

1 Department of Real Estate  
2 320 West Fourth Street, Ste. 350  
3 Los Angeles, California 90013

4 (213) 576-6982

**FILED**

**JUN 29 2021**

**DEPT. OF REAL ESTATE**

By *Zni*

8 STATE OF CALIFORNIA  
9 DEPARTMENT OF REAL ESTATE

10 To: )  
11 MARIE PINTO, individually and )  
12 dba THE PROPERTY ADVOCATE ) NO. H-42050 LA  
13 and any other names or )  
14 fictitious names used by Marie Pinto ) ORDER TO  
15 ) DESIST AND REFRAIN  
16 ) (B&P Code Section 10086)

16 The Commissioner ("Commissioner") of the California Department of Real Estate  
17 ("Department" or "DRE") caused an investigation to be made of the activities of MARIE PINTO  
18 ("PINTO") and THE PROPERTY ADVOCATE ("TPA"). Based on that investigation, the  
19 Commissioner has determined that PINTO, TPA and/or any other fictitious business names used  
20 by PINTO and TPA, have engaged in, are engaging in, or are attempting to engage in, acts or  
21 practices constituting violations of the California Business and Professions Code ("Code"),  
22 including violating Code Section 10130 by engaging in the business of, acting in the capacity of,  
23 and/or advertising or assuming to act as, a real estate broker in the State of California within the  
24 meaning of: Code Section 10131(a), by selling or offering to sell, buying or offering to buy,  
25 soliciting prospective sellers or purchasers of, soliciting or obtaining listings of, or negotiating  
26 the purchase, sale or exchange of real property or a business opportunity ("real estate  
27 sales"). Based on the findings of that investigation, as set forth below, the Commissioner hereby

ORDER TO DESIST & REFRAIN: MARIE PINTO

1 issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under  
2 the authority of Section 10086 of the Code.

3 Whenever acts referred to below are attributed to PINTO, those acts are alleged to  
4 have been done by PINTO, acting by herself, or by and/or through one or more agents,  
5 associates, affiliates, and/or co-conspirators, including but not limited to TPA and using the  
6 name "The Property Advocate," "North Texas Investments, LLC" or other names or fictitious  
7 names unknown at this time.

8 Whenever acts referred to below are attributed to TPA, those acts are alleged to  
9 have been done by TPA, acting by itself, or by and/or through one or more agents, associates,  
10 affiliates, and/or co-conspirators, including but not limited to PINTO and using the name "The  
11 Property Advocate," "North Texas Investments, LLC," or other names or fictitious names  
12 unknown at this time.

### 13 FINDINGS OF FACT

14 1. MARIE PINTO is not now, and has never been, licensed by the Department in  
15 any capacity.

16 2. THE PROPERTY ADVOCATE is not now, and has never been, licensed by the  
17 Department in any capacity. North Texas Investments, LLC is not now, and has never been,  
18 licensed by the Department in any capacity.

19 3. PINTO has a Fictitious Business Name ("FBN") Statement for "The Property  
20 Advocate" on file with the Los Angeles County Registrar-Recorder/County Clerk. TPA's FBN  
21 Statement filed December 4, 2017 listed its address as 11845 W. Olympic Blvd., Suite 1100 W,  
22 Los Angeles, California 90064 ("Olympic address"), and includes the box checked for an  
23 individually-conducted business, with its registrant and registered owner as MARIE PINTO, at  
24 1639 W.11th Place, Los Angeles, California 90015. Additionally, the FBN Statement shows the  
25 first day of business for TPA was December 2, 2017.

26  
27  
ORDER TO DESIST & REFRAIN: MARIE PINTO

1                   4. PINTO also filed a subsequent FBN Statement for TPA with the Los Angeles  
2 County Registrar-Recorder/County Clerk. TPA's subsequent FBN Statement filed July 12, 2018  
3 listed its address as 8383 Wilshire Blvd., Suite 800, Beverly Hills, California 90211, and includes  
4 the box checked for an individually-conducted business, with its registrant and registered owner  
5 as MARIE PINTO, at 1639 W.11th Place, Los Angeles, California 90015. The subsequent FBN  
6 Statement filed July 12, 2018 also shows the first day of business for TPA was December 2, 2017.

7                   5. TPA advertised, and continues to advertise its services as "The Property  
8 Advocate" and as "North Texas Investments, LLC," using as its address the Olympic address, as  
9 well as a New York address (708 3rd Ave., New York, NY 10017) and a Texas address (306 W.  
10 8th St., Fort Worth, TX 76102). TPA targets timeshare owners and non-owners to seek timeshare  
11 sales.

12                   6. Steven T.'s Transaction:

13                   a. In or about January 2018, Steven T. ("Seller") received a phone call from an  
14 individual who identified herself as Ruth Silverman of North Texas Investments, LLC and inquired  
15 as to his interest in selling his timeshare located at the Silver Lake Resort.

16                   b. On or about January 24, 2018, Seller and Christopher S. ("Buyer") entered into  
17 a Timeshare Sale Agreement on the letterhead of North Texas Investments, LLC for a purchase  
18 price of \$4,300.00 ("Sale Agreement"). According to the Timeshare Agreement, at Paragraph 8,  
19 "...Seller will be responsible for the processing cost in the amount of \$980.00 made payable to  
20 Liberty Processing Services in the form of a bank wire as this is the finance department in charge  
21 of all final documents required to transfer the title."

22                   c. Seller understood that the \$980.00 processing cost was to be paid by him upfront,  
23 but upon transaction closure, North Texas Investments, LLC would refund to him the same  
24 amount.

25                   d. In accordance with the Timeshare Agreement, on February 2, 2018, Seller paid  
26 \$980.00 to TPA via check number 1922268, payable to "The Property Advocate." According to  
27

ORDER TO DESIST & REFRAIN: MARIE PINTO

1 the backside of the check, PINTO endorsed the check on or about February 7, 2018 and deposited  
2 the funds to 3rd and La Cienega Financial, LLC, to account #####7141. On February 9, 2018,  
3 TPA provided to Seller an Escrow Receipt indicating that the Escrow Agent (TPA) acknowledged  
4 receipt of \$4,300.00 and receipt of "The refundable deposit of \$980.00..."

5 e. On February 9, 2018, Seller received an email from Jennifer Greenfield  
6 ([landinvestmentmgmt@gmail.com](mailto:landinvestmentmgmt@gmail.com)) of North Texas Investments, LLC. The email included  
7 mailing instructions for Seller to mail a cashier's check in the amount of \$636.15 to TPA at the  
8 Olympic address. In accordance with Greenfield's email, on February 13, 2018, Seller paid  
9 \$636.15 to TPA via check number 1922305, payable to "The Property Advocate." According to  
10 the backside of the check, PINTO endorsed the check on or about February 16, 2018 and deposited  
11 the funds to 3rd and La Cienega Financial, LLC to account #####7141.

12 f. Seller received no further communications from Silverman, Greenfield or any  
13 other representatives of TPA or North Texas Investments, LLC.

14 g. To date, no monies have been refunded by TPA to Seller.

#### 15 CONCLUSIONS OF LAW

16 7. Based on the findings of fact contained in paragraphs 1 through 6, MARIE  
17 PINTO, acting by herself or by and/or through one or more agents, associates, representatives,  
18 and/or co-conspirators, including but not limited to THE PROPERTY ADVOCATE, and using  
19 the name "The Property Advocate," "North Texas Investments, LLC," or other names or  
20 fictitious names unknown at this time:

21 a. sold or offered to sell, bought or offered to buy, solicited prospective sellers or  
22 purchasers of, solicited or obtained listings of, or negotiated the purchase, sale or  
23 exchange of real property or a business opportunity, which acts require a real  
24 estate broker license under Section 10131(a) of the Code, during a period of time  
25 when MARIE PINTO was not in fact licensed by the Department as a real estate  
26 broker, in violation of Section 10130 of the Code; and

27 ORDER TO DESIST & REFRAIN: MARIE PINTO

1 b. claimed, demanded, charged, received, collected, or contracted for an advance  
2 fee for performing activities for which a license is required, when MARIE PINTO  
3 was not in fact licensed by the Department as a real estate broker, in violation of  
4 Section 10085.5 of the Code.

5 8. Based on the findings of fact contained in paragraphs 1 through 6, THE  
6 PROPERTY ADVOCATE, acting by itself or by and/or through one or more agents, associates,  
7 representatives, and/or co-conspirators, including but not limited to MARIE PINTO, and using  
8 the names "The Property Advocate," "North Texas Investments, LLC" or other names or  
9 fictitious names unknown at this time:

- 10 a. sold or offered to sell, bought or offered to buy, solicited prospective sellers or  
11 purchasers of, solicited or obtained listings of, or negotiated the purchase, sale  
12 or exchange of real property or a business opportunity, which acts require a  
13 real estate broker license under Section 10131(a) of the Code, during a period  
14 of time when THE PROPERTY ADVOCATE was not in fact licensed by the  
15 Department as a real estate broker, in violation of Section 10130 of the Code;  
16 and
- 17 b. claimed, demanded, charged, received, collected, or contracted for an advance  
18 fee for performing activities for which a license is required, when THE  
19 PROPERTY ADVOCATE was not in fact licensed by the Department as a  
20 real estate broker, in violation of Section 10085.5 of the Code.

21 **DESIST AND REFRAIN ORDER:**

22 Based upon the Findings of Fact and Conclusions of Law stated herein, MARIE  
23 PINTO and THE PROPERTY ADVOCATE, whether doing business under their own names or  
24 any other name(s) or fictitious name(s), ARE HEREBY ORDERED to immediately desist and  
25 refrain from performing any acts within the State of California for which a real estate broker  
26 license is required. In particular, they are ORDERED TO DESIST AND REFRAIN from:

27 **ORDER TO DESIST & REFRAIN: MARIE PINTO**

- a. engaging in the business of real estate sales, as described in Section 10131(a) of the Code, individually and under any fictitious business name, unless and until they obtain the required license from the Department and are in compliance with Business and Professions Code Section 10130;
- b. claiming, demanding, charging, receiving, collecting or contracting for an advance fee for the performance of activities for which a real estate license is required, unless and until they obtain the required license from the Department and are in compliance with Business and Professions Code Section 10130; and
- c. performing any acts within the State of California for which a real estate broker license is required, unless they are so licensed by the Department.

DATED: 6-23-21 2021

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER



Notice: (1) According to Business and Professions Code Section 10139, "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars (\$60,000)." (2) According to Business and Professions Code Section 10085.5, "A violation of this section is a public offense punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the county jail for a term not to exceed six months, or by both that fine and imprisonment, or if by a corporation, the violation is punishable by a fine not exceeding fifty thousand dollars (\$50,000)."

cc: MARIE PINTO  
THE PROPERTY ADVOCATE

ORDER TO DESIST & REFRAIN: MARIE PINTO

**DEPARTMENT OF REAL ESTATE**

*State of California*

**To: MARIE PINTO, individually and dba  
THE PROPERTY ADVOCATE**



DRE Case No. H-42050 LA  
NOTICE OF SERVICE

This DESIST AND REFRAIN ORDER NO. H-42050 LA is served pursuant to Section 415.30 of the California Code of Civil Procedure. Failure to complete this form and return it to the sender within 20 days may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in effecting service upon you in any other manner permitted by law. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, this form must be signed in the name of such entity by you or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of this Order. Section 415.30 provides that this Order is deemed served on the date of execution of an acknowledgment of receipt.

Dated: June 29, 2021

*Julie To*  
For Julie To  
Counsel

**ACKNOWLEDGMENT OF RECEIPT**

This acknowledges receipt on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, of a copy of the DESIST AND REFRAIN ORDER NO. H-42050 LA at \_\_\_\_\_

*(Street Address, City, State, and Zip Code)*

\_\_\_\_\_  
Signature Date  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Printed Name

**DEPARTMENT OF REAL ESTATE**

CITE & FINE  
 P.O. BOX 137012  
 SACRAMENTO, CA 95813-7012



# CITATION

**YOUR FAILURE TO RESPOND TO THIS CITATION, PAY THE ASSESSED FINE, OR SATISFY AN ORDER TO DESIST & REFRAIN MAY RESULT IN:**

- ✓ LICENSE ISSUANCE WITHHELD
- ✓ A CIVIL JUDGMENT FOR THE UNPAID FINE.
- ✓ ANY UNPAID DEBT SENT TO COLLECTIONS, WHICH MAY INCUR ADDITIONAL FEES AND NEGATIVELY IMPACT YOUR CREDIT RATING.

**To:** MARIE PINTO  
 1639 W 11TH PLACE  
 LOS ANGELES, CA 90015

**RE:** NUMBER OF CITATIONS: 2  
 CITATION NUMBER(S): See Below  
 DRE CASE NUMBER: 1-18-0323-006  
 DRE HEARING NUMBER: H-  
 PAYMENT DUE DATE: 30 Days after receipt

**TOTAL FINE AMOUNT:**  
**\$5,000.00**

Pursuant to the authority provided in California Business and Professions Code §10080.9 and Commissioner's Regulation 2907, et seq., the California Department of Real Estate hereby issues this citation to Marie Pinto (Respondent), an unlicensed individual for specified violation(s) of the Real Estate Law. An Order to Desist & Refrain (D&R) accompany the Citation(s).

**CITATION SECTION**

REF	CITATION NUMBER	VIOLATION(S)	FINE
1	C-1-21-0127-002 (PRIMARY)	<b>Violation:</b> B&P 10130 - Acting without license  Unlicensed Marie Pinto dba The Property Advocate and/or North Texas Investments participated in licensed real estate activities pursuant to Code Section 10131(a) when not actually licensed by the Department of Real Estate.	\$2500.00
2	C-1-21-0127-003	<b>Violation:</b> B&P 10085.5(a) - Payment of Advance Fee - Loan Secured by Lien on Real Property. Those who collect an advance fee for loan services or real estate activities must be licensed real estate brokers.  Marie Pinto dba The Property Advocate targets timeshare owners to sell their timeshares and non-owners to purchase timeshares, and in at least one instance, charged an upfront fee pursuant to Code Section 10085.5 as a refundable "processing cost" for a timeshare sale, which Pinto herself endorsed and deposited, but no monies were ever refunded to Seller, nor did the sales transaction complete.	\$2500.00
<b>TOTAL ADMINISTRATIVE FINES: \$5,000.00</b>			



STATE OF CALIFORNIA  
DEPARTMENT OF REAL ESTATE

# CITATION AND FINE INVOICE

RE 589 (Rev 9/14)

BARCODE#: 21049889849

<b>CITATION INFORMATION</b>		DRE USE ONLY	DRE USE ONLY
DRE CITATION NUMBER C-1-21-0127-002 (PRIMARY)			
DRE CASE NUMBER 1-18-0323-006			
CITATION/INVOICE DATE 05/20/2021	INVOICE NUMBER CIT02966 (PRIMARY)	DRE RECEIVED DATE	DRE LICENSE NUMBER

CITED PARTY  
MARIE PINTO  
1639 W 11TH PLACE  
LOS ANGELES, CA 90015

DESCRIPTION	TOTAL
ASSESSED ADMINISTRATIVE FINE .....	\$5,000.00
<b><u>TOTAL DUE TO DRE BY:</u></b> 30 DAYS AFTER RECEIPT	

- ❖ Payment may be made by certified funds, money order, or credit card. If paying by credit card, complete and return the credit card information requested. **No personal or company checks will be accepted.**
- ❖ If payment is mailed, please include a copy of this invoice with your payment.
- ❖ Total fine amount is for 2 citations.

### INSTRUCTIONS

- A copy of this invoice must accompany your remittance to ensure proper credit to your account.
- Make the cashier's check or money order payable to:  
**California Department of Real Estate, or DRE**
- Mail to: CALIFORNIA DEPARTMENT OF REAL ESTATE  
FISCAL/CITATIONS  
P.O. BOX 137006  
SACRAMENTO, CA 95813-7006

FOR ACCOUNTING USE  
ONLY:  
164300.36

# NOTICE OF INTENT TO REQUEST A FORMAL HEARING

RE 588A (New 7/14)

<b>CITATION INFORMATION</b>	
CITED PARTY	DRE LICENSE NUMBER
CITATION NUMBER	DRE CASE NUMBER

**INSTRUCTIONS**

❖ Check the boxes corresponding to the parts of the citation you are contesting for each violation as numbered in the citation.

❖ Please attach an explanation and supporting documents that you wish for us to consider during our review.

**TO THE REAL ESTATE COMMISSIONER**

*I hereby acknowledge receipt of the Citation referenced above and notification of my right to contest the Citation. I do hereby contest the Citation and notify you that I intend to request a formal citation hearing. I have indicated below the parts of the Citation I am contesting, and I am not contesting any parts that I have not checked.*

<b>CONTESTED PARTS</b>		
VIOLATION NUMBER	<input type="checkbox"/> VIOLATION <input type="checkbox"/> ORDER OF CORRECTION <input type="checkbox"/> FINE AMOUNT	COMMENTS
1	<input type="checkbox"/> VIOLATION <input type="checkbox"/> ORDER OF CORRECTION <input type="checkbox"/> FINE AMOUNT	
2	<input type="checkbox"/> VIOLATION <input type="checkbox"/> ORDER OF CORRECTION <input type="checkbox"/> FINE AMOUNT	
3	<input type="checkbox"/> VIOLATION <input type="checkbox"/> ORDER OF CORRECTION <input type="checkbox"/> FINE AMOUNT	
4	<input type="checkbox"/> VIOLATION <input type="checkbox"/> ORDER OF CORRECTION <input type="checkbox"/> FINE AMOUNT	
5	<input type="checkbox"/> VIOLATION <input type="checkbox"/> ORDER OF CORRECTION <input type="checkbox"/> FINE AMOUNT	
6	<input type="checkbox"/> VIOLATION <input type="checkbox"/> ORDER OF CORRECTION <input type="checkbox"/> FINE AMOUNT	
7	<input type="checkbox"/> VIOLATION <input type="checkbox"/> ORDER OF CORRECTION <input type="checkbox"/> FINE AMOUNT	

SIGNATURE		DATE	
MAILING ADDRESS		CITY	STATE      ZIP CODE
TELEPHONE NUMBER	ALTERNATE TELEPHONE NUMBER	EMAIL ADDRESS	

**Return To: DEPARTMENT OF REAL ESTATE, Cite & Fine, PO Box 137012, Sacramento, CA 95813-7012**