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FILED

SEP 24 2012

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DEPARTMENT OF REAL ESTATE
BY: CR

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-38335 LA
)	
VICTOR CHAVEZ and)	<u>SUPPLEMENTAL ACCUSATION</u>
KULDEEP SANADHYA,)	
)	
Respondents.)	
)	

Complainant hereby supplements and amends the Accusation filed herein August 15, 2012, as follows: A Fifth Cause of Accusation, is hereby added to read:

FIFTH CAUSE OF ACCUSATION

24.

There is hereby incorporated in this Fifth, separate and distinct Cause of Accusation, all of the allegations contained in Paragraphs 1 through 23, with the same force and effect as if herein fully set forth.

25.

Respondent CHAVEZ has a mortgage loan originator license endorsement, Nationwide Mortgage Licensing System ("NMLS") ID 367452. Respondent SANADHYA has a NMLS ID 380632. Respondents' conduct, acts, and/or omissions as set forth in Paragraphs 5

1 through 22 constitute cause to revoke Respondents' mortgage loan originator endorsements
2 pursuant to Code Sections 10166.05, subdivision (c) and 10166.051, subdivisions (a) and (b).

3 26.

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

9 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
10 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
11 action against all licenses and/or license rights of Respondents VICTOR CHAVEZ and
12 KULDEEP SANADHYA under the Real Estate Law (Part 1 of Division 4 of the Business and
13 Professions Code), for the cost of investigation and enforcement as permitted by law, and for
14 such other and further relief as may be proper under other provisions of law.

15 Dated at Los Angeles, California

16 this 20th day of September, 2012.

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MARIA SUAREZ
Deputy Real Estate Commissioner

cc: Victor Chavez
Kuldeep Sanadhya
Investment Bankers Network, Inc.
Maria Suarez
Sacto.

1 3.

2 From November 24, 2009 through the present, Respondent
3 VICTOR CHAVEZ ("CHAVEZ") has been licensed by the Department of
4 Real Estate ("Department") as a real estate broker, License No.
5 00968284. Respondent CHAVEZ was licensed as a real estate
6 salesperson from September 2, 1987 through November 23, 2009.
7 Respondent CHAVEZ is the designated officer for corporate real
8 estate broker Investment Bankers Network, Inc., License No.
9 01890554.

10 4.

11 Respondent KULDEEP SANADHYA ("SANADHYA") was
12 originally licensed by the Department as a real estate
13 salesperson, License No. 01827321 on October 2, 2007.
14 Respondent SANADHYA's real estate salesperson license was
15 conditionally suspended from April 3, 2009 through November 3,
16 2010. Respondent SANADHYA was licensed under the employment of
17 Respondent CHAVEZ from November 15, 2010 through June 15, 2011.
18 Respondent SANADHYA has been licensed under the employment of
19 corporate real estate broker Investment Bankers Network, Inc.
20 from June 16, 2011 through the present.

21
22 FIRST CAUSE OF ACCUSATION

23 (Unlicensed Activity/Unlawful Compensation)

24 5.

25 Code Section 10132 defines a real estate salesperson
26 as a person who, for compensation or in expectation of
27 compensation, is employed by a licensed real estate broker to do
28 one or more of the acts set forth in Sections 10131, 10131.1,

1 10131.2, 10131.3, 10131.4, and 10131.6. Code Section 10131
2 defines a real estate broker as a person who: (a) sells or
3 offers to sell, buys or offers to buy, solicits prospective
4 sellers or purchasers of, solicits or obtains listing of, or
5 negotiates the purchase, sale or exchange of real property or a
6 business opportunity; or (d) solicits borrowers, negotiates
7 loans, collects payments or performs services for borrowers in
8 connection with loans secured directly or collaterally by liens
9 on real property.

10 6.

11 Code Section 10137 states that it is unlawful for any
12 licensed real estate broker to employ or compensate, directly or
13 indirectly, any person for performing acts requiring a real
14 estate license, who is not a real estate salesperson licensed
15 under the broker employing or compensating him or her. Code
16 Section 10161.8(a) states that whenever a real estate
17 salesperson enters the employ of a real estate broker, the
18 broker shall immediately notify the commissioner thereof in
19 writing.

20 7.

21 Ibanet, LLC, Manuel Ramos aka Juan Manuel Ramos, and
22 Martha Liliana Ramos are not licensed in any capacity by the
23 Department. Ibanet, LLC is a California corporation. Manuel
24 Ramos, Martha Liliana Ramos, Respondents CHAVEZ and SANADHYA are
25 officers and directors of Ibanet, LLC.
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1 8.

2 In or around December, 2009, Manuel Ramos introduced
3 Guillermo and Graciela C. to Respondents CHAVEZ and SANADHYA.
4 Respondents offered to assist Guillermo and Graciela C. with
5 obtaining a loan for and negotiating the purchase of real
6 property located in the City of Downey, California. Guillermo
7 and Graciela C. met with Respondents who were acting on behalf
8 of Ibanet, LLC. Guillermo and Graciela C. met with Respondents
9 at their office located at 10455 Lakewood Blvd., Suite 102,
10 Downey, California 90241. At that time, that office location
11 was not listed as a branch office or the main office address for
12 Respondent CHAVEZ.
13

14 9.

15 On or about January 11, 2010, Respondent SANADHYA,
16 while acting as an agent for Ibanet, LLC, performed services for
17 prospective borrowers Guillermo and Graciela C. in connection
18 with a loan secured directly or collaterally by real property.
19 At that time, Respondent SANADHYA's real estate salesperson
20 license was conditionally suspended.
21

22 10.

23 Respondents, along with Manuel Ramos, made substantial
24 misrepresentations to Guillermo and Graciela C. in order to
25 induce them to enter into a loan secured by Guillermo and
26 Graciela C.'s property located at 8326 Salt Lake Avenue, Cudahy,
27 California 90201. Respondents failed to inform Guillermo and
28 Graciela C. that Respondents, Manuel Ramos and Martha Liliana
Ramos had an ownership interest in Ibanet, LLC. Ibanet, LLC

1 received a fee of \$6,750 from the transaction. Respondents
2 instructed Guillermo and Graciela C. to sign separate loan
3 applications falsely stating that they were interviewed by Mark
4 Glasier of Harvest Financial.net, Inc. and Joe Zacharia of
5 California Equity Lenders, Inc. Guillermo and Graciela C. never
6 met with or spoke to Mark Glasier or Joe Zacharia. Guillermo
7 and Graciela C. believed that Respondents were acting on their
8 behalf as mortgage brokers based upon the assertions and
9 representations of Respondents. Respondents failed to provide
10 signed copies of all documents pertaining to Guillermo and
11 Graciela C.'s loan applications upon request.

12 11..

13
14 The conduct, acts or omissions of Respondent SANADHYA,
15 as set forth in Paragraphs 8 through 10 above, constitute cause
16 to suspend or revoke the real estate license and license rights
17 of Respondent SANADHYA under the provisions of Code Sections
18 10177(d) and/or 10177(g) for violation of Code Section 10130.

19 12.

20 The conduct, acts or omissions of Respondent CHAVEZ,
21 as set forth in Paragraphs 8 through 10 above, constitute cause
22 to suspend or revoke the real estate license and license rights
23 of Respondent CHAVEZ under the provisions of Code Sections
24 10177(d) and/or 10177(g) for violation of Code Sections 10137
25 and 10161.8.

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1 Code of Regulations, Title 10, Chapter 6 ("Regulations")
2 requires that a real estate broker notify the Department of any
3 change in the location of a branch office within one business
4 day following the change.

5 17.

6 Respondent CHAVEZ acted without Department
7 authorization in using an unlicensed branch office located at
8 10455 Lakewood Blvd., Suite 102, Downey, California 90241, to
9 engage in activities requiring the issuance of a real estate
10 license.

11 18.

12 The conduct, acts and/or omissions of Respondent
13 CHAVEZ as set forth in Paragraph 17, above, violate Code Section
14 10163 and Regulation 2715 and are cause for the suspension or
15 revocation of the license and license rights of Respondent
16 CHAVEZ pursuant to Code Sections 10177(d) and/or 10177(g).

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18 Fourth CAUSE OF ACCUSATION
19 (Use of Unlicensed Fictitious Name)

20 19.

21 There is hereby incorporated in this Fourth, separate
22 Cause of Accusation, all of the allegations contained in
23 Paragraphs 1 through 18, above, with the same force and effect
24 as if herein fully set forth.

25 20.

26 Code Section 10159.5 and Regulation 2731 requires that
27 a real estate broker apply for and submit a fictitious business
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1 name statement for every fictitious name used to conduct
2 activities that require a real estate license.

3 21.

4 Respondent CHAVEZ acted without Department
5 authorization in using the unlicensed business name Ibanet, LLC
6 to engage in activities requiring the issuance of a real estate
7 license.

8 22.

9 The conduct, acts and/or omissions of Respondent
10 CHAVEZ as set forth in Paragraph 23, above, violate Code Section
11 10159.5 and Regulation 2731 and are cause for the suspension or
12 revocation of the license and license rights of Respondent
13 CHAVEZ pursuant to Code Sections 10177(d) and/or 10177(g).

14 23.

15 Code Section 10106 provides, in pertinent part, that
16 in any order issued in resolution of a disciplinary proceeding
17 before the Department of Real Estate, the Commissioner may
18 request the administrative law judge to direct a licensee found
19 to have committed a violation of this part to pay a sum not to
20 exceed the reasonable costs of the investigation and enforcement
21 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 Respondents
5 VICTOR CHAVEZ and KULDEEP SANADHYA under the Real Estate Law
6 (Part 1 of Division 4 of the Business and Professions Code), for
7 the cost of investigation and enforcement as permitted by law,
8 and for such other and further relief as may be proper under
9 other provisions of law.

10 Dated at Los Angeles, California

11 this 1st day of August 2012.

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16 MARIA SUAREZ
17 Deputy Real Estate Commissioner
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24 cc: Victor Chavez
25 Kuldeep Sanadhya
26 Investment Bankers Network, Inc.
27 Maria Suarez
28 Sacto.