:
  - 12 (1) Stop or postpone the foreclosure sale.
  - 13 (2) Obtain any forbearance from any beneficiary or mortgagee.
  - 14 (3) Assist the owner to exercise the right of reinstatement provided in Section 2924c.
  - 15 (4) Obtain any extension of the period within which the owner may reinstate his or her obligation.
  - 16 (5) Obtain any waiver of an acceleration clause contained in any promissory note or contract secured by a deed of trust or mortgage on a residence in foreclosure or contained that deed of trust or mortgage.
  - 17 (6) Assist the owner to obtain a loan or advance of funds.
  - 18 (7) Avoid or ameliorate the impairment of the owner's credit resulting from the recording of a notice of default or the conduct of a foreclosure sale.
  - 19 (8) Save the owner's residence from foreclosure.
  - 20 (9) Assist the owner in obtaining from the beneficiary, mortgagee, trustee under a power of sale, or counsel for the beneficiary, mortgagee, or trustee, the remaining proceeds from the foreclosure sale of the owner's residence.
- 21 (b) A foreclosure consultant does not include any of the following:
  - 22 (1) A person licensed to practice law in this state when the person renders service in the course of his or her practice as an attorney at law.
  - 23 (2) A person licensed under Division 3 (commencing with Section 12000) of the Financial Code when the person is acting as a prorater as defined therein.
  - 24 (3) A person licensed under Part 1 (commencing with Section 10000) of Division 4 of the Business and Professions Code when the person is acting under the authority of that license, as described in Section 10131 or 10131.1 of the Business and Professions Code.



- 1 (4) A person licensed under Chapter 1 (commencing with Section 5000) of Division 3 of  
2 the Business and Professions Code when the person is acting in any capacity for  
3 which the person is licensed under those provisions.
- 4 (5) A person or his or her authorized agent acting under the express authority or written  
5 approval of the Department of Housing and Urban Development or other department  
6 or agency of the United States or this state to provide services.
- 7 (6) A person who holds or is owed an obligation secured by a lien on any residence in  
8 foreclosure when the person performs services in connection with this obligation or  
9 lien.
- 10 (7) Any person licensed to make loans pursuant to Division 9 (commencing with Section  
11 22000) of the Financial Code when the person is acting under the authority of that  
12 license.
- 13 (8) Any person or entity doing business under any law of this state, or of the United  
14 States relating to banks, trust companies, savings and loan associations, industrial  
15 loan companies, pension trusts, credit unions, insurance companies, or any person or  
16 entity authorized under the laws of this state to conduct a title or escrow business, or a  
17 mortgagee which is a United States Department of Housing and Urban Development  
18 approved mortgagee and any subsidiary or affiliate of the above, and any agent or  
19 employee of the above while engaged in the business of these persons or entities.
- 20 (9) A person licensed as a residential mortgage lender or servicer pursuant to Division 20  
21 (commencing with Section 50000) of the Financial Code, when acting under the  
22 authority of that license.
- 23 (c) Notwithstanding subdivision (b), any person who provides services pursuant to  
24 paragraph (9) of subdivision (a) is a foreclosure consultant unless he or she is the  
owner's attorney.
- (d) "Person" means any individual, partnership, corporation, limited liability company,  
association or other group, however organized.
- (e) "Service" means and includes, but is not limited to, any of the following:
  - (1) Debt, budget, or financial counseling of any type.
  - (2) Receiving money for the purpose of distributing it to creditors in payment or partial  
payment of any obligation secured by a lien on a residence in foreclosure.
  - (3) Contacting creditors on behalf of an owner of a residence in foreclosure.
  - (4) Arranging or attempting to arrange for an extension of the period within which the  
owner of a residence in foreclosure may cure his or her default and reinstate his or her  
obligation pursuant to Section 2924c.
  - (5) Arranging or attempting to arrange for any delay or postponement of the time of sale  
of the residence in foreclosure.
  - (6) Advising the filing of any document or assisting in any manner in the preparation of  
any document for filing with any bankruptcy court.
  - (7) Giving any advice, explanation, or instruction to an owner of a residence in  
foreclosure which in any manner relates to the cure of a default in or the  
reinstatement of an obligation secured by a lien on the residence in foreclosure, the  
full satisfaction of that obligation, or the postponement or avoidance of a sale of a  
residence in foreclosure pursuant to a power of sale contained in any deed of trust.
  - (8) Arranging or attempting to arrange for the payment by the beneficiary, mortgagee,  
trustee under a power of sale, or counsel for the beneficiary, mortgagee, or trustee, of

- 1 the remaining proceeds to which the owner is entitled from a foreclosure sale of the  
2 owner's residence in foreclosure. Arranging or attempting to arrange for the payment  
3 shall include any arrangement where the owner transfers or assigns the right to the  
4 remaining proceeds of a foreclosure sale to the foreclosure consultant or any person  
5 designated by the foreclosure consultant, whether that transfer is effected by  
6 agreement, assignment, deed, power of attorney, or assignment of claim.  
7 (9) Arranging or attempting to arrange an audit of any obligation secured by a lien on a  
8 residence in foreclosure.  
9 (f) "Residence in foreclosure" means a residence in foreclosure as defined in Section  
10 1695.1.  
11 (g) "Owner" means a property owner as defined in Section 1695.1.  
12 (h) "Contract" means any agreement, or any term thereof, between a foreclosure  
13 consultant and an owner for the rendition of any service as defined in subdivision (e).  
14 (Amended by Stats. 2010, Ch. 596, Sec. 1. Effective January 1, 2011.)  
15

16 16.

17 Civil Code section 2945.4 states:

18 It shall be a violation for a foreclosure consultant to:

- 19 (a) Claim, demand, charge, collect, or receive any compensation until after the  
20 foreclosure consultant has fully performed each and every service the  
21 foreclosure consultant contracted to perform or represented that he or she  
22 would perform.  
23 (b) Claim, demand, charge, collect, or receive any fee, interest, or any other  
24 compensation for any reason which exceeds 10 percent per annum of the  
amount of any loan which the foreclosure consultant may make to the owner.  
(c) Take any wage assignment, any lien of any type on real or personal property,  
or other security to secure the payment of compensation. That security shall  
be void and unenforceable.  
(d) Receive any consideration from any third party in connection with services  
rendered to an owner unless that consideration is fully disclosed to the owner.  
(e) Acquire any interest in a residence in foreclosure from an owner with whom  
the foreclosure consultant has contracted. Any interest acquired in violation of  
this subdivision shall be voidable, provided that nothing herein shall affect or  
defeat the title of a bona fide purchaser or encumbrancer for value and without  
notice of a violation of this article. Knowledge that the property was  
"residential real property in foreclosure," does not constitute notice of a  
violation of this article. This subdivision may not be deemed to abrogate any  
duty of inquiry which exists as to rights or interests of persons in possession  
of residential real property in foreclosure.  
(f) Take any power of attorney from an owner for any purpose.  
(g) Induce or attempt to induce any owner to enter into a contract which does not  
comply in all respects with Sections 2945.2 and 2945.3.  
(h) Enter into an agreement at any time to assist the owner in arranging, or  
arrange for the owner, the release of surplus funds after the trustee's sale is

1 conducted, whether the agreement involves direct payment, assignment, deed,  
2 power of attorney, assignment of claim from an owner to the foreclosure  
3 consultant or any person designated by the foreclosure consultant, or any other  
4 compensation.

5 17.

6 Code section 10159.5 states:

7 (a)(1) Every person applying for a license under this chapter who desires to have  
8 the license issued under a fictitious business name shall file with his or her  
9 application a certified copy of his or her fictitious business name statement filed  
10 with the county clerk pursuant to Chapter 5 (commencing with Section 17900) of  
11 Part 3 of Division 7.

12 (2) A responsible broker may, by contract, permit a salesperson to do all of the  
13 following:

14 (A) File an application on behalf of a responsible broker with a county clerk to  
15 obtain a fictitious business name.

16 (B) Deliver to the bureau an application, signed by the responsible broker,  
17 requesting the bureau's approval to use a county approved fictitious business  
18 name that shall be identified with the responsible broker's license number.

19 (C) Pay for any fees associated with filing an application with a county or the  
20 bureau to obtain or use a fictitious business name.

21 (D) Maintain ownership of a fictitious business name, as defined in paragraph (2)  
22 of subdivision (a) of Section 10159.7, that may be used subject to the control of  
23 the responsible broker.

24 (b)(1) A salesperson using a fictitious business name authorized by subdivision  
(a), shall use that name only as permitted by his or her responsible broker.

(2) This section does not change a real estate broker's duties under this division to  
supervise a salesperson.

(c) A person applying to a county for a fictitious business name pursuant to  
subdivision (a) may file his or her application in the county or counties where the  
fictitious business name will be used.

(d) Advertising and solicitation materials, including business cards, print or  
electronic media and "for sale" signage, using a fictitious business name obtained  
in accordance with paragraph (2) of subdivision (a) shall include the responsible  
broker's identity, as defined in paragraph (1) of subdivision (a) of Section  
10159.7, in a manner equally as prominent as the fictitious business name.

(e) Notwithstanding subdivision (b) of Section 10140.6, advertising and  
solicitation materials, including print or electronic media and "for sale" signage,  
containing a fictitious business name obtained in accordance with paragraph (2)

1 of subdivision (a) shall include the name and license number of the salesperson  
2 who is using the fictitious business name.

3 (f) Notwithstanding Section 10185, a violation of this section is not a  
4 misdemeanor.

5 18.

6 Regulation 2731 states:

7 (a) A licensee shall not use a fictitious name in the conduct of any activity for which a  
8 license is required under the Real Estate Law unless the licensee is the holder of a license  
9 bearing the fictitious name.

10 (b) The Bureau shall issue a license required under the Real Estate Law only in the legal  
11 name of the licensee or in the fictitious business name of a broker who presents evidence  
12 of having complied with the provisions of Sections 17910 and 17917 of the Code.

13 (c) The commissioner may refuse to issue a license bearing a fictitious name to a broker  
14 if the fictitious name:

15 (1) Is misleading or would constitute false advertising.

16 (2) Implies a partnership or corporation when a partnership or corporation does not exist  
17 in fact.

18 (3) Includes the name of a real estate salesperson.

19 (4) Constitutes a violation of the provisions of Sections 17910, 17910.5, 17913 or 17917  
20 of the Code.

21 (5) Is the name formerly used by a licensee whose license has since been revoked.

22 (d) A license may not be issued or renewed with a fictitious business name containing the  
23 term "escrow", or any name which implies that escrow services are provided, unless the  
24 fictitious business name includes the term, "a non-independent broker escrow" following  
the name. Licensees who have been or are issued a license with a fictitious business name  
with the term "escrow", or any term which implies that escrow services are provided,  
must include the term "a non-independent broker escrow" in any advertising, signs, or  
electronic promotional material.

(e) Where a licensee is a natural person, the use of a nickname in place of his or her legal  
given name (first name) shall not constitute a fictitious name for purposes of this section,  
provided that where the nickname is used, the licensee also uses as a surname (last name)  
his or her surname as it appears on his or her real estate license, and includes his or her  
Bureau-issued license identification number as required by Section 10140.6 of the Code.

#### 20 COST RECOVERY

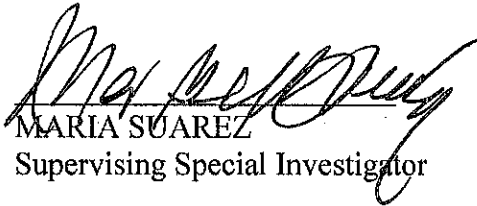
21 19.

22 Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a  
23 disciplinary proceeding before the Bureau of Real Estate, the Commissioner may request the  
24

1 administrative law judge to direct a licensee found to have committed a violation of this part to  
2 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

3 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this  
4 Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action  
5 against all licenses and/or license rights of Respondent SALVATORE MARCHIO under the  
6 Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of  
7 investigation and enforcement as permitted by law, and for such other and further relief as may  
8 be proper under other provisions of law.

9 Dated at Los Angeles, California this 15<sup>th</sup> day of December 16.

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11   
12 MARIA SUAREZ  
13 Supervising Special Investigator  
14  
15  
16  
17  
18  
19  
20

21 cc: Salvatore Marchio  
22 Maria Suarez  
23 Sacto  
24