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10 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
11 OF THE STATE OF CALIFORNIA

12 In the Matter of:) MLO NO.: CA-DBO341867
) CFL NO.: 60DBO-72891
13 THE COMMISSIONER OF BUSINESS)
OVERSIGHT,) ACCUSATION IN SUPPORT OF ORDER
14) BARRING ROBERT GONZALEZ, JR. FROM
Complainant,) ANY POSITION OF EMPLOYMENT,
15) MANAGEMENT OR CONTROL OF ANY
v.) FINANCE LENDER, BROKER, OR
16) MORTGAGE LOAN ORIGINATOR
) PURSUANT TO FINANCIAL CODE
17) SECTION 22169
ROBERT GONZALEZ, JR., also known as)
18 ROBERTO GONZALEZ VIRAMONTES,)
ROBERT GONZALEZ VIRAMONTES, JR.,)
19 ROBERTO GONZALEZ VIRAMONTES, JR.,)
and ROBERT GONZALEZ-VIRAMONTES,)
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Respondent.)
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23 I.

24 INTRODUCTION

25 Manuel P. Alvarez, the Commissioner of Business Oversight (Commissioner), alleges and
26 charges as follows:

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II.

STATEMENT OF FACTS

1. The Commissioner seeks to bar Robert Gonzalez, Jr., also known as and Roberto Gonzalez Viramontes, Robert Gonzalez Viramontes, Jr., Roberto Gonzalez Viramontes, Jr., and Robert Gonzalez-Viramontes (Gonzalez) from any position of employment, management or control of any finance lender, broker, or mortgage loan originator pursuant to section 22169 of the California Financing Law (CFL) (Fin. Code, § 22000 et. seq.) on the grounds that Gonzalez has been the subject of an administrative judgment by a public agency involving dishonesty, fraud or deceit and that these offenses were reasonably related to the qualifications, functions or duties of a person engaged in the business of being a Mortgage Loan Originator (MLO) or in the business of finance lending.

2. Gonzalez holds an active MLO license that was issued on June 7, 2017.

3. On June 19, 2017, Gonzalez filed an incomplete application for a finance lending license with the Commissioner (Application) pursuant to section 22101 of the CFL. Gonzalez submitted its Application to the Commissioner by filing Form MU1 through the Nationwide Mortgage Licensing System & Registry (NMLS). The application stated that Gonzalez has his principal place of business located at 650 Coral Harbor, San Antonio, Texas 78251.

4. Sole proprietorship is listed in the legal status section of the MU1; Gonzalez is the 100 percent owner of the applicant.

III.

ADMINSTRATIVE JUDGMENT INVOLVING DISHONESTY, FRAUD OR DECEIT

5. Financial Code section 22169, subdivision (a) provides, in pertinent part:

(a) The commissioner may, after appropriate notice and opportunity for hearing, by order, . . . bar from any position of employment, management, or control any finance lender, broker, mortgage loan originator, or any other person, if the commissioner finds either of the following:

(2) That the person has been convicted of or pleaded nolo contendere to any crime, or has been held liable in any civil action by final judgment, or any administrative judgment by any public agency, if that crime or civil or administrative judgment involved any offense involving dishonesty, fraud, or deceit, or any other offense reasonably related to the qualifications, functions, or duties of a person engaged in the business in accordance with the provisions

1 of this division.

2 6. On November 19, 2015, the California Department of Real Estates (DRE) issued an
3 Accusation against Robert Gonzalez, Jr., also known as Roberto Gonzalez Viramontes, Jr. and his real
4 estate corporation, Rokitto Enterprises, alleging several violations of the Real Estate Law, including
5 conversion of trust funds of at least three customers. After a hearing on the merits and underlying
6 facts of the DRE Accusation against Gonzalez, the Real Estate Commissioner issued its decision (DRE
7 Decision) revoking Gonzalez’s real estate broker’s license and the corporate real estate license of his
8 business, Rokitto Enterprises, effective November 10, 2016.

9 7. The Real Estate Commissioner found that Gonzalez converted trust funds and issued at least
10 five checks for consumer proceeds on bank accounts that had insufficient funds to cover the checks. In
11 at least one instance, Gonzalez placed the proceeds of a loan refinance in a non-trust account, and the
12 funds were seized by tax authorities. Further, Gonzalez took an advance fee for loan costs for a
13 refinance transaction; he never refinanced the loan and he refused to refund the fees to the consumer.

14 8. The Commissioner finds that Gonzalez, by way the DRE Decision, committed an act involving
15 dishonesty, fraud, or deceit, which is reasonably related to the qualifications, functions or duties of a
16 person engaged in the business in accordance with the provisions of the CFL.

17 **IV.**

18 **CONCLUSION**

19 The foregoing findings constitute grounds under Financial Code section 22169 for the
20 Commissioner to bar Robert Gonzalez, Jr., also known as Roberto Gonzalez Viramontes and Robert
21 Gonzalez Viramontes, Jr., from any position of employment, management or control of any finance
22 lender, broker, or mortgage loan originator.

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WHEREFORE the Commissioner prays that Robert Gonzalez, Jr., also known as Roberto Gonzalez Viramontes, Robert Gonzalez Viramontes, Jr., Roberto Gonzalez Viramontes, Jr. and Robert Gonzalez-Viramontes be barred from any position of employment, management or control of any finance lender, broker, or mortgage loan originator.

DATED: December 30, 2019
Sacramento, California

MANUEL P. ALVAREZ
Commissioner of Business Oversight

By _____
JOANNE ROSS
Senior Counsel
Enforcement Division