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FILED

NOV 06 2017

BUREAU OF REAL ESTATE

By John C. Smith

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7
8 **BEFORE THE BUREAU OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Accusation of

12
13 **SARINANA, INC.; DAVID SARINANA,**
14 **individually and as designated officer of**
15 **Sarinana, Inc.; NELSON HERMAN SANCHEZ;**
16 **and ANNETTE LETICIA SANCHEZ,**

17 **Respondents.**

No. H-40847 LA
ACCUSATION

18 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
19 of California, for cause of Accusation against Respondents SARINANA, INC. DBA Century 21
20 A Better Service Realty, DAVID SARINANA ("D. SARINANA"), individually and as
21 designated officer of Sarinana, Inc., NELSON HERMAN SANCHEZ ("N. SANCHEZ"), and
22 ANNETTE LETICIA SANCHEZ ("A. SANCHEZ") (collectively "Respondents"), is informed
23 and alleges as follows:

24 1.

25 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
26 of California, makes this Accusation in her official capacity.

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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, unless otherwise specified.

3.

A. SARINANA, INC.: Respondent SARINANA, INC. is presently licensed and/or has license rights issued by the Bureau of Real Estate as a real estate corporate broker (license no. 01206776). SARINANA, INC. was originally licensed as a corporate real estate broker on May 24, 1996. From August 20, 2014 to the present, D. SARINANA was and is the designated officer of SARINANA, INC.

B. DAVID SARINANA: Respondent D. SARINANA is presently licensed and/or has license rights issued by the Bureau of Real Estate as a real estate broker (license no. 00760251) of SARINANA, INC. D. SARINANA originally licensed as a real estate broker on March 23, 1984.

C. NELSON HERMAN SANCHEZ: Respondent N. SANCHEZ is presently licensed and/or has license rights issued by the Bureau of Real Estate as a real estate salesperson (license no. 01219209). N. SANCHEZ has been licensed as a real estate salesperson from on or about January 30, 1997 to January 29, 2001, December 11, 2001 to December 10, 2005, May 5, 2006 to May 4, 2010, August 9, 2010 to August 8, 2014, and December 10, 2014 through the present. N. SANCHEZ's sponsoring broker was and is SARINANA, INC. from January 7, 2013 to August 8, 2014 and December 11, 2014 through the present.¹

D. ANNETTE LETICIA SANCHEZ: Respondent A. SANCHEZ is presently licensed and/or has license rights issued by the Bureau of Real Estate as a real estate salesperson (license no. 01727001). A. SANCHEZ has been licensed as a real estate

¹ SARINANA, INC. has been N. SANCHEZ's sponsoring broker intermittently since January 30, 1997.

1 salesperson from on or about December 30, 2005 to December 29, 2009, February 17, 2010 to
2 February 16, 2014, and May 22, 2015 through the present. A. SANCHEZ has not had a
3 sponsoring broker since June 5, 2013. Previously, A. SANCHEZ's sponsoring broker was Est
4 Fin Services, Inc. (license no. 01213255) from January 9, 2009 to September 24, 2009, and
5 SARINANA, INC. from September 25, 2009 to December 29, 2009 and February 17, 2010 to
6 March 28, 2013.

7 4.

8 Whenever acts referred to below are attributed to SARINANA, INC., those acts
9 are alleged to have been done by SARINANA, INC., acting by itself, or by and/or through one
10 or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to D.
11 SARINANA and N. SANCHEZ.

12 5.

13 Whenever acts referred to below are attributed to N. SANCHEZ, those acts are
14 alleged to have been done by N. SANCHEZ, acting by himself, or by and/or through one or
15 more agents, associates, affiliates, and/or co-conspirators, including but not limited to
16 SARINANA, INC..

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18 FIRST CAUSE OF ACCUSATION
19 (FRAUD AND DISHONEST DEALING)

20 6.

21 At all times mentioned herein, N. SANCHEZ and A. SANCHEZ were and are
22 married.

23 7.

24 At all times mentioned herein, World Capital Lending, Inc. was and is owned by
25 N. SANCHEZ. N. SANCHEZ also serves as its president and secretary. A. SANCHEZ is
26 World Capital Lending, Inc.'s chief executive officer, chief financial officer, and director.

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1 8.

2 In or about September 2014, Darlene S. lived at 322 West 81st St., Los Angeles,
3 CA 90003 ("Property"), and had a conventional loan with Wells Fargo Bank for the Property
4 with an unpaid principal balance of approximately \$278,057.65

5 9.

6 On or about September 30, 2014, SARINANA, INC. through N. SANCHEZ
7 became the dual agent for a potential short sale of Property. SARINANA, INC. and N.
8 SANCHEZ represented both the seller, Darlene S., and the buyer, World Capital Lending, Inc.

9 10.

10 In or about September 2014, SARINANA, INC. through N. SANCHEZ listed
11 the Property for \$209,000.00.

12 11.

13 On or about September 30, 2014, A. SANCHEZ on behalf of World Capital
14 Lending, Inc. signed a California Residential Purchase Agreement and Joint Escrow
15 Instructions ("Purchase Agreement") offering \$150,000.00 for the Property and a Short Sale
16 Addendum. The Purchase Agreement and Short Sale Addendum were also signed by the seller,
17 Darlene S.

18 12.

19 On or about November 13, 2014, SARINANA, INC., N. SANCHEZ, and/or A.
20 SANCHEZ presented the Purchase Agreement to Wells Fargo Bank for its approval.

21 13.

22 On or about December 15, 2014, SARINANA, INC., N. SANCHEZ, and/or A.
23 SANCHEZ a fraudulent version of World Capital Lending, Inc.'s Wells Fargo account
24 statement, account no. *****1211, for November 1, 2014 to November 30, 2014 to Wells
25 Fargo Bank to serve as proof of World Capital Lending, Inc.'s funds. This statement reflected
26 the account had a beginning balance of \$440,890.69 and an ending balance of \$441,018.93
27 when in actuality it had a beginning balance of \$890.69 and an ending balance of \$762.45.

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14.

SARINANA, INC. and N. SANCHEZ failed to notify Wells Fargo Bank of N. SANCHEZ's ownership and/or business relationship with World Capital Lending, Inc. and/or A. SANCHEZ.

15.

SARINANA, INC., N. SANCHEZ, and A. SANCHEZ attempted to conduct a non-arms length short sale transaction.

16.

Respondents' conduct, acts, and/or omissions as described above constitute making substantial misrepresentations and fraud and/or dishonest dealing, and are cause for the suspension or revocation of all real estate licenses and license rights of Respondent under the provisions of Code sections 10176(a), 10176(b), 10176(c), 10176(i), 10177(d), and 10177(g) and/or 10177(j).

SECOND CAUSE OF ACCUSATION

(BROKER SUPERVISION: SARINANA, INC. AND D. SARINANA)

17.

Based on the above facts, SARINANA, INC. did not exercise reasonable control and supervision over the activities conducted by its employees and/or licensees, including N. SANCHEZ, as necessary to secure full compliance with real estate laws, which constitutes a breach of fiduciary duty with respect to its real estate consumers and clientele, including property owners and tenants. SARINANA, INC.'s conduct and violations are cause for the suspension or revocation of its real estate license and license rights pursuant to Code section 10177(h) and Regulations section 2725.

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18.

Based on the above facts, D. SARINANA did not exercise reasonable control and supervision over the activities conducted by its employees and/or licensees, including SARINANA, INC. and N. SANCHEZ, as necessary to secure full compliance with real estate laws, which constitutes a breach of fiduciary duty with respect to its real estate consumers and clientele, including property owners and tenants. D. SARINANA's conduct and violations are cause for the suspension or revocation of its real estate license and license rights pursuant to Code section 10177(h) and Regulations section 2725.

COSTS

19.

Code section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the bureau, 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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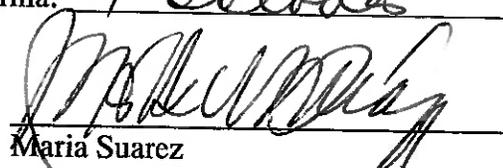
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1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of
4 Division 4 of the California Business and Professions Code) of Respondents SARINANA,
5 INC., DAVID SARINANA, individually and as designated officer of Sarinana, Inc., NELSON
6 HERMAN SANCHEZ, and ANNETTE LETICIA SANCHEZ for the cost of investigation and
7 enforcement as permitted by law, and for such other and further relief as may be proper under
8 applicable provisions of law.

9 Dated at Los Angeles, California: 4 October, 2017.

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12 Maria Suarez
13 Supervising Special Investigator
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24 cc: Sarinana, Inc.
25 David Sarinana
26 Nelson Herman Sanchez
27 Annette Leticia Sanchez
 Maria Suarez
 Sacto.