

FILED
AUG 27 2020
DEPT. OF REAL ESTATE
Al Solano

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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation against) DRE No. H-41764 LA
12 ALBERTO BRIAN SOLANO,)
13 Respondent.) ACCUSATION
14)

15 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator for the
16 Department of Real Estate¹ ("Department") of the State of California, for cause of Accusation
17 against ALBERTO BRIAN SOLANO aka Brian Solano ("Respondent"), is informed and
18 alleges as follows:

19 1. The Complainant, Veronica Kilpatrick, a Supervising Special Investigator for the
20 Department, makes this Accusation in her official capacity.

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24 ¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

1 2. All references to the "Code" are to the California Business and Professions
2 Code, all references to the "Real Estate Law" are to Part 1 of Division 4 of the Code, and all
3 references to "Regulations" are to California Code of Regulations, Title 10, Chapter 6.

4 3. Respondent is presently licensed and/or has license rights under the Real Estate
5 Law (Part 1 of Division 4 of the Code).

6 4. From December 4, 2017, through the present, Respondent has been licensed by
7 the Department as a real estate salesperson, License ID 02047653. Respondent's license is
8 scheduled to expire on December 3, 2021, unless renewed. Respondent has renewal rights
9 pursuant to Code section 10201. The Department retains jurisdiction pursuant to Code section
10 10103.

11 5. On or about February 4, 2015, Respondent was licensed by the Department of
12 Insurance for the State of California ("DOI") as a Life Only and Accident and Health agent. On
13 or about December 28, 2015, the DOI licensed Respondent as a Property and Casualty Broker-
14 Agent.

15 6. From July 13, 2015 through January 31, 2017, Respondent was the Chief
16 Financial Officer and a controlling person of Eagle First Insurance Services Corp. ("Eagle
17 First"). Eagle First was licensed as a Property and Casualty Broker-Agent by the DOI. Eagle
18 First's insurance license was revoked by the DOI on or about January 18, 2016.

19 7. On or about November 20, 2018, the DOI filed an Accusation ("DOI
20 Accusation") against Respondent, Eagle First, and other respondents, in DOI File No.
21 IE201700262. The DOI Accusation included allegations that: 1) Respondent aided and abetted
22 unlicensed activity by Eagle First after the revocation of Eagle First's DOI license; 2)
23 Respondent made multiple misrepresentations to a client, including, but not limited to,
24 Respondent failed to provide coverage to a client after Respondent personally transacted with

1 the client, Respondent accepted payment from the client for comprehensive automobile
2 insurance coverage, then failed to remit the premium funds, Respondent falsely told the client
3 that she was covered when the client was not covered, the client was subsequently in an
4 automobile accident and Respondent knowingly omitted the client's accident when backdating
5 the policy application for the client, and Respondent failed to place automobile insurance
6 coverage for the client which resulted in a loss of over \$28,000 to the client after the accident;
7 3) Respondent displayed a lack of regard for producer licensing laws and empathy toward his
8 fiduciaries; and 4) Respondent's licensure was against public interest, Respondent lacked
9 integrity, and Respondent aided and abetted others in acts which constitute grounds for the
10 suspension, revocation, or refusal of a license.

11 8. Respondent filed a Notice of Defense to the DOI's Accusation. The matter was
12 conducted in conformity with the provisions of the California Administrative Procedures Act.

13 9. On or about January 15, 2019, Respondent entered into a Stipulation and Waiver
14 wherein Respondent explicitly admitted the allegations recited in the DOI's Accusation, except
15 that the respondents denied they committed any criminal offense with respect to the factual
16 allegations in the DOI Accusation.

17 10. On or about February 5, 2019, Respondent's DOI licenses were revoked and
18 restricted licenses were issued to Respondent that same date upon certain terms, conditions, and
19 restrictions including that Respondent was jointly liable for paying restitution of \$26,107 to the
20 client and a monetary penalty of \$160,000 to DOI. Imposition of the monetary penalty was
21 suspended upon respondents' meeting certain conditions.

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1 licensees make a report in writing to the Department within 30 days of the disciplinary action.
2 Failure to make a report constitutes cause for discipline under Code section 10186.2,
3 subdivision (b).

4 16. A diligent search was made of the Department's records for Respondent and no
5 record or written notice was found to have been received from Respondent notifying the
6 Department of the DOI disciplinary action against Respondent or the DOI revocation and
7 restriction order against Respondent, as described above in Paragraphs 5 through 10, within 30
8 days of said actions.

9 17. Respondent's failure to provide timely written notice to the Department pursuant
10 to Code section 10186.2 constitutes cause for the suspension or revocation of Respondent's real
11 estate license and license rights under Code section 10186.2, subdivision (b), and section 10177,
12 subdivisions (d) and/or (g).

13 COST RECOVERY

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

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