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FILED

JAN - 9 2013

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	
)	NO. H-2797 FR
12 VERONICA MORALES,)	
)	<u>ACCUSATION</u>
13 Respondent.)	
14 _____)	

15 The Complainant, BRENDA SMITH, a Deputy Real Estate Commissioner of
16 the State of California, makes this Accusation in her official capacity against VERONICA
17 MORALES dba Gelan, Inc. (herein "Respondent"), and is informed and alleges as follows:

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19 At all times mentioned herein, Respondent was and now is licensed and/or has
20 license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions
21 Code) (herein "the Code").

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23 At all times mentioned herein, Respondent was and now is licensed by the
24 Department of Real Estate (herein the "Department") as a real estate salesperson.

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26 At all times mentioned herein, Respondent engaged in the business of, acted in
27 the capacity of, advertised, or assumed to act as a real estate broker within the State of California

1 within the meaning of Section 10131(d) of the Code, including the operation and conduct of a
2 mortgage loan brokerage with the public wherein, on behalf of others, for compensation or in
3 expectation of compensation, Respondent solicited lenders or borrowers for or negotiated loans,
4 including loan modifications, or collected payments or performed services for borrowers or
5 lenders or note owners in connection with loans secured directly or collaterally by liens on real
6 property or on a business opportunity.

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8 Between about December 22, 2009 and November 12, 2010, Respondent, doing
9 business as Gelan, Inc., without the knowledge of her employing broker, solicited Evangelina G.
10 (herein "Evangelina") to provide loan modification services in order to save Evangelina's
11 residence, located on Beth Street, Hollister, California, from foreclosure; promised to stop
12 foreclosure proceedings; collected and kept an advance fee for said services in the amount of
13 about \$1,100.00, when in fact, Respondent failed to obtain a loan modification and Evangelina's
14 home was foreclosed on about November 8, 2010, violations of Sections 10130 (license
15 requirement), 10085.6 (collecting advance fees) and 10176(b) (false promises) of the Code.

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17 The facts alleged above are grounds for the suspension or revocation of the license
18 and license rights of Respondent under Sections 10130, 10085.6 and 10176(b) of the Code in
19 conjunction with Section 10177(d) of the Code.

20 COST RECOVERY


21 6

22 Investigation and Enforcement Costs

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

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


BRENDA SMITH
Deputy Real Estate Commissioner

Dated at Fresno, California
this 4 day of December, 2012