

**PUBLIC MATTER**

1 STATE BAR OF CALIFORNIA  
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**FILED**  
**AUG 21 2014**  
STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

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STATE BAR COURT  
HEARING DEPARTMENT - LOS ANGELES

In the Matter of: ) Case No. 13-O-14743, 13-O-17106  
FLOYD GEORGE BELSITO, ) NOTICE OF DISCIPLINARY CHARGES  
No. 103635, )  
A Member of the State Bar )

**NOTICE - FAILURE TO RESPOND!**

**IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL:**

- (1) **YOUR DEFAULT WILL BE ENTERED;**
- (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW;**
- (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND;**
- (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN ORDER RECOMMENDING YOUR DISBARMENT WITHOUT FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

1 The State Bar of California alleges:

2 JURISDICTION

3 1. Floyd George Belsito ("respondent") was admitted to the practice of law in the State  
4 of California on July 8, 1982, was a member at all times pertinent to these charges, and is  
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 13-O-14743  
8 Business and Professions Code, section 6106.3  
9 [Violation of Civil Code, section 2944.7(a)(1) - Illegal Advanced Fee]

10 2. On or about February 8, 2013, Respondent agreed to negotiate, arrange, or perform a  
11 mortgage loan modification or other form of mortgage loan forbearance for a fee for a client,  
12 Guillermo Perea, and on or about February 8, 2013, charged, demanded, and collected \$4,250  
13 from the client before Respondent had fully performed each and every service Respondent had  
14 been contracted to perform or represented to the client that Respondent would perform, in  
15 violation of Civil Code, section 2944.7, and in willful violation of Business and Professions  
16 Code, section 6106.3.

17 COUNT TWO

18 Case No. 13-O-17106  
19 Rules of Professional Conduct, Rule 1-400(D)(4)  
[Undesignated Advertisement]

20 3. In or about July 2013, Respondent made a written communication, or allowed one to  
21 be made on Respondent's behalf by "Legal Aid Services," to Artemio Flores and Linda Flores,  
22 prospective clients, concerning Respondent's availability for professional employment which  
23 failed to indicate clearly, expressly, or by context, that it was a communication or solicitation  
24 namely, by delivering a mailer that failed to bear the word "Advertisement," "Newsletter," or  
25 words of similar import in 12 point print on the first page and failed to reference "Legal Aid  
26 Services" or Respondent, in willful violation of Rules of Professional Conduct, rule 1-400(D)(4).

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COUNT THREE

Case No. 13-O-17106  
Business and Professions Code, section 6106.3  
[Violation of Civil Code, section 2944.7(a)(1) - Illegal Advanced Fee]

4. On or about July 30, 2013, Respondent agreed to negotiate, arrange, or perform a mortgage loan modification or other form of mortgage loan forbearance for a fee for clients, Artemio Flores and Linda Flores, and thereafter, between on or about July 31, 2013 and on or about September 10, 2013, charged, demanded, and collected \$4,000 from the clients before Respondent had fully performed each and every service Respondent had been contracted to perform or represented to the clients that Respondent would perform, in violation of Civil Code, section 2944.7, and in willful violation of Business and Professions Code, section 6106.3.

**NOTICE - INACTIVE ENROLLMENT!**

**YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.**

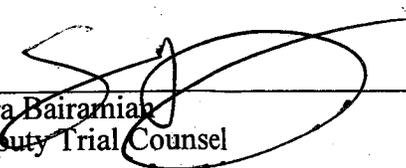
**NOTICE - COST ASSESSMENT!**

**IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.**

Respectfully submitted,

THE STATE BAR OF CALIFORNIA  
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: August 21, 2014

By:   
Lara Bairamian  
Deputy Trial Counsel

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 13-O-14743, 13-O-17106

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY MATTERS

By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a)) - in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.

By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))

By Overnight Delivery: (CCP §§ 1013(c) and 1013(d)) - I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').

By Fax Transmission: (CCP §§ 1013(e) and 1013(f)) Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.

By Electronic Service: (CCP § 1010.6) Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

(for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)

(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 6410 8184 at Los Angeles, addressed to: (see below)

(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to. Row 1: Aldo A. Flores, 12616 Central Avenue Chino, California 91710, Electronic Address.

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ('UPS'). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: August 21, 2014

SIGNED:

Charles C. Bagai Declarant