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FILED

FEB 11 2026

DEPT. OF REAL ESTATE

By-



7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-43227 LA
12)
13 GILMER K. POZO; and) ACCUSATION
14 LUIS MENDOZA,)
15 Respondents.)

16
17 The Complainant, Ray Dagnino, a Supervising Special Investigator of the State
18 of California, for cause of Accusation against Respondents GILMER K. POZO aka Karim Pozo
19 Evangelista (“POZO”) (broker license no. 01423037) and LUIS MENDOZA (“MENDOZA”)
20 (salesperson license no. 02115436), is informed and alleges as follows:

21 1.

22 The Complainant, Ray Dagnino, a Supervising Special Investigator of the State
23 of California, makes this Accusation in his official capacity.

24 2.

25 All references to the “Code” are to the California Business and Professions
26 Code, and all references to “Regulations” are to Title 10, Chapter 6, California Code of
27 Regulations unless otherwise specified.

(LICENSE HISTORIES)

Respondent POZO's License History

3.

Respondent POZO is presently licensed and/or has license rights under the Real Estate Law as a real estate broker (license no. 01423037). Respondent POZO was licensed as a real estate salesperson from on or about October 12, 2004 to December 30, 2004, then as a real estate broker from on or about December 31, 2004 to October 11, 2008, April 9, 2009 to July 15, 2009, August 15, 2009 to January 6, 2013, and October 14, 2013 through the present. Respondent POZO's broker license was suspended from on or about July 16, 2009 to August 14, 2009 and from on or about January 7, 2013 to October 13, 2013. At no time has Respondent POZO had a fictitious business name registered with the Department of Real Estate.

4.

Respondent POZO has been the designated officer of Prominence Real Estate, Inc. (broker license no. 01977846) from on or about April 6, 2015 to January 5, 2017 and from on or about August 10, 2018 to April 5, 2023. Prominence Real Estate, Inc.'s real estate license expired on or about April 5, 2023. Prominence Real Estate, Inc. was incorporated with the California Secretary of State on or about January 6, 2015. From at least February 13, 2024, Respondent POZO was its sole officer and director.

5.

Respondent POZO has been the sole designated officer of Real Estate Bankers, Inc. (broker license no. 01977824) from on or about May 1, 2015 to April 30, 2023 and from November 17, 2013 through the present. Real Estate Bankers, Inc. was first incorporated with the California Secretary of State on or about January 7, 2015. On or about April 11, 2024, Monica C. Sarmiento was identified as Real Estate Bankers, Inc.'s sole officer and director. On or about April 16, 2025, Respondent was identified as Real Estate Bankers, Inc.'s sole officer and director.

1 6.

2 Respondent POZO was the designated officer of Venus Realty & Brokers
3 Associates, Inc. (broker license no. 01946483) from on or about December 19, 2013 to February
4 8, 2016.

5 7.

6 Respondent POZO had a mortgage loan originator ("MLO") license endorsement
7 (NMLS ID 1018838) from on or about February 6, 2014 to December 31, 2025. Respondent
8 POZO's most recent MLO employment history was as an owner of Real Estate Bankers, Inc.
9 from in or about July 2019 to December 31, 2025 and as a loan originator at Best Capital
10 Funding from in or about March 2016 to December 31, 2025.

11
12 *Respondent POZO's Prior License Discipline*

13 8.

14 On or about January 16, 2008, the Department of Real Estate, in case no. H-
15 34644 LA, filed an Accusation against Respondent POZO, individually and as designated
16 officer of Tu Vivienda Real Estate Investments, Inc., alleging Respondent POZO violated the
17 Real Estate Law and Regulations while conducting licensed activities pursuant to Code sections
18 10131(a) (residential sales) and 10131(d) (mortgage and loan brokerage).

19 9.

20 On or about June 16, 2009, a Stipulation and Agreement, effective July 15, 2009,
21 was filed. Therein, the Department of Real Estate determined Respondent POZO violated Code
22 sections 10145, 10240, 10177(d), and 10177(g) and California Code of Regulations, Title 10,
23 sections 2831.1, 2832(e), 2832.1, and 2950(f), and suspended Respondent POZO's broker
24 license pursuant to certain terms and conditions.

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10.

From on or about July 16, 2009 to August 14, 2009, Respondent POZO's broker license was suspended pursuant to the Stipulation and Agreement filed on or about June 16, 2009.

11.

On or about January 7, 2013, an Order Suspending Real Estate License was issued against Respondent POZO for failing to pay for the audit as set forth in the Stipulation and Agreement filed on or about June 16, 2009.

Respondent MENDOZA's License History

12.

Respondent MENDOZA is presently licensed and/or has license rights under the Real Estate Law as a real estate salesperson (license no. 02115436). Respondent MENDOZA was licensed as a real estate salesperson from on or about September 2, 2021 through the present. At no time has Respondent MENDOZA had a fictitious business name registered with the Department of Real Estate.

13.

Respondent MENDOZA has had six (6) responsible brokers since he was first licensed on or about September 2, 2021, including, but not limited to, Ambiance Realty, Inc. (license no. 02078798) from on or about September 20, 2021 to February 27, 2022; eXp Realty of California, Inc. (license no. 01878277) from on or about February 28, 2022 to July 8, 2024; Real Brokerage Technologies (license no. 02022092) from on or about July 9, 2024 to October 21, 2024; and Better Net, Inc. (license no. 01443822) from on or about October 22, 2024 through the present.

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1 (CAUSES OF ACTION: MISREPRESENTATION, FRAUD, NEGLIGENCE, ETC.)

2
3 *Respondent POZO's Unlicensed Construction Company*

4 14.

5 On or about February 5, 2019, Respondent POZO incorporated Green
6 Technology Construction Services with the California Secretary of State. Respondent POZO
7 was and is the sole officer and director of Green Technology Construction Services. At no time
8 has Green Technology Construction Services been licensed with the California Contractors
9 State License Board ("CSLB") in any capacity. At no time has Respondent POZO been licensed
10 with the CSLB in any capacity.

11
12 *Sale of Property to Respondent POZO's Daughter in 2020*

13 15.

14 In or about April 2020, Respondent POZO, as a dual agent, represented the seller
15 in the sale of the real property known as 5938 Morrill Ave., Whittier, CA 90606 ("Property") to
16 the buyer, who was his daughter, Fiorella Pozo, for a purchase price of approximately \$425,000.

17
18 *Respondent POZO's Unpermitted Construction Work on Property*

19 16.

20 From in or about 2020 to 2023, Respondent POZO and his construction
21 company, Green Technology Construction Services, remodeled both the interior and exterior of
22 the Property, but failed to obtain any building permits from the City of Whittier. An application
23 for permits for an accessory dwelling unit ("ADU") and junior ADU were submitted in 2021
24 but were never actually issued. Permits were also required for work done in other areas,
25 including but not limited to, the roof, fence, windows, electrical system, and plumbing system.
26 However, Respondent knowingly failed to obtain any permits.

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17.

From on or about January 11, 2023 to July 21, 2023, the Whittier Police Department sent multiple notices to the Property citing code violations for unpermitted work and demanding that proper permits be obtained.

Respondents POZO and MENDOZA: Sale of Property in 2023

18.

On or about January 4, 2023, Respondent POZO, as the seller’s agent, listed the Property for sale.

19.

On or about January 13, 2023, the seller, Fiorella Pozo, represented by Prominence Real Estate, Inc. and Respondent POZO, entered into a California Residential Purchase Agreement and Joint Escrow Instructions with the buyers, J. Fernandez and G. Morales, (collectively “Buyers) represented by eXp Realty of California, Inc. and Respondent MENDOZA, for the sale of the Property for a purchase price of \$715,000. The Buyers were first-time home buyers.

20.

a. On or about January 22, 2023, Respondent POZO provided a Real Estate Transfer Disclosure Statement stating there were a new roof, “new sewer, new flooring, new windows, doors, new A/C system and duc[t]s, new electric wiring, [and] new plumbing.” Respondent POZO failed to disclose to the Buyers that none of this work was permitted.

b. Respondent POZO also fraudulently asserted on the Real Estate Transfer Disclosure Statement the following:

C. Are you (Seller) aware of any of the following:

...

4. Room additions, structural modifications, or any other alterations or repairs made without the necessary permits No.

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5. Room additions, structural modifications, or any other alterations or repairs not in compliance with building codes No.

...

15. Any notices of abatement or citations against the property No.

Respondent POZO's answers to these questions were material misstatements.

21.

On or about January 22, 2023, Fiorella Pozo, through Respondent POZO, provided a Seller Property Questionnaire stating, in part:

REPAIRS AND ALTERATIONS

ARE YOU (SELLER) AWARE OF...

- A. Any alterations, modifications, replacements, improvements, remodeling or material repairs on the Property (including those resulting from Home Warranty claims) Yes.
- B. Any alterations, modifications, replacements, improvements, remodeling or material repairs on the Property for the purpose of energy or water efficiency or renewable energy Yes.
- C. Ongoing or recurring maintenance on the Property (for example, drain or sewer clean-out, tree or pest control service) Yes.
- D. Any part of the Property being painted within the past 12 months ...
Yes.
- E. Whether the Property was built before 1978 (if No, leave (a) and (b) blank) Yes.
(a) If yes, were any renovations (i.e., sanding, cutting, demolition) of lead-based paint surfaces stated or completed (if No, leave (b) blank) Yes.

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(b) If yes to (a) were such renovations done in compliance with the Environmental Protection Agency Lead-Based Paint Renovation Rule Yes.

Explanation: There was no evidence of [I]ead paint. Most walls were removed and replaced with new drywall throughout the house.

...

18. OTHER:

...

C. Any past or present known material facts or other significant items affecting the value or desirability of the Property not otherwise disclosed to Buyer No.

The Buyers were not informed prior to close of escrow that any and all of the construction and remodeling work by Respondent POZO and his construction company, Green Technology Construction Services, were unpermitted.

22.

Prior to close of escrow, Respondent POZO and his construction company, Green Technology Construction Services, submitted an invoice dated April 1, 2022 for \$123,709 to the escrow company for payment for the following construction, remodeling, and restoration work:¹

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¹ Respondent POZO and Green Technology Construction Services engaged in the business of, or acted in the capacity, of a contractor for a total cost greater than \$1,000, in violation of Code section 7048.

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- \$14,500 to demolish the kitchen, living, and dining room and clean up the mold;
- \$18,800 to repair and install the floor and subfloor;
- \$22,000 for a complete plumbing re-piping and sewer upgrade;
- \$6,900 to remove ten (10) trees;
- \$1,050 to fix water damage to the back bedroom’s roof;
- \$7,300 to demolish the unpermitted attached bedroom;
- \$20,200 to completely re-wire the house’s electrical system;
- \$9,500 to install air conditioning;
- \$3,459 to haul trash and rent a dumpster; and
- \$20,000 to rebuild the back unit.

23.

At no time prior to the close of escrow did Respondent POZO and/or Respondent MENDOZA inform the Buyers that any and all of the work was unpermitted.

24.

At no time prior to the close of escrow did Respondent POZO and/or Respondent MENDOZA inform the Buyers that any code violations.

25.

At no time prior to close of escrow did Respondent MENDOZA request proof of permits for the extensive construction and remodeling, as described herein, from Respondent POZO and/or the City of Whittier.

26.

At no time prior to close of escrow did Respondent MENDOZA inquire into any building code violations from Respondent POZO and/or the City of Whittier.

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1 27.

2 On or about February 14, 2023, escrow closed and the Property was sold to the
3 Buyers. \$17,875.00 in commissions was paid to Prominence Real Estate, Inc. and Respondent
4 POZO, as the seller's agent, and \$17,875.00 in commissions was paid to eXp Realty of
5 California, Inc. and Respondent MENDOZA, as the Buyers' agent. In addition, \$123,709.03
6 was paid to Respondent and Green Technology Construction Services pursuant to its invoice
7 dated April 1, 2022.

8
9 *Respondents POZO and MENDOZA: Failure to Retain and Produce Documents*

10 28.

11 On or about July 10, 2025, the Department of Real Estate served a Subpoena
12 Duces Tecum on Respondent POZO for all documents related to the real estate transaction for
13 the Property which closed escrow on or about February 14, 2023. These documents include, but
14 are not limited to, contracts, consultation agreements, real estate disclosures, transfer disclosure
15 statements, escrow documents, and bank statements.

16 29.

17 Respondent POZO failed to retain these documents for three (3) years. To date,
18 Respondent POZO has failed to produce documents, aside from a Seller Property Questionnaire
19 and some blueprints, in response to the Subpoena Duces Tecum.

20 30.

21 On or about October 23, 2025, the Department of Real Estate requested
22 Respondent MENDOZA to produce any and all written communications between Respondent
23 MENDOZA and Respondent POZO.

24 31.

25 Respondent MENDOZA failed to retain these documents for three (3) years. To
26 date, Respondent MENDOZA has failed to produce these documents to the Department of Real
27 Estate.

(VIOLATIONS)

32.

The conduct, acts, and/or omissions of Respondent GILMER K. POZO, as set forth in paragraphs 3 to 31, above, are in violation of Code sections 10176(a) (misrepresentation), 10176(i) (fraud/dishonest dealing), 10177(d) (willful disregard or violation of Real Estate Law), 10177(g) (negligence and/or incompetence), 10177(j) (fraud/dishonest dealing), and 10148 (retention of records) and California Civil Code section 1102, et seq. (disclosure of material facts affecting property's value or desirability).

32.

The conduct, acts, and/or omissions of Respondent LUIS MENDOZA, as set forth in paragraphs 3 to 31, above, are in violation of Code sections 10177(g) (negligence and/or incompetence) and 10148 (retention of records)

33.

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

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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all license(s) and/or license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code) of Respondents GILMER K. POZO and LUIS MENDOZA, including, but not limited to, broker license(s), salesperson license(s), and MLO license endorsement(s), the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under applicable provisions of law.

Dated at Los Angeles, California: February 11, 2026



Ray Dagnino
Supervising Special Investigator

cc: GILMER K. POZO
LUIS MENDOZA
Better Net, Inc.
Simon Cazares, Jr (designated officer of Better Net, Inc.)
Ray Dagnino
Sacto.