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**FILED**

**APR 05 2012**

**DEPARTMENT OF REAL ESTATE**

BY: *Zou Jan*

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8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 MAXIMUM REALTY AND )  
INVESTMENTS CORPORATION; )  
13 and KENNETH JAMES PELTZ )  
individually and as )  
14 designated officer of )  
Maximum Realty and )  
15 Investments Corporation, )  
16 Respondents, )  
17 )  
18 )

No. H-38024 LA

A C C U S A T I O N

19  
20 The Complainant, Robin Trujillo, a Deputy Real Estate  
21 Commissioner of the State of California, for cause of accusation  
22 against MAXIMUM REALTY AND INVESTMENTS CORPORATION, and KENNETH  
23 JAMES PELTZ individually and as designated officer of Maximum  
24 Realty and Investments Corporation, alleges as follows:  
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1           1. The Complainant, Robin Trujillo, acting in her  
2 official capacity as a Deputy Real Estate Commissioner of the  
3 State of California, makes this Accusation against MAXIMUM REALTY  
4 AND INVESTMENTS CORPORATION, and KENNETH JAMES PELTZ.

5           2. MAXIMUM REALTY AND INVESTMENTS CORPORATION, and  
6 KENNETH JAMES PELTZ individually and as designated officer of  
7 Maximum Realty and Investments Corporation (hereinafter referred  
8 to as "Respondents") are presently licensed and/or have license  
9 rights under the Real Estate Law (Part 1 of Division 4 of the  
10 Business and Professions Code, hereinafter Code).

11           3. Respondent MAXIMUM REALTY AND INVESTMENTS  
12 CORPORATION (MAXIMUM REALTY) was licensed as a real estate broker  
13 on or about June 15, 2007.

14           4. Respondent PELTZ had his real estate broker license  
15 suspended for 30 days as a result of the Decision in Case No. H-  
16 24569 LA on or about July 8, 1991.

17           5. During April, 2009, through 2010, for or in  
18 expectation of compensation, Respondents solicited and negotiated  
19 a re-finance loan and loan modification on real property located  
20 at 6132 Mayflower, Maywood, California for borrower Patricia M.  
21 Respondents collected advance fees from Patricia M. Patricia M.  
22 did not obtain a re-finance or modification of her loan.

23           6. Respondents violated Code Section 10146 and  
24 Regulations 2832 and 2972 by collecting advance fees from the  
25 borrower and not depositing the fees into a real estate broker  
26 trust account or providing an accounting.

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1           7. Respondents misappropriated the funds they received  
2 from the borrower without the knowledge or permission of the  
3 borrower.

4           8. Respondents violated Code Section 10085 and  
5 Regulation 2970 by failing to provide advance fee  
6 material/agreements to be used to the Commissioner for review and  
7 approval ten days prior to their use.

8           9. Respondent MAXIMUM REALTY violated Regulation  
9 2742(c) by being suspended by the California Secretary of State.

10          10. Respondents violated Regulation 2731 by using the  
11 unlicensed fictitious business name "Releif" Investment Group".

12          11. The conduct of Respondents, as alleged above,  
13 subjects their real estate licenses and license rights to  
14 suspension or revocation pursuant to Section 10176(i) of the  
15 Business and Professions Code, and Sections 10177(d) and/or  
16 10177(g) for violation of Code Sections 10085, 10146, and  
17 Regulations 2731, 2742(c), 2832, 2970 and 2972.

18          12. The conduct of Respondent PELTZ, as alleged above,  
19 subjects his real estate licenses and license rights to  
20 disciplinary action under Section 10159.2 of the Business and  
21 Professions Code, and Code Sections 10177(d), 10177(g), and  
22 10177(h).

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1 COST RECOVERY

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

9 WHEREFORE, Complainant prays that a hearing be  
10 conducted on the allegations of this Accusation and that upon  
11 proof thereof, a decision be rendered imposing disciplinary  
12 action against all licenses and license rights of Respondents  
13 MAXIMUM REALTY AND INVESTMENTS CORPORATION, and KENNETH JAMES  
14 PELTZ individually and as designated officer of Maximum Realty  
15 and Investments Corporation under the Real Estate Law (Part 1 of  
16 Division 4 of the Business and Professions Code), for the cost of  
17 investigation and enforcement as permitted by law, and for such  
18 other and further relief as may be proper under other applicable  
19 provisions of law.

20 Dated at Los Angeles, California

21 this 4 day of April, 2012.

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23   
24 ROBIN TRUJILLO  
Deputy Real Estate Commissioner

25 cc: Maximum Realty and Investments Corporation  
26 Kenneth James Peltz  
27 Maria Suarez  
Sacto.