

Kevin H. Sun, Counsel (SBN 276539)
Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105
Telephone: (213) 576-6913
Fax: (213) 576-6917
Attorney for Complainant

FILED

JAN 08 2021

DEPT. OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of	)	No. H-41836 LA
	)	
ZAHIRA C TORRES,	)	<u>STATEMENT OF ISSUES</u>
	)	
	)	
Respondent.	)	
	)	

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, for Statement of Issues against ZAHIRA C TORRES also known as Zahira Torres ("Respondent") alleges as follows:

1.

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, makes this Statement of Issues in her official capacity.

2.

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

///

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

3.

On or about April 16, 2020, Respondent made application to the Department of Real Estate ("Department") for a real estate salesperson license.

PRIOR LICENSE HISTORY

4.

a. Respondent was previously licensed under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code, as a real estate salesperson ("RES"), Department of Real Estate¹ ("Department") license ID 01370604.

b. The Department originally issued Respondent's previous RES license on or about May 2, 2003.

c. Respondent's previous RES license expired on May 1, 2015.

FIRST CAUSE FOR DISCIPLINE

(LICENSE DISCIPLINE BY ANOTHER AGENCY)

5.

November 9, 2018; Department of Insurance ("DOI") Case No. CO201500092

On or about November 9, 2018, in Case No. CO201500092, the DOI ordered, pursuant to a Stipulation and Waiver, the revocation and issuance of a restricted license of Respondent's property casualty broker agent, life and health agent license (ID No. 0C36117). According to the underlying accusation, allegations against Respondent included lacking in integrity, fraudulent practice, conducting business in a dishonest manner, untrustworthiness in the conduct of business, and breach of good faith and fair dealing.

6.

The facts of the Case No. CO201500092 are as follows: on or about August 23, 2013, Respondent, through her company Prime Insurance, withdrew \$1,940.00 from Javier P. and Monica P.'s (collectively "Victims") Mortgage Impound Account. On or about September 4,

¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

1 2013, Respondent, through her company Larach Insurance Services, submitted an application
2 for homeowners insurance and a homeowners insurance policy was issued the same date. On or
3 about September 23, 2013, Victims requested that the homeowners insurance policy be
4 cancelled. Thereafter, Respondent issued a check in the amount of \$530.00 to Victims. On or
5 about February 24, 2015, Respondent sent a cashiers check in the amount of \$1,410.00 to
6 Victims. The two checks amounted to the \$1,940.00 that Respondent withdrew on August 23,
7 2013. Respondent did not have any authorization to withdraw that money from Victims'
8 account.

9
10 7.

11 The prior license discipline against Respondent, as alleged in Paragraphs 4, 5, 6,
12 7 and 8 above, constitutes cause for the denial of Respondent's application for a real estate
13 license under Business and Professions Code section 10177(f).

14 8.

15 These proceedings are brought under the provisions of Section 10100, Division
16 4 of the Business and Professions Code of the State of California and Sections 11500 through
17 11528 of the California Government Code.

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

PRAYER

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to Respondent ZAHIRA C TORRES and for such other and further relief as may be proper under other applicable provisions of law.

Dated at San Diego, California this 7 day of January, 2021.

V. Kilpatrick
Veronica Kilpatrick
Supervising Special Investigator

cc: ZAHIRA C TORRES
Veronica Kilpatrick
Sacto.