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**FILED**  
MAY 13 2009  
DEPARTMENT OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 )  
13 J & B CAPITAL CORPORATION, )  
14 and EPIMENIO V. LOPEZ )  
15 individually and as )  
16 designated officer of )  
17 the corporation, )  
18 Respondents. )

No. H-35968 LA

A C C U S A T I O N

18 The Complainant, Robin L. Trujillo, a Deputy Real  
19 Estate Commissioner of the State of California, for cause of  
20 accusation against J & B CAPITAL CORPORATION and EPIMENIO V.  
21 LOPEZ, individually and as designated officer of the corporation,  
22 alleges as follows:

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I

The Complainant, Robin L. Trujillo, acting in her official capacity as a Deputy Real Estate Commissioner of the State of California, makes this Accusation against J & B CAPITAL CORPORATION and EPIMENIO V. LOPEZ.

II

J & B CAPITAL CORPORATION and EPIMENIO V. LOPEZ, individually and as designated officer of said corporation (hereinafter referred to as "Respondents"), are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code).

III

Respondent J & B CAPITAL CORPORATION was originally licensed as a real estate broker on February 7, 2008. Pursuant to Code Section 10159.2, Respondent EPIMENIO V. LOPEZ is responsible for the supervision and control of the activities conducted on behalf of the corporation by its officers and employees as necessary to secure full compliance with the provisions of the real estate law, including the supervision of salespersons licensed to the corporation in the performance of acts for which a real estate license is required.

IV

At all times material herein, Respondents engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California, within the meaning of Sections 10131(d), 10131(e) and 10131.2 of the

1 Code, including soliciting borrowers and lenders and negotiating  
2 loans and loan modifications on real property including the  
3 collection of advance fees.

4 V

5 In connection with Respondents' activities as a real  
6 estate broker, as described above, Respondents acted in violation  
7 of the Real Estate Law as follows:

8 (1) Violated Section 10146 of the Code by  
9 collecting advance fees from the public and failing to deposit  
10 the fees into a real estate broker trust account.

11 (2) Violated Code Section 10085 and Regulation 2970 by  
12 failing to submit to the Commissioner not less than ten calendar  
13 days before publication or other use, all materials to be used in  
14 advertising, promoting, soliciting and negotiating an agreement  
15 calling for the payment of an advance fee including the form of  
16 advance fee agreement proposed for use.

17 (3) Violated Regulation 2731 by using the unlicensed  
18 fictitious business name Nationwide Home Savers.

19 VI

20 The conduct, acts and/or omissions of Respondents,  
21 J & B CAPITAL CORPORATION, and EPIMENIO V. LOPEZ, as alleged  
22 above, subjects their real estate licenses and license rights to  
23 suspension or revocation pursuant to Sections 10177(d) and/or  
24 10177(g) of the Code.

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VII

The conduct, acts and/or omissions of Respondent EPIMENIO V. LOPEZ, in failing to ensure full compliance with the Real Estate Law is in violation of Section 10159.2 of the Code and subjects his real estate licenses and license rights to suspension or revocation pursuant to Sections 10177(d), 10177(g) and/or 10177(h) of the Code.

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 Respondents J & B CAPITAL CORPORATION, and EPIMENIO V. LOPEZ, under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 29 day of April, 2009.

  
ROBIN L. TRUJILLO  
Deputy Real Estate Commissioner

cc: J & B Capital Corporation  
Epimenio V. Lopez  
Robin L. Trujillo  
Phillip Ihde  
Sacto.