



1 3.

2 From November 1, 2010, through the present, Respondent  
3 ZAHERA YOUSOFZOY ("YOUSOFZOY") has been licensed by the  
4 Department as a real estate salesperson, License ID 01890000.  
5 From November 1, 2010, through February 19, 2013, Respondent  
6 YOUSOFZOY was licensed under the employment of broker Malibu  
7 Funding, Inc.

8 4.

9 From March 10, 2010, through March 4, 2013, Simplicity  
10 Realty 1 ("Simplicity") was licensed by the Department of Real  
11 Estate ("Department") as a corporate real estate broker, License  
12 ID 01876367. The Department revoked Simplicity's corporate real  
13 estate broker license on March 5, 2013.

14 5.

15 From September 12, 2006, through the present, Brian  
16 Jason Morales ("Morales") has been licensed by the Department as  
17 a real estate broker, License ID 01441520.

18 6.

19 From March 10, 2010, through March 15, 2011, Simplicity  
20 was authorized to act by and through Morales as its broker  
21 designated pursuant to Code Section 10159.2 to be responsible for  
22 ensuring compliance with the Real Estate Law. Morales cancelled  
23 his designation as officer for Simplicity with the Department as  
24 of March 15, 2011.

25 7.

26 From March 23, 2005, through March 4, 2013, Reinhard  
27 Schoenhoefer ("Schoenhoefer") was licensed by the Department as a  
28 real estate salesperson, License ID 01473232. From January 22,

1 2010 through December 29, 2010, Schoenhoefer was licensed under  
2 the employment of Morales. The Department revoked Schoenhoefer's  
3 real estate salesperson license on March 5, 2013.

4 CAUSE OF ACCUSATION

5 (Unlicensed Activity/Unlawful Compensation)

6 8.

7 Code Section 10132 defines a real estate salesperson as  
8 a person who, for compensation or in expectation of a  
9 compensation, is employed by a licensed real estate broker to do  
10 one or more of the acts set forth in Code Sections 10131,  
11 10131.1, 10131.2, 10131.3, 10131.4, and 10131.6. Code Section  
12 10131 defines a real estate broker as a person who: (d) solicits  
13 borrowers, negotiates loans, collects payments or performs  
14 services for borrowers in connection with loans secured directly  
15 or collaterally by liens on real property.

16 9.

17 Code Section 10137 states that is unlawful for any  
18 licensed real estate broker to employ or compensate, directly or  
19 indirectly, any person for performing acts requiring a real  
20 estate license, who is not a real estate salesperson licensed  
21 under the broker employing or compensating him or her. No real  
22 estate salesperson shall be employed by or accept compensation  
23 from any person other than the broker under whom he or she is at  
24 the time licensed.

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1 10.

2 Secure Doc Prep Corp, Dain Turner ("Turner"), Carlo  
3 Longo ("Longo"), Ruben Corona ("Corona"), and Robert (NMN)  
4 Marquez ("Marquez") are not licensed in any capacity by the  
5 Department.

6 11.

7 Secure Doc Prep Corp is a California corporation formed  
8 on or about March 14, 2009. Schoenhoefer, Longo, and Turner were  
9 former officers and directors of Secure Doc Prep Corp. Corona is  
10 currently an officer and director of Secure Doc Prep Corp.

11 12.

12 On or about June 24, 2009, Respondent YOUSOFZOY and  
13 Schoenhoefer opened a business checking account on behalf of  
14 Secure Doc Prep with Wells Fargo Bank in Irvine, California.  
15 Respondent YOUSOFZOY and Schoenhoefer were authorized signers on  
16 the account. The bank business account application lists  
17 Schoenhoefer as the owner and YOUSOFZOY as a partner of Secure  
18 Doc Prep. The mailing and business address listed for Secure Doc  
19 Prep is 2450 White Road #250, Irvine, California 92614.

20 13.

21 Simplicity is a California corporation formed on or  
22 about September 11, 2009. Turner and Morales were former  
23 officers and directors of Simplicity. Corona is currently an  
24 officer and director of Simplicity.

25 14.

26 At all times relevant herein, Secure Doc Prep Corp and  
27 Simplicity used the same office address of 2450 White Road, Suite  
28 250, Irvine, California 92614. Secure Doc Prep Corp and

1 Simplicity also operated branch offices at 17748 Skypark Circle  
2 Suite 260, Irvine, California 92606; 27702 Crown Valley Pkwy.  
3 Suite D-4 228, Ladera Ranch, California 92694; and 2710 Alton  
4 Pkwy. Suite 109-104, Irvine, CA 92606.

5 15.

6 On or about November 17, 2009, Morales submitted a  
7 corporation license application on behalf of Simplicity with the  
8 Department.

9 16.

10 On or about February 25, 2010, Morales submitted a copy  
11 of the minutes and resolutions for Simplicity, in response to a  
12 letter of inquiry from the Department concerning Simplicity's  
13 original application for a corporation license application. On  
14 the minutes and resolutions submitted by Morales, Dain Turner was  
15 listed as the President, CEO, and Secretary of Simplicity;  
16 Morales was listed as the Treasurer of Simplicity; and the  
17 address for Simplicity was listed as 17748 Sky Park Circle,  
18 Suite 260, Irvine, California 92614.

19 17.

20 Respondent YOUSOFZOY, while doing business as Secure  
21 Doc Prep Corp and/or Simplicity, engaged in the business of a  
22 real estate broker conducting activities requiring a real estate  
23 license within the meaning of Code Section 10131(d) (solicit  
24 borrowers for or negotiate loans or perform services for  
25 borrowers in connection with loans secured by liens on real  
26 property).

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1 18.

2 For compensation or in expectation of compensation and  
3 for fees collected in advance, Respondent YOUSOFZOY, acting  
4 through the officers, agents, employees, or independent  
5 contractors of Secure Doc Prep and/or Simplicity, solicited  
6 borrowers by offering to conduct loan negotiations and  
7 modifications, foreclosure forbearance, mitigation, or  
8 foreclosure consultant services in connection with loans secured  
9 by liens on real property.

10 19.

11 On or about October 14, 2010, Respondent YOUSOFZOY,  
12 through Marquez and other agents, employees, or independent  
13 contractors of Secure Doc Prep and Simplicity, charged advance  
14 fees of \$2,295 from borrower Eugene S. for mortgage loan  
15 negotiation, modification or forbearance services. Secure Doc  
16 Prep collected \$1,721.22 from Eugene S. for said services.  
17 Respondent YOUSOFZOY and Secure Doc Prep failed to refund any  
18 monies to Eugene S. after failing to provide the services that  
19 had been promised.

20 20.

21 In aggravation, on or about September 22, 2009,  
22 Respondent YOUSAFZOY, through Secure Doc Prep, Simplicity, and  
23 their agents, employees, or independent contractors, charged and  
24 collected advance fees totaling \$3,990 from borrowers Scott and  
25 Barbara L. for mortgage loan negotiation, modification or  
26 forbearance services. Respondent YOUSAFZOY and Secure Doc Prep  
27 failed to refund any monies to Scott and Barbara L. after failing  
28 to provide the services that had been promised.

1 21.

2 The conduct, acts and/or omissions of Respondent  
3 YOUSOFZOY as set forth in Paragraphs 10 through 19 above, in that  
4 she operated and received compensation through an unlicensed  
5 entity, Secure Doc Prep Corp, and used unlicensed agents to  
6 engage in activities requiring a real estate license under Code  
7 Section 10131(d), is in violation of Code Sections 10130 and  
8 10137, and constitutes cause to suspend or revoke the real estate  
9 licenses and license rights of Respondent YOUSOFZOY under the  
10 provisions of Code Sections 10177(d) and/or 10177(g).

11 22.

12 Code Section 10106 provides, in pertinent part, that in  
13 any order issued in resolution of a disciplinary proceeding  
14 before the Department of Real Estate, the Commissioner may  
15 request the administrative law judge to direct a licensee found  
16 to have committed a violation of this part to pay a sum not to  
17 exceed the reasonable costs of the investigation and enforcement  
18 of the case.

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

10 Dated at Los Angeles, California  
11 this 6 day of June, 2013.

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15 ROBIN TRUJILLO  
16 Deputy Real Estate Commissioner  
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24 cc: Zahera Yousofzoy  
25 Robin Trujillo  
26 Sacto.  
27 OAH  
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