Advance fees and loan modifications

In recent months, a large number of individuals and companies have entered the loan modification business as a result of the increase in the number of homeowners who are experiencing difficulty making their existing mortgage payment. The purpose of this article is to clarify the licensing requirements for anyone engaged in this activity.

Negotiating loan modifications requires licensing as either a real estate broker, or as a salesperson properly licensed and working under the supervision of their broker. Attorneys rendering legal services to a client are exempt from the real estate licensing requirements, but this exemption may not be used as a means to circumvent the Real Estate Law. In addition to the general real estate licensing requirement, there are other requirements that must be met before a real estate broker can accept an advance fee for performing loan modifications or any other service that requires a real estate license.

The rules and regulations governing the collection of advance fees have been a part of Real Estate Law for many decades. In fact, Section 10085 of the Business and Professions Code (B&P) which requires the submission of an advance fee agreement to the DRE, was added to the law in 1958, as were Commissioner’s Regulations 2970 and 2972. They were put in place to protect consumers from being victimized by real estate licensees.

Message from Commissioner Davi

Be warned and be skeptical...

With the downturn in our economy and the dropping real estate values, foreclosure rates are on the rise for the third consecutive year.

The California economy and some homeowners are experiencing tough financial times. Many California homeowners are now unable to keep up with their mortgage payments and have found themselves in desperate situations. This economic despair is compounded by even more homeowners who are also facing foreclosure due to personal or life related changes such as job losses.

Although the circumstances may cause desperate homeowners to believe they must jump at the first opportunity for a financial remedy, they must be cautioned to be skeptical of opportunistic predators who are looking to take advantage of the situation. It is important to consider all options when facing the difficulty of not being able to meet a mortgage obligation and a solution may not be easy to find. Because of this, people preying on homeowners in financial trouble have come up with schemes to coax homeowners out of more money with false promises of foreclosure avoidance.

Homeowners should be aware of the following information:

1. In California, it is generally against the law for any one to charge or require the payment of an advance fee to assist with a loan modification or workout after a Notice of Default has been recorded against your property.

2. If you have not had a Notice of Default recorded, then a licensed California real estate broker may collect an advance fee to assist you with a loan modification, but only if you have been given and signed an “advance fee agreement” previously reviewed by the Department of Real Estate.

3. If people are knocking on your door, soliciting you by mail, or contacting you by phone asking you to pay them a fee in order to have them negotiate with your lender, please STOP!

Go to our Department of Real Estate Web site, www.dre.ca.gov, to check out their license status and, even more importantly, to see if we’ve already reviewed their “advance fee agreement.”

4. If they are not licensed or their advance fee agreement has not been reviewed by the Department of Real Estate, or if they are not lawyers offering legal services, you should NOT give them any money and consider looking for assistance elsewhere, or consult with an attorney.

Don’t become a victim to any of these scams. Remember the old adage, if the offer sounds too good to be true, it probably is!
Summary of significant 2008 legislation

The following legislative summaries, from the legislative session that ended on August 31, 2008, contain pertinent information for real estate licensees and subdividers. These summaries are intended to alert you to noteworthy changes to the law. We encourage you to consult the statutes and/or for complete information. Copies of the bills can be obtained online at http://www.leginfo.ca.gov/bilinfo.html. Please note that “SB” refers to a Senate bill and “AB” to an Assembly bill and the Chapter number refers to the sequence that the bill was filed with the Secretary of State. The name appearing after the bill number is the name of the author. All statutes are effective January 1, 2009 unless otherwise noted.

**AB 180 (Bass) Foreclosure Consultants (Chapter 278)**

Foreclosure consultants are in the business of helping homeowners who are in default stop, delay or resolve a foreclosure action. Existing law sets forth to various consumer protections including, but not limited to, making it illegal for consultants to engage in certain deceitful practices, allowing consumers to rescind contracts entered into with a consultant up to three days after signing, and requiring representatives of a consultant to be bonded. AB 180 enhances consumer protections by, among other things, requiring foreclosure consultants to register with the Department of Justice and increase the bonding requirement for foreclosure consultants to $100,000.

**AB 2180 (Lieu) Solar Energy Systems in Common Interest Developments (Chapter 539)**

AB 2180 requires a homeowners association (HOA) in a common interest development (CID) to respond to a request from a member to install a solar energy system in his/her separate interest within 60 days.

**AB 2454 (Emmerson) Recovery Account Payout Limits Increased (Chapter 279)**

Under the real estate law, the DRE administers a recovery account from which the DRE can pay the victims of fraud their actual and direct losses, if the fraud was committed by a real estate licensee while performing acts for which a license is required. The payout from the fund is generally limited by statute to $20,000 for any one transaction and $100,000 for any one licensee.

AB 2454 increased the payout limits to $50,000 for any one transaction and $250,000 per licensee for applications received after January 1, 2009. The Department of Real Estate sponsored AB 2454.

**AB 2846 (Feuer) Homeowner Association; Disputed Assessments (Chapter 502)**

AB 2846 provides that if a dispute arises between a homeowner and his or her HOA regarding any charge or sum, and the amount does not...
Legislative Summary
Continued from page 2

exceed the jurisdictional limit for small claims court, the homeowner may, in addition to pursuing dispute resolution, pay the disputed amount under protest and commence an action in small claims court.

**AB 2881 (Wolk) Disclosure of Farming Operations (Chapter 686)**

AB 2881 requires developers and sellers of residential property to disclose to potential buyers if the property is within a mile of a farming operation, as set forth in the most current “Important Farmland Map” issued by the California Department of Conservation, Division of Land Resource Protection.

**SB 1007 (Machado) 1031 Exchange Facilitators/Accommodators (Chapter 708)**

Third-parties facilitators of tax deferred exchanges of real property are generally unregulated. SB 1007 requires facilitators to meet certain bonding or cash reserve minimums. The bill also sets forth acceptable and prohibited behavior by persons who facilitate tax deferred exchanges. The provisions of SB 1007 will remain in effect until January 1, 2014, after which they are repealed.

**SB 1137 (Perata) Foreclosure Procedures (Chapter 69)**

SB 1137, until January 1, 2013, changes the foreclosure requirements on loans that were originated on and between January 1, 2003 and December 31, 2007. Specifically, this bill requires lenders, prior to filing a notice of default, to contact or make a good faith attempts to contact borrowers to discuss their options. The bill also requires specific notices be given to the occupant of the property that the property is in foreclosure. And the bill would require the legal owner of a foreclosed, vacant property to maintain the property or be subject to fines. SB 1137 went into effect on 9/7/2008.

**SB 1396 (Cox) Real Estate Fraud Prosecution Trust Fund (Chapter 405)**

Existing law allows counties to impose an additional $2 recording fee on real estate documents and put the money into a county Real Estate Fraud Prosecution Trust Fund. County officials must use the Fund to deter, investigate, and prosecute real estate fraud crimes. SB 1396 increased the number of documents on which the additional recording fee can be charged and it increased the additional recording fee to from $2 to $3.

**SB 1448 (Scott) Fines for Unlicensed Activity (Chapter 156)**

Existing law provides that any person acting as a real estate broker or real estate salesperson without a license is guilty of a public offense, punishable by a fine of up to $10,000, imprisonment in the county jail for up to six months, or by both a fine and imprisonment. In addition, the law provides that if the unlicensed entity violating the law is a corporation, a fine of up to $50,000 may be imposed. SB 1448 increases the fines for unlicensed activity to 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). This bill also requires any fines collected from a person in excess of $10,000, and any fines collected from a corporation in excess of $50,000, to be deposited into the county’s Real Estate Fraud Prosecution Trust Fund, if such a trust fund exists in the county in which the person or corporation was prosecuted.

**SB 1461 (Negrete McLeod) Disclosure of License Identification Number (Chapter 284)**

Effective 7/1/2009, this bill requires a real estate licensee to place his or her license identification number on all first point of contact marketing materials and on home purchase agreements which they negotiate. First point of contact materials includes business cards, stationery, advertising fliers, and other materials designed to solicit the creation of a professional relationship between the licensee and a consumer. The Department of Real Estate (DRE) sponsored SB 1461.

**SB 1511 (Ducheny) Foreclosure Sales in Common Interest Developments (Chapter 527)**

This bill allows an HOA to record a notice against each of the units in its CID requiring a trustee to notify the HOA when a unit is foreclosed upon and to whom the property was sold.

**SB 1737 (Machado) Bar Orders, Short Sales and Dual Agency Disclosures (Chapter 286)**

SB 1737 makes three distinct changes to the Real Estate Law. First, the bill expands the DRE’s regulatory authority to issue an order barring any individual from real estate related activity who has been found guilty of any offense involving fraud, dishonesty or deceit. Barred persons would also be prohibited from participating in any real estate activity of a finance lender, residential mortgage lender, bank, credit union, escrow company, or title company. Secondly, the bill expands the DRE’s authority to discipline a licensee who generates an inaccurate opinion of value, requested in connection with a short sale, in order to acquire a financial or business advantage. Finally, the bill requires a licensee who represents a buyer or seller in a purchase/sale transaction and intends to arrange the financing in connection with the purchase of the property, to provide a written disclosure of his or her role as a mortgage broker to all parties to the sale of the property.
New and improved IVR system

The Department has deployed a new Interactive Voice Response (IVR) system utilizing toll free numbers that will have increased functionality over the former system. Licensees can now log into the phone system to obtain specific information pertaining to their license and exam applicants will be able to get information on the status of a pending application. The new toll free number, 1-877-DRE-4LIC (1-877-373-4542) will replace the old local numbers for licensing (916) 227-0900; and originals (916) 227-0900; and originals (916) 227-0904.

The system includes a separate toll free number for Spanish speaking consumers seeking only general information or a license look-up. The Spanish number is 1-877-DRE-4321(1-877-373-4321).

Consumer information that can be obtained through the toll free numbers include license status look-up, licensing requirements, exam availability, office locations, forms, and frequently asked questions.

The new IVR is self service, voice activated system; it also has touch tone features for your convenience. To log into the system, licensees need their license ID number and the number on the back of the pocket ID card. If either of these items are not on hand, you can identify yourself with your social security number (SSN) and date of birth (DOB). Examination applicants, or those who have passed the exam but do not yet have a license ID number, would need his/her exam ID number and a SSN and DOB to log in.

Once you log into the system, you will be offered a menu of options for information specific to you. For example, if you are a salesperson interested in getting a broker license, you will be able to hear a record of the pre-license qualification courses that the Department already has on file for you. If you are a broker and also a designated officer for one or more corporations, the system will recognize that fact and ask you which license you are calling about. In addition, if you are an exam or license applicant and have an application that is pending, will be advised of any deficiencies.

Some of the new features of the system include:
- Hear exam details if scheduled for an exam
- Schedule or reschedule an exam and hear available exam dates and locations
- Hear qualifications and/or deficiencies on existing exam, license or renewal application
- Request duplicate license or exam notice
- Pay for services with a credit card
- Update mailing information

Don't forget to update your contacts with Licensing's new phone number:
1-877-DRE-4LIC
(1-877-373-4542)

Advance Fees

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taking upfront money in return for promised services that are not performed. These rules are the same for any advance fee service.

The rules require a licensed broker to submit his or her advance fee agreement, accounting format, and any advertising or promotional materials to the DRE for review. The broker cannot use the agreement or collect any fees in advance until he or she receives a “no objection” letter from the DRE.

However, with regard to loan modifications, Civil Code Section 2945 generally prohibits the collection of fees in advance from consumers when a Notice of Default has been recorded against the property.

Additionally, advance fees must be placed in a broker’s trust account until specified services have been completed and the borrower (principal) must be given periodic accountings of their funds. There are many other rules that must be followed to ensure that the broker performs all of the promised services or makes appropriate refunds to the client (principal).

If approached for referrals by a company that purports to be in the loan modification business, licensees must be cautious. If a license makes such a referral and the consumer is victimized or harmed by that company, the licensee is at risk of being investigated by the DRE for negligence and other potential violations of the Real Estate Law. Additionally, the DRE has been advised by the Department of Housing and Urban Development (HUD) that referral fees paid or received in a loan modification transaction would constitute a violation of the Real Estate Settlement Procedures Act (RESPA). HUD can be contacted at (202) 708-0502 for more information on referral fees.

Licensees have a duty to determine that the company is properly licensed (or has a bona fide exemption) and, if charging advance fees, they have completed the review process with DRE. A list of those brokers who have completed the review process is available on the DRE Web site by clicking on News Flash. Please direct any questions about this article to the Mortgage Loan Activities Unit at (916) 227-0770.
Disciplinary Action: June 08 - August 08

- A list of actions is not published in this Bulletin until the 30-day period allowed for court appeal has expired, or if an appeal is filed and the disciplinary action is stayed, until the stay is dissolved. Names of persons to whom licenses are denied on application are not published.

- Licensees are listed alphabetically by the District Office region of responsibility.

- The license type is listed in parentheses after the licensee’s name. [REB – Real estate broker; RREB – Restricted real estate broker; RES – Real estate salesperson; RRES – Restricted real estate salesperson; PRLS – Prepaid rental listing service; RPRLS – Restricted prepaid rental listing service; REO – Real estate officer; REC – Real estate corporation]

- Below are brief summaries of various regulations and code sections. The full text of the sections is available on the DRE Web site www.dre.ca.gov under Real Estate Law and/or Regulations.

- Disciplinary actions that are “stayed” means there is “a delay in carrying out” all or part of the recommended discipline.

Commissioner’s Regulations

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<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Violation</th>
<th>Effective Date</th>
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</thead>
<tbody>
<tr>
<td>2715</td>
<td>Licensee’s failure to maintain current business or mailing address with DRE</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
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<tr>
<td>2725</td>
<td>Failure of broker to exercise reasonable supervision over the activities of his or her salespersons</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
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<tr>
<td>2726</td>
<td>Failure to have broker-salesperson agreements</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
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<tr>
<td>2731</td>
<td>Unauthorized use of fictitious business name</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
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<tr>
<td>2831</td>
<td>Failure to keep proper trust fund records</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
</tr>
<tr>
<td>2831.1</td>
<td>Inadequate separate trust fund beneficiary records</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
</tr>
<tr>
<td>2831.2</td>
<td>Failure to reconcile trust account</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
</tr>
<tr>
<td>2832</td>
<td>Failure to comply with trust fund handling provisions</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
</tr>
<tr>
<td>2832(a)</td>
<td>Failure of broker to place trust funds into hands of owner, into neutral escrow depository or trust fund account within three business days of receipt</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
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<tr>
<td>2832(b)</td>
<td>Failure to comply with interest bearing trust account requirements</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
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<tr>
<td>2832.1</td>
<td>Failure to obtain permission to reduce trust fund balance in a multiple beneficiary account</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
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<tr>
<td>2834</td>
<td>Trust account withdrawals by unauthorized or unbonded person</td>
<td>10176(i), 10177(f)(g)(j)</td>
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<tr>
<td>2834(a)</td>
<td>Unauthorized person making withdrawals from trust fund account</td>
<td>10176(i), 10177(f)(g)(j)</td>
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<tr>
<td>2835</td>
<td>Failure of broker handling escrows to maintain records and accounts</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
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<tr>
<td>2835(c)</td>
<td>Failure by broker to make escrow records available for inspection</td>
<td>10176(i), 10177(f)(g)(j)</td>
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<tr>
<td>2835(g)</td>
<td>Broker-handled escrow disbursement without written instructions</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
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<tr>
<td>2835(h)</td>
<td>Failure to disclose interest in the agency holding the escrow</td>
<td>10176(i), 10177(f)(g)(j)</td>
<td>7/30/08</td>
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<tr>
<td>2851</td>
<td>Improper record keeping for broker handled escrows</td>
<td>10176(i), 10177(f)(g)(j)</td>
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<tr>
<td>2970</td>
<td>Failure to submit advance fee material for review</td>
<td>10176(i), 10177(f)(g)(j)</td>
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Business and Professions Code

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
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<tbody>
<tr>
<td>490</td>
<td>Substantially related criminal conviction</td>
</tr>
<tr>
<td>498</td>
<td>License obtained by fraud or misrepresentation</td>
</tr>
<tr>
<td>10130</td>
<td>Acting without license</td>
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<tr>
<td>10137</td>
<td>Unlawful employment or payment of compensation</td>
</tr>
<tr>
<td>10145</td>
<td>Trust fund handling</td>
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<tr>
<td>10145(a)</td>
<td>Trust fund handling</td>
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<tr>
<td>10145(c)</td>
<td>Failure by salesperson to deliver trust funds to broker</td>
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<tr>
<td>10147.5</td>
<td>Notice regarding negotiability of commission</td>
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<tr>
<td>10148</td>
<td>Failure to retain records and make available for inspection</td>
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<tr>
<td>10148(a)</td>
<td>Failure to retain records and make available for inspection</td>
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<tr>
<td>10159.2</td>
<td>Failure by designated officer to supervise licensed acts of corporation</td>
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<td>10159.5</td>
<td>Failure to obtain license with fictitious business name</td>
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<tr>
<td>10160</td>
<td>Failure to maintain salesperson licenses in possession of broker</td>
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<tr>
<td>10161.8</td>
<td>Failure of broker to notify Commissioner of salesperson employment</td>
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<tr>
<td>10162</td>
<td>Failure to maintain a place of business</td>
</tr>
<tr>
<td>10163</td>
<td>Failure to obtain a branch office license</td>
</tr>
<tr>
<td>10165</td>
<td>Failure to comply with specified B&amp;P code sections</td>
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<tr>
<td>10176(a)</td>
<td>Making any substantial misrepresentation</td>
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Financial Code

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<td>490, 10176.5</td>
<td>Failure to obtain license with fictitious business name</td>
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<tr>
<td>490, 10176.6</td>
<td>Failure to maintain salesperson licenses in possession of broker</td>
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<tr>
<td>490, 10176.7</td>
<td>Failure of broker to notify Commissioner of salesperson employment</td>
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<tr>
<td>490, 10176.8</td>
<td>Failure to maintain a place of business</td>
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<tr>
<td>490, 10176.9</td>
<td>Failure to obtain a branch office license</td>
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<td>490, 10176.10</td>
<td>Failure to comply with specified B&amp;P code sections</td>
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<td>490, 10176.11</td>
<td>Making any substantial misrepresentation</td>
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FRESNO REGION

- Aguero, Christina A. (RES)
  2117 ½ S. Dury Ave., Corcoran
  Effective: 7/28/08 Violation: 490, 10177(b)

- Canale, James B. (REB)
  4233 W. Sierra Madre, Ste. 203, Fresno
  Effective: 7/29/08 Violation: 10176(i), 10177(f)(g)(j)

- Gelegen, Jacob Aaron (RES)
  6442 N. Maroa Ave., Fresno
  Effective: 7/9/08 Violation: 490, 10177(b)

- Howell, Isaiah Mark (RES)
  PO Box 1467, Tehachapi
  Effective: 7/9/08 Violation: 490, 10177(b)

- Mohammadi, Sneha (REB)
  11713 Covent Gardens Dr., Bakersfield
  Effective: 8/12/08 Violation: 10176(a)(i), 10177(d) (g)(j)

- Peterson, Damon Law (RES)
  PO Box 222771, Carmel
  Effective: 8/6/08 Violation: 490, 10177(b)

- Sidow, James O. (REB)
  4928 E. Clinton Way, Ste. 201, Fresno
  Effective: 8/28/08 Violation: 2831, 2831.1, 2831.2, 2832, 2832.1, 2834, 10130, 10145, 10176(e)(g), 10177(d)

LOS ANGELES REGION

- Aguilera, Kurt (RES)
  1403 N. Tustin Ave., Santa Ana
  Effective: 7/30/08 Violation: 490, 10177(b)

- Aguirre, Victoria Louise (RES)
  11825 E. Imperial Hwy., Norwalk
Hernandez, Pedro (REB)  
4220 Firestone Blvd., South Gate  
Effective: 6/25/08  
Violation: 490, 10177(b)  

Hosea, Catherine Ann (RES)  
38625 Sunac St., Palmdale  
Effective: 6/9/08  
Violation: 490, 10177(b)  

Istidjab, Martin Mulyadi (RES)  
18760 E. Amar Rd. #133, Walnut  
Effective: 7/14/08  
Violation: 490, 10177(b)  

Jackson, Sherry Delores (REB)  
42913 Staffordshire Dr., Lancaster  
Effective: 7/30/08  
Violation: 490, 10177(b)  

Jones, Robert Lawrence (REB)  
2824 Fort Silver Dr., Bullhead  
City, AZ  
Effective: 7/14/08  
Violation: 10130, 10177(d)(j)  

Laureano, Ronald (RES)  
19301 Plummer St., Northridge  
Effective: 8/12/08  
Violation: 10176(i), 10177(d)  

Long, Jonathan Derek (RES)  
1627 E. Brockton Ave., Redlands  
Effective: 6/9/08  
Violation: 10177(j)  

Lucero, Daniel Tolano (REB)  
791 E Foothill Blvd., Ste. K, Upland  
Effective: 6/18/08  
Violation: 490, 10177(b)  

Lucero, Mary Marlene (RES)  
PO Box 5884, Buena Park  
Effective: 7/15/08  
Violation: 490, 10177(b)  

Martinez, Leticia (RES)  
10071 Claremont Ave., Bloomington  
Effective: 8/7/08  
Violation: 490, 10177(b)  

Murphy, Michael Carl (RES)  
12404 Weddington #12, North Hollywood  
Effective: 6/2/08  
Violation: 490, 10177(b)  

New Century Home Loan Corp. (REC)  
21032 Devonshire St., Ste. 217, Chatsworth  
Effective: 8/12/08  
Violation: 2715, 2832(b), 2952.1, 2950(g), 2951, 10145(a), 10176(i), 10177(d)  

Overby, Douglas Richard (RES)  
PO Box 9472, Newport Beach  
Effective: 7/10/08  
Violation: 490, 10177(b)  

Pak, Lucia S. (RES)  
400 S. Norton Ave. #C, Los Angeles  
Effective: 6/2/08  
Violation: 490, 10177(b)  

Parada, Luis Alonso (RES)  
c/o Tarbell, 1403 N. Tustin Ave., Ste. 380, Santa Ana  
Effective: 6/30/08  
Violation: 490, 10177(b)  

Park, Diana Heejin (RES)  
300 E. Tujunga Ave. #309, Burbank  
Effective: 6/9/08  
Violation: 490, 10177(b)  

Plata Financing, Inc. (REC)  
14112 ¾ Firestone Blvd., Santa Fe Springs  
Effective: 6/5/08  
Violation: 2715, 10148, 10162, 10165, 10177(d)(g)  

Premier Financial Network Group, Inc. (REC)  
1801 Excise Ave., Ste. 113, Ontario  
Effective: 7/21/08  
Violation: 10177(f)  

Quiambo, Romeo Maclang (REB)  
230 W. Foothill Blvd., Claremont  
Effective: 8/27/08  
Violation: 10176(a), 10177(d) (g)(b)(i)  

Raicevic, Danko (RES)  
7931 Holder St., Buena Park  
Effective: 7/21/08  
Violation: 490, 10177(b)  

Reeder, Lyslane Renee (RES)  
58 Rolling Ridge Dr., Pomona  
Effective: 8/18/08  
Violation: 490, 10177(b)  

Robertson, Lisa K. (RES)  
1026 Calle Ortega, San Dimas  
Effective: 6/30/08  
Violation: 490, 10177(b)  

Rodriguez, Patricia (RES)  
23828 Daisetta Rd., Newhall  
Effective: 6/12/08  
Violation: 490, 10177(b)  

Romero, Emerson Noel (RES)  
1063 N. Ealvina Ct., Rialto  
Effective: 6/2/08  
Violation: 490, 10177(b)  

Ruiz, Sandra (RES)  
19401 Cleveland Bay Ln., Yorba Linda  
Effective: 6/2/08  
Violation: 490, 10177(b)  

Sanford, Joni Ann (RES)  
3156 Foothill Blvd., La Crescenta  
Effective: 6/18/08  
Violation: 490, 10177(b)  

Schultz, Harry Robert (REB)  
139 N. Highland Ave., Los Angeles  
Effective: 7/30/08  
Violation: 490, 10177(b)  

Serrano, Jade P. (RES)  
6802 S. Vanport Ave., Whittier  
Effective: 6/2/08  
Violation: 490, 10177(a)(b)  

U S A Financial Services, Inc. (REC)  
14540 Victory Blvd., Ste. 212, Van Nuys  
Effective: 7/30/08  
Violation: 2742, 10177(d)  

Villapudua, Alejandro Americo (REB)  
5812 Temple City Blvd. #201, Temple City  
Effective: 7/28/08  
Violation: 10162, 10165  

Weaver, Nelson Lyle (RES)  
1403 N. Tustin Ave., Ste. 380, Santa Ana  
Effective: 7/15/08  
Violation: 490, 10177(b)  

Oakland Region  
A & A Lending Mortgage & Real Estate Company (REC)  
950 Tower Ln., Ste. 730, Foster City  
Effective: 7/29/08  
Violation: 10165, 10177(d)  

ACR Investments International, Inc. (REC)  
6155 Almaden Expressway, Ste. 400, San Jose  
Effective: 7/7/08  
Violation: 10176(b)  

Akbar, Tarig (RES)  
3064 Dickens Ct., Fremont  
Effective: 7/9/08  
Violation: 490., 10177(b)  

Avila, Maria Eugenia (RES)  
8930 Leavelsy Rd., Gilroy  
Effective: 7/7/08  
Violation: 10176(b)  

Blickman, Birgitta Ingrid (REB)  
27 Sienna Way, San Rafael  
Effective: 7/8/08  
Violation: 2725, 2726, 2831, 2831.1, 2831.2, 2832, 2834, 10145, 10159.2(a), 10177(d)(b)  

Bye, Lori Jo (RES)  
356 Arabian Way, Healdsburg  
Effective: 7/28/08  
Violation: 490, 10177(b)  

Camat, Klifford A. (RES)  
30664 Ratekin Dr., Union City  
Effective: 7/29/08  
Violation: 490, 10177(b)  

Colorado, Diego Enrique (RES)  
407 Marino Rd., Bay Point  
Effective: 7/31/08  
Violation: 490, 10177(b)  

Denton Christopher Paul (RES)  
2290 S. Bascom Ave., Campbell  
Effective: 7/24/08  
Violation: 490, 10177(b)  

Do, Huy Duc (RES)  
1677 Nobili Ave., Santa Clara  
Effective: 7/30/08  
Violation: 490, 10177(b)  

Duque, Mildred R. (RES)  
292 Stoakes Ave., San Leandro  
Effective: 8/28/08  
Violation: 490, 10177(b)  

Harris, Prince Walter (RES)  
5125 Hayward Ct., Antioch  
Effective: 8/25/08  
Violation: 490, 10177(b)  

Officio Paralelgate  

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>License</th>
<th>Effective Date</th>
<th>Violation Code</th>
<th>Violation Details</th>
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<tr>
<td><strong>Hernandez, Emily Marie (RES)</strong></td>
<td>952 Commercial Ave., South San Francisco</td>
<td>RES</td>
<td>7/28/08</td>
<td>490, 10177(b)</td>
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<td><strong>Hodgen, Ralph Earl (REB)</strong></td>
<td>3080 Landess Ave., San Jose</td>
<td>REB</td>
<td>7/28/08</td>
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<td><strong>Mendoza, Laureano Jr. (RES)</strong></td>
<td>2059 Mandelay Pl., San Jose</td>
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<td><strong>Montoya, Mauricio Javier (RES)</strong></td>
<td>7157 Via Carmela, San Jose</td>
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<td><strong>Amon, Debra Jean (RES)</strong></td>
<td>5233 Quapaw Way, Riverside</td>
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<td><strong>Barr, Fernando G. (RES)</strong></td>
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<td><strong>Barraza, Rosa Amelia (RES)</strong></td>
<td>312 Bonair St., La Jolla</td>
<td>RES</td>
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<td><strong>Conery, Stacy Lyn (RES)</strong></td>
<td>5885 Nagel St., La Mesa</td>
<td>RES</td>
<td>7/28/08</td>
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<td><strong>Holmes, Kimberly Dominique (RES)</strong></td>
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<td><strong>Job, Justin (RES)</strong></td>
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<td><strong>Malone, Sean Michael (RES)</strong></td>
<td>563 J Ave., Corona</td>
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<td><strong>Meza, Ray Alcala (RES)</strong></td>
<td>24760 Sunnymead Blvd., Ste. 100, Moreno Valley</td>
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<td><strong>Oh, Michael Jin (RES)</strong></td>
<td>2220 Front St., San Diego</td>
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<td><strong>Robles, Michael Ronn (RES)</strong></td>
<td>8716 Production Ave., Ste. A, San Diego</td>
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<td><strong>Seiler, Damian Leonard (RES)</strong></td>
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<td><strong>Sikes, William R III (RES)</strong></td>
<td>9184 Canyon Park Terrace, Santee</td>
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<td><strong>Sisselman, Barry Alan (RES)</strong></td>
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<td><strong>Suleiman, Assad (RES)</strong></td>
<td>548 Via Del Caballo, San Marcos</td>
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<td><strong>Ramirez, Benigno Gaytan (RES)</strong></td>
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<td>RES</td>
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<td><strong>Vaughan, John Richard (RES)</strong></td>
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<td><strong>SAN DIEGO REGION</strong></td>
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<td><strong>Whaley, Daniel Patrick (REB)</strong></td>
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<td><strong>REVOKE WITH A RIGHT TO A RESTRICTED LICENSE</strong></td>
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<td><strong>Carlin, Vito Arnold (RES)</strong></td>
<td>10524 Newville Ave., Downey</td>
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<td>7/6/26</td>
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<td><strong>Barraza, Rosa Amelia (RES)</strong></td>
<td>312 Bonair St., La Jolla</td>
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<td>7/28/08</td>
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<td><strong>Conery, Stacy Lyn (RES)</strong></td>
<td>5885 Nagel St., La Mesa</td>
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<td><strong>Constantine, Richard D. (RES)</strong></td>
<td>313 E. Birch St., Santa Ana</td>
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<td><strong>Delius, Lilly S. (RES)</strong></td>
<td>23252 Chesheld Dr., Laguna Niguel</td>
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<td>8/4/08</td>
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<td><strong>Gonzalez, Ariel Reza (REB)</strong></td>
<td>1551 Colorado Blvd. #204, Los Angeles</td>
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<td>6/19/08</td>
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<td>Right to RREB license on terms and conditions</td>
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<td><strong>Hernandez, Rafael (REB)</strong></td>
<td>1608 N. Spurgeen St., Santa Ana</td>
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<td>6/11/08</td>
<td>2731, 2831, 2831.1, 2831.2, 2832, 2834, 2950(b)(d)(e), (h), 2951, 10145, 10147.5, 10159.5, 10177(g), 10236.4, 10240, 10241</td>
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<td><strong>Kim, Michael D. (REB)</strong></td>
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<td><strong>Lansford, Kenneth Alan (RES)</strong></td>
<td>PO Box 720634, Pinon Hills</td>
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<td><strong>Nguyen, Peter (RES)</strong></td>
<td>4165 Oakcliff Dr., Moorpark</td>
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<td>7/30/08</td>
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<td><strong>Sanchez, Rafael Sandoval (RES)</strong></td>
<td>2026 Madeira Ave., Mentone</td>
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<td>6/2/08</td>
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<td><strong>Smith, Julie Ann (RES)</strong></td>
<td>1978 Tustin Ave., Costa Mesa</td>
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<td><strong>Zanjani, Hamid (REB)</strong></td>
<td>419 S. Windmill Ln., Anaheim Hills</td>
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<td>8/5/08</td>
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<td><strong>OAKLAND REGION</strong></td>
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<td><strong>Dzebsivov, Igor George (RES)</strong></td>
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<td><strong>Huffman, Randall Alan (RES)</strong></td>
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<td><strong>Sung, Lop Choi (REB)</strong></td>
<td>1496 39th Ave., San Francisco</td>
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<td>8/1/08</td>
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Suspended for 60 days—stayed Mission Viejo
2 years on terms and conditions

Tullis, Sanford Lamar (REB)
318 Diablo Rd., Danville
Effective: 7/7/08
Violation: 10177(h)
Right to RRES license on terms and conditions

Weide, Scott H. (RES)
2812 Hawthorne Dr., Brentwood
Effective: 8/21/08
Violation: 490, 10177(b)
Right to RRES license on terms and conditions

SACRAMENTO REGION
Lee, Ze Max (REB)
9381 E. Stockton Blvd., Ste. 200
R&2, Elk Grove
Effective: 8/18/08
Violation: 10176(a)(i), 10177(g)
Right to RREB license on terms and conditions

Miller Property Management, Inc. (REC)
5530 Garfield Ave., Sacramento
Effective: 7/29/08
Violation: 2831, 2832.1, 10145, 10177(d)
Right to RREC license on terms and conditions

Miller, Murray Lee (REB)
5530 Garfield Ave., Sacramento
Effective: 7/29/08
Violation: 10159.2, 10177(d)(g)(h)
Right to RREB license on terms and conditions

SAN DIEGO REGION
Davis, Tabatha Lavette (RES)
409 Roosevelt St., Corona
Effective: 7/7/08
Violation: 490, 10177(b)
Right to RRES license on terms and conditions

Escobar, Hermes David (RES)
25304 Brodiaea Ave., Moreno Valley
Effective: 6/23/08
Violation: 490, 10177(b)
Right to RRES license on terms and conditions

Ghaffari, Shahnaz (RES)
716 Via Cafetal, San Marcos
Effective: 7/14/08
Violation: 490, 10177(a)(b)
Right to RRES license on terms and conditions
RRES license suspended for 60 days

Guise, Wilson Obed (RES)
16145 Reiner Circle, Riverside
Effective: 8/4/08
Violation: 10177(b)
Right to RRES license on terms and conditions.
RRES suspended for 14 days

Sayed, Linda (RES)
1031 Burga Loop, Chula Vista
Effective: 8/5/08
Violation: 490, 10177(b)
Right to RRES license on terms and conditions

SUSPENDED

LOS ANGELES REGION
Binder, Barry Charles (REB, REO)
10791 Los Alamitos Blvd., Los Alamitos
Effective: 8/21/08
Officer of: College Park Realty, Inc.
Violation: 10177(b)
Suspected for 90 days from effective date of renewal or original license

SUSPENDED WITH STAY

FRESNO REGION
Martin Mortgage Corporation (REC)
1520 H Street, Modesto
Effective: 7/23/08
Violation: 2831, 2831.1, 2831.2, 2832.1, 10145, 10177(d)
Suspected for 60 days—stayed for 2 years on terms and conditions

Martin, Beverly Louise (REB)
1520 H Street, Modesto
Effective: 7/23/08
Violation: 10159.2, 10177(d)(g)(h)
Suspected for 60 days—stayed for 2 years on terms and conditions

Pinheiro, Jill Louise (RES)
11702 Crabbert Park Dr., Bakersfield
Effective: 8/12/08
Violation: 10176(a)(i), 10177(d)(g)(j)
Suspected for 30 days—stayed for 2 years on terms and conditions

LOS ANGELES REGION
Baello, Claudia Evelyn (RES)
1598 Vista Dorada Pl., Chino Hills
Effective: 8/14/08
Violation: 10177(g)
Suspected for 180 days—150 days stayed for 2 years on terms and conditions

Christian, Nancy Eileen (REB, REO)
27112 Calle Caballero Unit A, San Juan Capistrano
Effective: 8/7/08
Officer of: United Equity Partners, Inc.
Violation: 2831, 2831.1, 2832(a), 10145, 10159.2, 10177(d)
(g)(h), 10240
Suspected for 60 days—30 days stayed for 2 years on terms and conditions

College Park Realty, Inc. (REC)
10791 Los Alamitos Blvd., Los Alamitos
Effective: 8/21/08
Violation: 10177(g)
Suspected for 40 days—stayed for 2 years on terms and conditions

Foster, Charlotte Yvonne (REB)
18026 Jonathan, Adelanto
Effective: 6/12/08
Violation: 2831, 2834, 10145, 10177(d)
Suspected for 60 days—stayed for 2 years on terms and conditions

Gerardo, Inc. (REC)
120 Magnolia Ave., 2nd Floor, Oxnard
Effective: 6/17/08
Violation: 10137, 10177(d)
Suspected for 60 days—stayed for 2 years on terms and conditions

Joo, Sangjin (REB, REO)
5600 Wilshire Blvd., Ste. 2200, Los Angeles
Effective: 6/2/08
Officer of: New York Financial, Inc.
Violation: 10137, 10177(d)
Suspected for 60 days—stayed for 2 years on terms and conditions

KMG Mortgage Services, Inc. (REC)
27782 Vista Del Lago, Ste. 29, Mission Viejo
Effective: 6/17/08
Violation: 10137(d), 10177.4
Suspected for 90 days—stayed for 1 year on terms and conditions

La Peter, James Michael (REB)
1203 S. Euclid St., Anaheim
Effective: 7/16/08
Violation: 2831, 2831.1, 2831.2, 2832.1, 2834, 2950(d), 2951, 10145, 10176(a)(g), 10177(d)(g)(b)
Suspected for 90 days—stayed for one year on terms and conditions

Manning, Arli Lee (REB)
685-A Del Amo Blvd., Carson
Effective: 8/20/08
Violation: 10137, 10177(d)
Suspected for 30 days—all 30 days stayed

MHP, Inc. (REC)
6105 Rosemead Blvd., Pico Rivera
Effective: 7/9/08
Violation: 2831, 2831.1, 2832, 2832.1, 10145(a), 10177(d)
Suspected for 60 days—stayed for 2 years on terms and conditions

Montelongo, Gerardo C. (REB, REO)
120 Magnolia Ave., Oxnard
Effective: 6/17/08
Officer of: Gerardo, Inc.
Violation: 10137, 10177(d)
Suspected for 60 days—stayed for 2 years on terms and conditions

New York Financial, Inc. (REC)
3600 Wilshire Blvd., Ste. 2200, Los Angeles
Effective: 6/2/08
Violation: 10137, 10177(d)
Suspected for 60 days—stayed for 2 years on terms and conditions

Norcapi Financial Corporation (REC)
2100 Main St. #103, Irvine
Effective: 6/30/08
Violation: 2832.1, 2950(d), 10145, 10177(d)
Suspected for 60 days—30 days stayed for 2 years on terms and conditions

Nordstrom, Jeffrey Kendall (REB, REO)
2100 Main St. #103, Irvine
Effective: 6/30/08
Violation: 2832.1, 2950(d), 10145, 10159.2, 10177(d)(j)
Suspected for 60 days—30 days stayed for 2 years on terms and conditions

Ortiz, Aaron (REB)
11441 Mt. Johnson Ct., Rancho Cucamonga
Effective: 6/9/08
Violation: 2831.1, 2832.1, 2834, 10145, 10177(d)
Suspected for 60 days—30 days stayed for 2 years on terms and conditions

Ortiz, Carmen L. (RES)
215 North H St., Oxnard
Effective: 6/17/08
Violation: 10130, 10177(d)
Suspected for 60 days—30 days stayed for 2 years on terms and conditions

Prather, Jeffrey Louis (REB, REO)
24422 Avenida de la Carlota #350, Laguna Hills
Effective: 6/11/08
Officer of: The FHL Financial Group
Violation: 2831, 2831.1, 2832.1, 2950(h), 10145, 10159.2, 10176(g), 10177(d)(g)(b), 10238(f)
Suspected for 60 days—stayed for 2 years on terms and conditions

Richco Real Estate Services (REC)
396 S. Euclid Ave., Upland
Effective: 6/11/08
Violation: 2831.2, 2832.1, 10145, 10177(d)
Suspected for 60 days—stayed for 2 years on terms and conditions

Smith, Boby Warren (REB, REO)
396 S. Euclid Ave., Upland
Effective: 6/11/08
Officer of: Richco Real Estate Services
Violation: 2831.2, 2832.1, 10145, 10177(d)
Suspected for 60 days—stayed for 2 years on terms and conditions

The FHL Financial Group (REC)
24422 Avenida de la Carlota #350, Laguna Hills
Effective: 6/11/08
Violation: 2832.1, 2950(h), 10145, 10177, 10240
Suspected for 60 days—30 days stayed for 2 years on terms and conditions

Winter 2008 Real Estate Bulletin — Page 8
Eugene Burger Management Corporation (REC)  
6000 Hunter Dr., Rohrert Park  
Effective: 8/14/08  
Violation: 2831, 2831.1, 2832(a), 10145, 10148, 10177(d)  
Suspended for 5 days—stayed for one year on terms and conditions

Investment Grade Loans, Inc. (REC)  
475 S. San Antonio Rd., Los Altos  
Effective: 6/11/08  
Violation: 2831, 2831.1, 2832, 10145, 10148, 10177(d), 10238(d)  
Suspended for 90 days—stayed for 2 years on terms and conditions

Alton Management Corporation (REC)  
530 Oak Grove Ave., Ste. 101, Menlo Park  
Effective: 8/25/08  
Violation: 2831, 2832(a), 10130, 10137, 10145, 10148, 10176(h)  
Suspended for 90 days—stayed for 2 years on terms and conditions

Blackburn & Brown Mortgage Co. Inc. (REC)  
4811 Chippendale Dr., Ste. 101, Sacramento  
Effective: 7/30/08  
Violation: 10159.2, 10177(d)(g)(b)  
Suspended for 90 days—stayed for 2 years on terms and conditions

Blackburne, George III (REB)  
4811 Chippendale Dr., Ste. 101, Sacramento  
Effective: 7/30/08  
Violation: 10159.2, 10177(d)(g)(b)  
Suspended for 90 days—stayed for 2 years on terms and conditions

Valdivia, Alexis Mae (REB)  
44 Foxxridge Rd., Orroville  
Effective: 6/5/08  
Violation: 10159.2, 10177(d)(g)(b)  
Suspended for 60 days—stayed for 2 years on terms and conditions

Ayala, Henry Robert (REB, REO)  
13352 Duncan Dr., Moreno Valley  
Effective: 7/9/08  
Officer of: MHP, Inc.  
Violation: 2831, 2831.1, 2832, 10145(a), 10159.2, 10177(d)  
Suspended for 60 days—stayed for 2 years on terms and conditions

Barry, Daniel Joseph (REB)  
6033 Paseo Delicias, Ste. K, Rancho Santa Fe  
Effective: 7/16/08  
Violation: 10137  
Suspended for 50 days—stayed for 2 years on terms and conditions

Barry, Laura Ann (RES)  
PO Box 2813, Rancho Santa Fe  
Effective: 7/16/08  
Violation: 10139  
Suspended for 50 days—stayed for 2 years on terms and conditions

Puhek, Louis John (REB, REO)  
1645 Capalina Rd., Ste. 800, San Marcos  
Effective: 7/10/08  
Officer of: Zip Code Properties, Inc.  
Violation: 10159.2, 10177(d)(b)  
Suspended for 60 days—stayed for 2 years on terms and conditions

Strange, Shannon Kay (REB, REO)  
76899 London Court, Palm Desert  
Effective: 6/17/08  
Officer of: KMG Mortgage Services, Inc.  
Violation: 10177(d), 10177.4  
Suspended for 90 days—stayed for 1 year on terms and conditions

Zip Code Properties, Inc. (REC)  
1645 Capalina Rd., Ste. 800, San Marcos  
Effective: 7/10/08  
Violation: 10177(d), 10177.4  
Suspended for 60 days—stayed for 2 years on terms and conditions

Ginter and Brown Realty (REC)  
930 W. Wood St., Willows  
Effective: 6/11/08

Lino, William Bettencourt (REB)  
220 N. Crawford Ave., Willows  
Effective: 6/11/08

Cheng Capital Investments (REC)  
2171 India St., Ste. Q, San Diego  
Effective: 7/15/08

Cheng, Willard Will (REB)  
3900 Fifth Ave., Ste. 340, San Diego  
Effective: 7/14/08 and 7/15/08

Continued on next page
Winter 2008

Real estate auctions — licensing requirements and other matters

In today’s housing market, auctions are increasingly being used to sell real property. An indication of their popularity is the number of radio, television, newspaper and Internet advertisements promoting real estate auctions. However, the use of auctions as a marketing and sales strategy is not new. Auctions have certain advantages such as bringing together multiple parties to compete for the property or properties, and the ability to set the terms and a date certain for the sale of the property or properties. But they do raise some issues related to the laws and regulations enforced by the Department of Real Estate (DRE).

License Requirements

A real estate broker license is not required for the people who simply “cry” or “call” an auction, unless they do more in connection with the sale and/or financing of the properties solicited for sale and then sold by auction.

Yet a California real estate license is required to solicit sellers and buyers of real property. In addition, a real estate license is required to negotiate the price that is established through the auction, the actual contract for the sale of the property, and other documents relating to the purchase of the real property after the bidding has been concluded. Consequently, a real estate licensee must be on site during the auction calling process.

Properties offered for sale at auctions are often made available for inspection by prospective buyers prior to the auction. Use of unlicensed assistants to sit at the properties during the inspections is allowed so long as they do not engage in any activity that would be considered soliciting or negotiating. For example, unlicensed assistants would be allowed to hand out pre-printed materials but not discuss the price or any features of the house.

To the extent that the property to be auctioned is promoted prior to the auction, a responsible real estate licensee is required to ensure compliance with the DRE’s prohibition against false and misleading advertising. Furthermore, any dissemination of print, radio, Internet and/or television advertisements, or even “cold-calling” on the telephone, that is designed to cause someone to buy or sell a home through an auction constitutes solicitation and requires a real estate license.

For a fuller understanding of the activities which require a real estate license, see Section 10131 of the California Business and Professions Code (B&P).

Internet Auctions

Real estate agents who participate in activities requiring a license in the context of an Internet auction are subject to the same licensing and other rules as “brick and mortar” brokerages. For instance, all brokers licensed by DRE are required to have a definite place of business within the State of California (B&P §10162). So brokers who conduct business over the Internet are required to have and maintain a definite place of business where the license is displayed and where consultations with clients are or can be held.

In California, Internet auctions of properties "being foreclosed" (under the power of sale in a deed of trust or mortgage) are not permitted. Sales of foreclosures via the auction process can only be consummated when bidders are present and bid in person in the county or counties where the properties are located. See California Civil Code §2924(g). Once the foreclosure is consummated the property can subsequently be sold via the Internet auction.

Section 2770 of the Real Estate Commissioner’s Regulations provides information regarding advertising and the dissemination of information on the Internet.

Licensees from Other States

A real estate license issued by another State is not sufficient to conduct licensed real estate auction activity in California since California does not have reciprocity with any other State.

Property Disclosures

As with other real estate sales, all known defects affecting the value or desirability of the property to be auctioned must be disclosed. This includes disclosure of extrinsic facts not related to the physical condition of the property. For example, a death must be disclosed if it occurred on the property within 3 years of the date of the offer to purchase.

Subdivisions

A seller who sells real property located in a subdivision (as defined in B&P §11000, §11000.1 and §11004.5) through an auction is required to comply with the Subdivided Lands Law. That means a Public Report must be obtained and provided to prospective purchasers [B&P §11018.1 (a)].

Auction Parameters and Rules

In addition to all of the above, a seller using the auction process must clearly disclose to all potential buyers, among other things, the type of auction, bidding rules and methods, and qualifications, restrictions, and disclaimers being used for the sale.
Real estate publications

Ordering information
DRE publications are available:

On the Internet — All DRE publications are available free of charge on the DRE Web site at www.dre.ca.gov.

In person from District Offices — Complete Parts A, B, and C (if appropriate). Offices are located in Sacramento, Los Angeles, Oakland, Fresno, and San Diego.

By mail — Photocopy or remove this page from your Bulletin. Complete Parts A, B, and C (if appropriate). Mail it with the proper fee to:

Department of Real Estate
Book Orders
P.O. Box 187006
Sacramento, CA 95818-7006

By fax — Complete Parts A, B, and C. Fax form to (916) 227-0361.

By phone — Have credit card information ready, then call Book Order desk at (916) 227-0852.

Acceptable payment methods

- Personal check, cashier’s check or money order should be made payable to: Department of Real Estate.
- VISA, MasterCard, and American Express credit cards may be used to purchase DRE publications.
- Cash is acceptable only if purchasing in person and only if it’s the exact amount of purchase.

California sales tax

Use 7.25% tax rate, unless purchase location or delivery address is in the following counties: Alameda (8.25%), Fresno (7.875%), Los Angeles (8.25%), Marin (7.75%), Sacramento (7.75%), and San Diego (7.75%). Requests and fees will be returned if the appropriate sales tax is not included.

| PART A | PUBLICATIONS |
|---|---|---|---|
| DRE | RE# | Title of Publication | Cost | Quantity | Your Cost |
| 1 | Reference Book — A Real Estate Guide (Rev. 2000) | $20 | | |
| 2 | 2009 Real Estate Law Book & CD set (available February 1, 2009) | $25 | | |
| 6 | Disclosures in Real Property Transactions | $10 | | |
| 8 | Operating Cost Manual for Homeowner Associations | $10 | | |
| 25 | Reserve Cost Guidelines for Homeowner Association Budgets | $10 | | |
| 4 | Instructions to License Applicants | free | | |
| 13 | Trust Funds | free | | |
| 34 | A Guide for Residents Purchasing Their Mobile Home Park | free | | |
| 35 | Trust Deed Investments — What You Should Know!! | free | | |
| 35A | Using the Services of a Mortgage Broker | free | | |
| 39 | Living in a California Common Interest Development | free | | |
| 51 | A Consumer Guide to Filing Real Estate Complaints | free | | |
| 52 | Reverse Mortgages — Is One Right for You? | free | | |

| PART B | SHIPPING INFORMATION |
|---|---|---|---|
| | SHIPPI NG NAME | LICENSE OR EXAM ID# | |
| | SHIPPING ADDRESS | | |
| | CITY | STATE | ZIP CODE |
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| PART C | CREDIT CARD PURCHASE |
|---|---|---|---|
| | METHOD OF PAYMENT | ACCOUNT NUMBER | EXPIRATION DATE OF CARD |
| | VISA | MASTERCARD | AMERICAN EXPRESS | |
| | AMOUNT AUTHORIZED | SIGNATURE OF CARDHOLDER | DATE |
| | PRINTED NAME OF CARDHOLDER | TELEPHONE NUMBER | |

* See tax information above.
Real estate law book and CD

Each year, the Real Estate Law Book and CD is updated to reflect changes in laws and regulations.

The 2009 Real Estate Law Book and CD will be available online free of charge on January 1, 2009, and in print for purchase near late January 2009. This important reference for licensees contains:

- The Real Estate Law (from the Business and Professions Code);
- The Real Estate Commissioner’s Regulations (from the California Code of Regulations);
- Portions of the Administrative Procedure Act (from the Government Code); and
- Pertinent excerpts from various California Codes.

The cost will be $25, plus tax. Orders will be accepted after January 1, 2009. Use the order form on page 11 or submit a Publications Request (RE 350). (The RE 350 is available on the DRE Web site or from any District Office.)

Moved or moving? New address? Use the eLicensing online system at www.dre.ca.gov to make the change or submit the appropriate “change” form: RE 214 for salespersons; RE 204 for brokers; RE 204A for corporations.

Job analysis and testing procedures study of 2008

The Department has entered into an Agreement with CPS Human Resource Services (CPS) to perform a reevaluation and update of the “Job Analysis and Testing Procedures Study”. The purpose of this project is to identify the knowledge, skills and abilities (KSAs) that are a necessary part of the practice of real estate so they may be reflected in the real estate licensing examinations.

An important task of this project is to obtain the assistance of industry practitioners to help define the scope of the business to develop a current occupational analysis of KSAs. A survey is being developed as the first step in the process. Early next year, the survey will be posted on CPS’s Web site. DRE’s Web site, www.dre.ca.gov will also contain a link to the survey. We request your participation in completing the survey to ensure the study produces the most current and pertinent KSAs that are required of an individual entering the real estate field. An announcement will be posted on our Web site when the survey is available.