

1 Department of Real Estate
2 320 W. 4th St., # 350
3 Los Angeles, CA 90013

4 (213) 576-6982

FILED

FEB 29 2012

DEPARTMENT OF REAL ESTATE

BY: 

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Private) H- 37922 LA
12 Vocational School Equivalent Course)
13 of Study Offerings of)
14 AMERICAN MASTERS REAL ESTATE)
15 SCHOOL,)
16 School.)

17 NOTICE OF WITHDRAWAL OF APPROVAL OF
18 PRIVATE VOCATIONAL SCHOOL EQUIVALENT COURSES OF STUDY

19 TO: AMERICAN MASTERS REAL ESTATE SCHOOL
20 Yimi Gemer "Johnny" Gomez
21 16911 Bellflower Boulevard, Suite 210
22 Bellflower, California 90706

23 RE: 1. "MORTGAGE LOAN BROKERING AND LENDING" S0336-2086-04
24 2. "PROPERTY MANAGEMENT" S0336-2085-04
25 3. "LEGAL ASPECTS OF REAL ESTATE" S0336-2084-04
26 4. "REAL ESTATE ECONOMICS" S0336-2083-04
27 5. "REAL ESTATE FINANCE" S0336-2082-04
6. "REAL ESTATE APPRAISAL" S0336-2081-04
7. "REAL ESTATE PRACTICE" S0336-2080-04

2 NOTICE IS HEREBY GIVEN pursuant to the provisions of
3 Section 3010 of Title 10, Chapter 6, California Code of
4 Regulations ("Regulations") that the Real Estate Commissioner
5 ("Commissioner") has caused an investigation to be made into
6 the presentation of the private vocational school equivalent
7 courses of study offerings identified in Paragraph two (2),
8 below, sponsored by AMERICAN MASTERS REAL ESTATE SCHOOL
9 ("AMERICAN") and previously approved by the Department of Real
10 Estate of the State of California ("Department"), that on the
11 basis of that investigation, the Commissioner has determined
12 that said courses no longer meet the statutory and regulatory
13 standards for approval for private vocational school equivalent
14 courses of study offerings, and that approval of said courses
15 should be and hereby is withdrawn for the reasons set forth
16 below:
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19 1. AMERICAN is a private vocational school providing
20 the equivalent courses of study course offerings identified in
21 Paragraph Two (2), below. AMERICAN is owned and controlled by
22 Yimi Gemer Gomez ("Gomez").
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1 2. The Department issued to AMERICAN approval for
2 the following private vocational school equivalent courses of
3 study offerings pursuant to Business and Professions Code
4 ("Code") Section 10153.5 and Regulations 3000 and 3002:
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6	<u>Course No.</u> <u>Issued By DRE</u>	<u>Date</u> <u>Approved</u>	<u>Course Title</u>
7	S0336-2086-04	2/16/05	Mortgage Loan Brokering and
8			Lending
9	S0336-2085-04	2/16/05	Property Management
10	S0336-2084-04	2/16/05	Legal Aspects of Real Estate
11	S0336-2083-04	2/16/05	Real Estate Economics
12	S0336-2082-04	2/16/05	Real Estate Finance
13	S0336-2018-04	2/16/05	Real Estate Appraisal
14	S0336-2080-04	2/16/05	Real Estate Practice
15	S0336-2020-04	8/3/2004	Real Estate Principles

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17 These courses were applied for and approved to be taught as
18 correspondence courses.

19 3. Approval of the courses identified in Paragraph 2
20 was predicated upon the school's compliance with Regulations
21 3000 through 3004 and Code Section 10153.5, including the
22 following criteria set forth by the Regulations, and other
23 assurances which AMERICAN and Gomez represented and assured the
24 Department would be complied with:
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26 a. Regulation 3000(a)(1) provides, in relevant part,
27 that a correspondence course shall consist of not less than 15
separate lesson assignments.

1 b. Regulation 3000(a)(2)(B) provides that a
2 correspondence course must provide for a final examination
3 administered and supervised by a person designated by the
4 school for that purpose. The school shall send the final
5 examination materials to the person so designated and the
6 completed final examination shall be returned to the school by
7 the person so designated.
8

9 c. Regulation 3000(a)(7) provides that the school
10 shall have an appropriate method of assessing student knowledge
11 of the subject, such as, but not limited to, multiple choice,
12 essay or oral examinations.
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14 4. On or about June 1, 2011, the Department received
15 an anonymous complaint which stated that Sheyla Soledad Alvarez
16 illegally purchased her real estate salesperson license from
17 AMERICAN and Gomez on March 10, 2011.
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19 5. On or about August 5, 2011, Special Investigator
20 Jesus Munoz ("Munoz") went to the office of AMERICAN located at
21 16911 Bellflower Boulevard, Suite 210, Bellflower, California
22 90706. When Munoz entered the office he asked a man sitting at
23 a desk to speak to Gomez. The man answered that he was Gomez.
24 Munoz, playing the role of a broker whose license is about to
25 expire, told Gomez that he needed 45 hours of continuing
26 education in order to renew his license, and that he was
27 worried about paying late fees as well as not having enough

1 time to complete the 45 hours of coursework. Munoz handed
2 Gomez the Department license printout showing the date of
3 expiration, and it appeared to Munoz that Gomez verified the
4 information on the Department's website. Gomez asked Munoz who
5 had recommended the school to him. Munoz replied that it was
6 "John Marquez," a false name, who had been to the school a few
7 months ago. Gomez then stated that the short timeframe was not
8 a problem. He printed out some forms and gave Munoz the forms
9 along with detailed instructions on how to fill them out to
10 disguise their fraudulent nature, including directions as to
11 which specific questions to purposely get wrong. Additionally,
12 the forms included items without a date, which permitted Munoz
13 to backdate the test dates. The materials Gomez gave to Munoz
14 included an administrator certification form with the school's
15 stamp on it, answer bubble sheets, test answers and
16 instructions on how to complete the forms. Gomez stated that
17 the continuing education certificates would be ready when the
18 Munoz returned with the completed forms and \$225 in cash. Munoz
19 was not given any course materials, textbooks, and/or
20 assignments to complete, nor was he given a final examination
21 in order to receive the certificate of completion for
22 continuing education courses.

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26 On or about August 29, 2011, at approximately 3:15
27 p.m. Munoz arrived at AMERICAN's office at 16911 Bellflower

1 Boulevard, Suite 210, Bellflower, California. Upon entering the
2 office Munoz observed Gomez seated at a desk talking to an
3 unknown man who stepped aside when Munoz entered the office.
4 Munoz handed Gomez the completed continuing education packet.
5 Gomez reviewed one page, and then told Munoz to include his e-
6 mail address. Munoz wrote down his personal e-mail address, and
7 paid Gomez \$225 in cash. Gomez stated that he would e-mail
8 Munoz the necessary information to submit to the Department.
9

10 On August 30, 2011, Munoz received an e-mail from
11 Gomez which included a Continuing Education Course Completion
12 Certificate for 45 hours of courses. The certificate was signed
13 by Gomez as the school director.
14

15 6. The sale of certificates or real estate licenses
16 to students without their bona-fide completion of courses or
17 examinations, and the falsification of student records in the
18 equivalent course of study at a private vocational school
19 offerings, create an inference that AMERICAN and Gomez are not
20 complying with their representations and assurances to the
21 Department with respect to the courses set forth in Paragraph 2
22 above.
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24 7. The conduct described in Paragraphs 4, 5, and 6,
25 above, constitutes failures by AMERICAN and Gomez to perform in
26 compliance with conditions to the approval of courses
27 identified in Paragraph Two (2), and Regulations 3000(a)(1),

1 3000(a)(2)(B) and 3000(a)(7), and is grounds for the withdrawal
2 of approval of the private vocational school equivalent course
3 of study course offerings as identified in paragraph two (2)
4 above, under the provisions of Regulations 3000 and 3010.
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6 8. Based on the foregoing, the Commissioner has
7 determined that the courses identified in Paragraph two (2)
8 herein, above, no longer meet the prescribed statutory and
9 regulatory standards for approval, and therefore, approval of
10 said courses should be and hereby is withdrawn pursuant to the
11 provisions of Regulations 3000 and 3010.
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13 9. The withdrawal of approval of all the course
14 offerings identified in Paragraph 2 above will be effective
15 thirty (30) days after the notice of withdrawal is received by
16 the school unless the school earlier files a written request
17 for hearing on the withdrawal action. If the request for
18 hearing is received by the Commissioner before 30 days after
19 the date of receipt of notice of withdrawal by the school, the
20 withdrawal of approval shall not be effective unless and until
21 ordered by the Commissioner pursuant to findings and
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1 conclusions reached after hearing pursuant to Chapter 5
2 (commencing with Section 11500) of Part 1 of Division 3 of
3 Title 2 of the Government Code. The hearing shall be commenced
4 within 30 days after receipt of the request for hearing unless
5 continued to a later day by order of the Commissioner or by
6 agreement of the parties.
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8 DATED: 2/24/12
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10 BARBARA J. BIGBY
11 Acting Real Estate Commissioner

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23 cc: AMERICAN MASTERS REAL ESTATE SCHOOL
24 Yimi Gemer "Johnny" Gomez
25 16911 Bellflower Boulevard, Suite 201
26 Bellflower, California 90706
27 Shelly Harkins
Sacto, FLAG
Sacto, Education