



# Real Estate Bulletin

Providing Service, Protecting You

## COMMISSIONER'S MESSAGE



Over the past year and a half, the DRE has committed considerable resources to combat loan modification scams.

The Department is currently investigating over 1,300 loan modification complaints and, in just the past 12 months, has issued over 400 desist and refrain orders and accusations against respondents for illegally collecting advance fees. Most of the cases involve an unlicensed scammer who has collected an advance fee in exchange for a promise that the homeowner will receive a sustainable loan modification; yet once the fee was paid little or nothing was done to get the borrower's loan modified. A list of persons and companies that the Department has taken action against can be found at [http://www.dre.ca.gov/cons\\_drs.asp](http://www.dre.ca.gov/cons_drs.asp).

But, late last year, help arrived. On October 11, 2009, the Governor signed Senate Bill 94. This measure goes right to the heart of the fraud as it prohibits any person, including real estate licensees and attorneys, from demanding, claiming, charging, collecting or receiving an upfront fee from a borrower in connection with a promise to modify the borrower's residential loan or to do some other form of mortgage loan forbearance. The advance fee prohibition for loan modification and forbearance services applies to residential property containing four or fewer dwelling units. And as an urgency bill, it went into effect immediately.

The new bill also requires the following

written disclosure in at least 14 point bold type regarding loan modification and/or loan forbearance services prior to entering into any fee agreement with a borrower:


"It is not necessary to pay a third party to arrange for a loan modification or other form of forbearance from your mortgage lender or servicer. You may call your lender directly to ask for a change in your loan terms. Nonprofit housing counseling agencies also offer these and other forms of borrower assistance free of charge. A list of nonprofit housing counseling agencies approved by the United States Department of Housing and Urban Development (HUD) is available from your local HUD office or by visiting [www.hud.gov](http://www.hud.gov)."

If loan modification or other loan forbearance services are negotiated or offered in Spanish, Chinese, Tagalog, Vietnamese, or Korean, a translated copy of the disclosure above must be given to the borrower in that foreign language.

A violation of the law can result in fines and up to a year in jail.

The prohibition regarding advance fees for loan modification and forbearance services will be repealed on 1/1/2013 unless extended by the legislature. The requirement to provide a written disclosure that it is not necessary to pay a third party for loan modification services will not sunset in 2013.

While it is unlikely SB 94 will stop all mortgage fraud scams, the bill will help immensely in ridding the marketplace of unlicensed and unscrupulous profiteers, and that will help ensure consumers receive the protections they deserve.

For a copy of Senate Bill 94, visit [www.leginfo.ca.gov](http://www.leginfo.ca.gov) and click on "Bill Information". Information is also available from the California Department of Real Estate at [www.dre.ca.gov](http://www.dre.ca.gov). 

## Clarifying the license ID number disclosure requirement

The Department has received many inquiries from licensees requesting clarification of the requirements of California Business & Professions Code (B&P) Section 10140.6, which took effect on July 1, 2009. Among other things, that section requires licensees who are acting as agents in transactions to disclose their license numbers on all solicitation materials intended to be the first point of contact with consumers, and on real property purchase agreements when acting as agents in those transactions.

The new law was created in part as a reaction to the increasing use of "nicknames" by licensees (names which are not the licensee's legal name as it appears on the license or the Department's database). The timing of this issue coincided with the unprecedented entry of unlicensed individuals into the home loan modification arena and resulting mortgage fraud schemes. The public has good reason to seek assurance that the person soliciting them to provide services in real estate related transactions is properly licensed.

With the enactment of §10140.6, the Legislature, the Governor, the Department, and industry leaders agree that it is time for licensees to make clear their licensed status from the moment an initial contact with a consumer is made. This practice has already been adopted by other licensed professions, such as contractors, and similar disclosures are made by attorneys. Experienced attorneys, in particular, display their relatively low license number with pride; the same scenario can be applicable to the real estate license number.

To clarify the new law, the Commissioner prepared and adopted

Continued on page 9

**REAL ESTATE BULLETIN**

Official Publication of the California Department of Real Estate

Vol. 69, No. 4

Winter 2009

**STATE OF CALIFORNIA**

Arnold Schwarzenegger, Governor

**Business, Transportation and Housing Agency**

Dale Bonner, Secretary

**Department of Real Estate**

Jeff Davi, Commissioner

**Administration**Barbara Bigby, *Chief Deputy Commissioner*Maria Giuriato, *Real Estate Industry & Consumer Liaison*Wayne Bell, *Chief Counsel*William E. Moran, *Assistant Commissioner, Enforcement*Chris Neri, *Assistant Commissioner, Subdivisions*Steve Ellis, *Assistant Commissioner, Administrative Services*Fa-Chi Lin, *Chief Auditor*Thomas L. Pool, *Assistant Commissioner, Legislation & Public Information Services*Larry Cannon, *Managing DC IV, Licensing & Exams*Joe Carrillo, *Managing DC IV, Law Enforcement Coordinator***Real Estate Bulletin**Thomas L. Pool, *Editor*Rosa Arellano, *Publications Deputy*Jenny Brinlee, *Production Editor***NORTHERN ENFORCEMENT AREA — DISTRICT OFFICES**Charles "Bill" Koenig, *Managing Deputy Commissioner IV***FRESNO DISTRICT OFFICE**Luke Martin, *Managing Deputy Commissioner III*2550 Mariposa Mall, Suite 3070, **Fresno**, 93721-2273

Consumer Information..... 559-445-5009

**OAKLAND DISTRICT OFFICE**Ed Haberer, *Managing Deputy Commissioner III*1515 Clay Street, Suite 702, **Oakland**, 94612-1462

Consumer Information..... 510-622-2552

**SACRAMENTO DISTRICT OFFICE**Tricia Sommers, *Managing Deputy Commissioner III*2201 Broadway, **Sacramento**

Mailing Address: P.O. Box 187000, Sacramento, 95818-7000

Consumer Information.....916-227-0864

**SOUTHERN ENFORCEMENT AREA — DISTRICT OFFICES****LOS ANGELES REGION NORTH AND SAN DIEGO DISTRICT OFFICES**Phillip Ihde, *Managing Deputy Commissioner IV*Robin Trujillo, *Managing Deputy Commissioner III*320 W. 4th Street, Suite 350, **Los Angeles**, 90013-1105

Consumer Information.....213-620-2072

Joseph Aiu, *Managing Deputy Commissioner III*1350 Front Street, Suite 3064, **San Diego**, 92101-3687

Consumer Information.....619-525-4192

**LOS ANGELES REGION SOUTH AND BILINGUAL OUTREACH & ADVOCACY**Dolores Weeks, *Managing Deputy Commissioner IV*Maria Suarez, *Managing Deputy Commissioner III*320 W. 4th Street, Suite 350, **Los Angeles**, 90013-1105

Consumer Information.....213-620-2072

Spanish Language Consumer Assistance.....213-576-6878

**SUBDIVISIONS NORTH— SACRAMENTO DISTRICT OFFICE**Wes Jigour, *Managing Deputy Commissioner III*

2201 Broadway, Sacramento

Mailing Address: P.O. Box 187005, **Sacramento**, 95818-7005

Consumer Information.....916-227-0813

**SUBDIVISIONS SOUTH — LOS ANGELES DISTRICT OFFICE**Robert D. Gilmore, *Managing Deputy Commissioner IV*320 W. 4th Street, Suite 350, **Los Angeles**, 90013-1105

Consumer Information.....213-576-6983

## Homeowners and private investors - beware!


It is important for licensees to be vigilant in this challenging real estate market and be well informed of investment schemes meant to defraud the public. One such scheme is a home-saving program allegedly involving private investors wanting to assist struggling homeowners. Those who market this plan say that they assist private investors in identifying and acquiring distressed mortgages from lenders whose borrowers are no longer able to afford their mortgages. These companies promise to make it possible for private investors to obtain very high returns in short periods of time and to capitalize on reduced home prices, while also making it possible for the distressed homeowner to be able to keep their home. Private investors and distressed homeowners should beware of these offerings.

Under these cleverly devised schemes, purported to be "foreclosure reinstatement programs", the company promises to match delinquent borrowers with private investors who are willing to purchase the now under-secured mortgage asset from the lenders and refinance the distressed borrower into a new fixed payment mortgage, ultimately lowering their monthly payment. They suggest that the program is a win-win situation and claim that their emphasis is to purchase mortgage notes from lenders at discounts, and then to restructure the new loan terms at an affordable monthly mortgage and give the homeowner-turned-buyer/borrower an equity interest in the property while at the same time, the private investor has an immediate profit. An example of how the "foreclosure reinstatement program" allegedly works is as follows:

<b>Loan Balance (now in default):</b>	<b>\$550,000</b>
<b>"Current" Market Value:</b>	<b>\$325,000</b>
<b>Re-purchase price (by investors):</b>	<b>\$200,000</b>
<b>Borrower refinances to a new loan (to investors) amount of: (95% LTV of "Current" Market Value)</b>	<b>\$308,725</b>
<b>Homeowner/Borrower Equity (5% LTV)</b>	<b>\$ 16,250</b>
<b>Investors Immediate profit (\$308,725 - \$200,000 = \$108,725)</b>	<b>\$108,725</b>

The program may call for the homeowners to pay a one-time set-up fee of \$3,500.00 or more, with additional fees required per month if a notice of default had been filed against the property. In addition, homeowners may be required to make payments into a reserve account instead of to their original lender; all indications of possible fraudulent and misleading acts. First of all, pursuant to California Business and Professions Code(B&P) Section 10131(d), it is unlawful to solicit borrowers or lenders for or negotiate loans, collect payments, or perform services for borrowers or lenders or note owners in connection with loans secured directly or collaterally by liens on real property or on a business opportunity unless they are licensed as a real estate broker. Second, these types of transactions are misleading at best and fraudulent at worst since lenders are under no obligation to enter into negotiations with the companies' representatives nor are lenders required to consider such offerings. Licensees are urged to be aware of these schemes and are encouraged to educate their clients to become vigilant to these types of solicitations and forward this information to the Department so that we may seek disciplinary action against those intent on harming the public.

In addition, we recommend licensees inform their clients who are private investors that the Securities and Exchange Commission (SEC) has filed a complaint in June of 2009 against such a company, alleging that in 2006 and 2007, the company recruited approximately 150 investors in California and several other states promising returns of 40% in as little as 30 days raising approximately \$6 million. The SEC alleged that the company assured the investors that their investments were secured by deeds of trust; they were not.

These are very unsettling times in the real estate market and it is important that as licensees you become familiar with the schemes being perpetrated against the public to protect your clients from such unsavory characters. 

## Another update on the SAFE Mortgage Licensing Act

In the last two issues of the Real Estate Bulletin and the Spring 2009 issue of the Mortgage Loan Bulletin, we discussed the Federal Secure and Fair Enforcement Mortgage Licensing Act (SAFE Act) of the Housing and Economic Recovery Act of 2008. The bill was signed into law on July 30, 2008, to enhance consumer protection and reduce fraud in mortgage loan transactions. SAFE requires all 50 states and 5 territories to put into place a licensing system for residential mortgage loan originators that meets the minimum requirements of the SAFE Act. We reported that the Conference of State Bank Supervisors (CSBS) and the American Association of Residential Mortgage Regulators (AARMR) created, and will maintain, the Nationwide Mortgage Licensing System and Registry (NMLS&R) with oversight by the Department of Housing and Urban Development (HUD). The NMLS&R will contain a single license record for each mortgage loan lender, broker, branch and mortgage loan originator which can be used to apply for, amend, and renew a license in any state.

California State Senate Bill 36 (SB 36) was signed in October and allows DRE to implement the requirements of the SAFE Act. SB 36 also has a mandatory activity notification requirement for all mortgage loan originators, including residential, commercial, non-residential, and loan servicers which must be completed on RE Form 866. The form must be completed at the DRE web site or submitted to DRE by January 31, 2010.

Real estate licensees who meet the definition of a residential mortgage loan originator (MLO) must meet the requirements outlined in the SAFE Act by December 31, 2010. After all of the requirements are met, DRE will issue a mortgage loan originator (MLO) license endorsement as authorized under a separate real estate license. This endorsement will need to be renewed every year. This endorsement will carry a nationwide identification number known as a "unique identifier" which will be assigned by the NMLS&R when a MLO applicant registers on the system. The DRE license identification number will continue to be used for the "base" real estate license and the term of the real estate license will not change. Real estate licensees will continue to be responsible for filing the necessary renewal and change requirements to

maintain their four year real estate license.

Following are the requirements to obtain an MLO license endorsement for existing real estate licensees. New licensees who obtained their original real estate license after December 31, 2009, and who wish to conduct MLO license activities, should consult the DRE website for the most current requirements.

Applicants must successfully complete both the National and California Unique State component of the SAFE written examination, administered by a NMLS&R vendor. The two components are administered separately. The National component of the examination is currently available to be taken by all applicants. For further information regarding the examination application and scheduling process, fees, and examination content, you may visit the NMLS&R Resource Center at <http://mortgage.nationwidelicencingsystem.org> and click on the Professional Requirements tab. The California State component is under development and expected to be available in late February. Additional information will be added to the DRE Web site as it becomes available.

The SAFE Act prohibits the issuance of a MLO license endorsement if an applicant has ever been convicted of a felony involving an act of fraud, dishonesty, breach of trust, or money laundering, or convicted of any felony in the seven year period before filing an application for an endorsement. In addition, the SAFE Act prohibits the issuance of a MLO endorsement if an applicant has ever had a loan originator license revoked in any governmental jurisdiction. Finally, the SAFE Act requires that applicants have demonstrated financial responsibility, character, and general fitness as to command the confidence of the community and warrant a determination that the MLO will operate honestly, fairly, and efficiently. Applicants are cautioned to not initiate examination arrangements if their background history conflicts with any of these requirements, since examination and MLO license application fees are non-refundable.

Applicants must have completed 20 hours of pre-license education in specified areas through a provider approved by CSBS. Current DRE licensees with pre-license education which was completed for their real estate license may have already satisfied this requirement. DRE is awaiting a final determination that will be posted on the

DRE Web site as soon as it is known.

Applicants will be required to file an on-line MLO license endorsement application on the NMLS&R which will include the payment of application fees after DRE officially becomes part of the system in March 2010. Fees are charged by the registry and the DRE. Check the DRE Web site for further details and updates.


All applicants must submit a new set of fingerprints using a NMLS&R live scan vendor. This is a separate set of fingerprints from those which were previously taken to obtain a real estate license. Applicants will be allowed to make an appointment to get their fingerprints taken during the on-line MLO license application process.

All applicants will be required to authorize the NMLS&R to obtain a credit report from a consumer reporting agency as part of the on-line application process.

Current licensees who complete the requirements to obtain a MLO license endorsement prior to January 1, 2011, will be expected to complete eight hours of continuing education in specific topics by the end of 2011 in order to renew their license endorsement for 2012. That continuing education requirement is distinct and separate from the 45 hour continuing education requirement to renew a real estate license.

SB 36 provides that licensees may not conduct MLO activities after December 31, 2010 without complying with the mandatory activity notification requirement (RE 866) and having MLO license endorsement. Failure to comply with both requirements can result in an assessed penalty of fifty dollars (\$50) per day for the first 30 days and \$100 per day thereafter up to a total of \$10,000.

Licensees who intend to conduct residential MLO activities beyond December 31, 2010, are encouraged to start completing the MLO license endorsement requirements as early as possible in 2010, due to the number of steps that must be completed. Reasonable efforts should be made to complete all necessary application requirements no later than November 1, 2010 in order to allow for any needed application corrections.

Additional information on the SAFE Act and NMLS&R can be obtained at <http://mortgage.nationwidelicencingsystem.org> and at [www.csbs.org](http://www.csbs.org). Questions can also be directed to the DRE's Mortgage Loan Activities Unit at (916) 227-0770. 

## Disciplinary action: June 2009 - August 2009

- 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](http://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

2715	Licensee's failure to maintain current business or mailing address with DRE
2725	Failure of broker to exercise reasonable supervision over the activities of his or her salespersons
2726	Failure to have broker-salesperson agreements
2830.1	Impound trust account handling
2731	Unauthorized use of fictitious business name
2742(c)	Failure of corporation to be in good standing
2752	Broker's failure to notify DRE of salesperson employment
2753	Broker's failure to retain salesperson's license at main office or return the license at termination of employment
2831	Failure to keep proper trust fund records
2831.1	Inadequate separate trust fund beneficiary records
2831.2	Failure to reconcile trust account
2832	Failure to comply with trust fund handling provisions
2832(a)	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
2832(d)	Failure of broker holding trust funds contingent on offer of acceptance to properly place funds within three days of acceptance.
2832(e)	Failure of broker acting as escrow holder to deposit trust funds in trust account by next business day following receipt
2832.1	Failure to obtain permission to reduce trust fund balance in a multiple beneficiary account
2834	Trust account withdrawals by unauthorized or unbonded person
2835	Retention of broker funds in trust accounts
2840	Failure to give approved borrower disclosure
2848	Violation of mortgage loan advertising rules
2950(d)	Failure of broker handling escrows to maintain records and accounts
2950(f)	Failure to deposit escrow trust funds
2950(g)	Broker-handled escrow disbursement without written instructions
2951	Improper record keeping for broker handled escrows

### BUSINESS AND PROFESSIONS CODE

490	Substantially related criminal conviction
10085	Failure to submit advance fee materials
10130	Acting without license
10137	Unlawful employment or payment of compensation

10145	Trust fund handling
10145(c)	Failure by salesperson to deliver trust funds to broker
10146	Advance fee handling
10148	Failure to retain records and make available for inspection
10159.2	Failure by designated officer to supervise licensed acts of corporation
10159.5	Failure to obtain license with fictitious business name
10160	Failure to maintain salesperson licenses in possession of broker
10161.8	Failure of broker to notify Commissioner of salesperson employment
10162	Failure to maintain a place of business
10163	Failure to obtain a branch office license
10165	Failure to comply with specified B&P code sections
10176(a)	Making any substantial misrepresentation
10176(b)	Making false promise
10176(c)	Continued & flagrant course of misrepresentations through salespersons
10176(d)	Failure to disclose dual agency
10176(e)	Commingling trust funds with brokers funds
10176(f)	Exclusive listing agreements without definite termination date
10176(g)	Secret profit or undisclosed compensation
10176(h)	Secret profit under option agreement
10176(i)	Fraud or dishonest dealing in licensed capacity
10177(a)	Procuring a real estate license by misrepresentation or material false statement
10177(b)	Conviction of crime
10177(c)	False advertisement
10177(d)	Violation of real estate law or regulations
10177(e)	Willfully using term "Realtor" or any trade name or insignia of membership in any real estate organization of which licensee is not a member
10177(f)	Conduct that would have warranted denial of a license
10177(g)	Negligence or incompetence in performing licensed acts
10177(h)	Failure to supervise salespersons or licensed acts of corporation
10177(i)	Improper use of governmental employment giving access to confidential records
10177(j)	Fraud or dishonest dealing as principal
10177(k)	Violation of restricted license condition
10177.5	Civil fraud judgment based on licensed acts
10232.25	Failure to file trust fund status reports
10232.4	Failure to give lender/purchaser disclosure
10232.6	Failure to disclose fair market value
10233	Failure of MLB to have written servicing agreement
10235	False advertising in mortgage loan activities
10236.4	Failure to include license number or DRE License Information telephone number in documents
10238(a)	Failure of broker to notify Commissioner within 30 days of 1st mortgage transaction or of any material change in required notice
10238(f)	Violation of restriction to sell notes in excess of 10 to qualified persons
10238(h)	Exceeding loan-to-value limits
10238(i)	Failure to document that majority owners govern transactions
10238(j)	Violation of trust fund handling and records maintenance
10238(k)	Failure to have written agreement
10238(o)	Failure to report business activities
10238(p)	Failure to report business activities
10240	Failure to provide mortgage loan disclosure statement
10240(a)	Failure to provide mortgage loan disclosure statement
11018.2	Sale of subdivision lots without a public report

### FINANCIAL CODE

4973(b)(1)	Violation of covered loan prohibitions regarding negative amortization & installment payment totals
4973(k)(1)	Failure to provide covered loan consumer notice
4975 et seq.	Violation of covered loan requirements

## REVOKED LICENSES

## FRESNO REGION

- Barragan, Maria Elena (RES)**  
2113 Maid Mariane Ln., Modesto  
Effective: 7/30/09  
Violation: 490, 10177(b)
- Blake, Robin Glenn (REB)**  
2332 E. Bellevue Rd., Atwater  
Effective: 6/4/09  
Violation: 490, 10177(b)
- Carlin, Daniel Patrick (REB)**  
4584 E. Sierra Madre, Ste. C, Fresno  
Effective: 6/12/09  
Violation: 490, 10177(b)
- Escudero, Jaime (RES)**  
407 Lincoln St., Bakersfield  
Effective: 6/2/09  
Violation: 490, 10177(b)
- Haro, Ruby (RES)**  
923 Rolling Oak Ct., Modesto  
Effective: 6/17/09  
Violation: 10130, 10177(d)(j)
- Hurtado, Simon (RES)**  
631, E. Alvin Dr., Ste. I, Salinas  
Effective: 7/20/09  
Violation: 490, 10177(b)
- James, Anastasia Elizabeth (RES)**  
3419 Whisper Sands Ave., Rosamond  
Effective: 6/2/09  
Violation: 490, 10177(b)
- Johnson, Edith Marie (RES)**  
519 Seabright Ave. #213, Santa Cruz  
Effective: 6/4/09  
Violation: 10130, 10176(a)(i), 10177(d)
- Jones, Todd Erwin (RES)**  
PO Box 1608, Capitola  
Effective: 6/2/09  
Violation: 490, 10177(b)
- Sexton, Keri M. (RES)**  
3813 Dillingham, Modesto  
Effective: 6/4/09  
Violation: 10176(i)
- LOS ANGELES REGION**
- ABC Mortgage Realty & Property Management, Inc. (REC)**  
670 E. Parkridge Ave. #100, Corona  
Effective: 8/11/09  
Violation: 2742, 10165, 10177(d)(f)(g)
- Acreage Funds, Inc. (REC)**  
4037 Phelan Rd., Ste. C-1, Phelan  
Effective: 7/20/09  
Violation: 2715, 2742(c), 10148, 10162, 10165, 10176(i), 10177(d)(f)(g)
- Armstrong, Erik Anthony (RES)**  
13707 Birkhall Ave., Bellflower  
Effective: 6/29/09  
Violation: 490, 10177(b)
- Ashley, Calvin Sylvester (REB)**  
8355 Willis Ave. #2, Panorama City  
Effective: 6/11/09  
Violation: 2831, 2831.1, 2832(a), 2840, 10145, 10177(d)(g), 10240, 10236.4
- B2B Realty & Investment, Inc. (REC)**  
3700 Wilshire Blvd. #740, Los Angeles  
Effective: 6/10/09  
Violation: 10176(j)

- Bedol, Michael David (RES)**  
11 E Huntington Dr., Arcadia  
Effective: 6/11/09  
Violation: 10145(c), 10176(a)(i), 10177(d)(g)
- Berlinsky, Ronald (RES)**  
430 Via Calinas, Westlake Village  
Effective: 8/12/09  
Violation: 490, 10177(b)
- Blake, Rebecca Suanne (RES)**  
9901 Irvine Center Dr., Irvine  
Effective: 7/13/09  
Violation: 10085, 10130, 10145, 10146, 10176(a)(b), 10177(d)(g)(j)
- BLoans Financial, Inc. (REC)**  
56925 Yucca Trail PMB 213, Yucca Valley  
Effective: 8/11/09  
Violation: 2742, 10177(d)(f)(g)
- Blomfield, Jeanne Bonnie (RES)**  
129 Oliver Rd., Santa Barbara  
Effective: 6/22/09  
Violation: 490, 10177(b)
- Broadway Financial Group, Inc. (REC)**  
17418 Chatsworth St., Ste. 102, Granada Hills  
Effective: 7/9/09  
Violation: 10130, 10162, 10177(d)(g)
- Coleman, Craig Lee (RES)**  
1791 Ravenscrest Dr., Brea  
Effective: 6/22/09  
Violation: 490, 10177(b)
- Costa, Richard George (RES)**  
24872 Sherwood Way #A, Dana Point  
Effective: 8/31/09  
Violation: 490, 10177(b)
- David H. Chung (REB, REO)**  
4037 Phelan Rd., Ste. C-1, Phelan  
Effective: 7/20/09  
Officer of: Acreage Funds, Inc.  
Violation: 2715, 2742(c), 10148, 10159.2, 10162, 10165, 10176(i), 10177(d)(f)(g)(h)
- Elreda, Mohamad Khalil (RES)**  
6310 Otis Ave. #B, Bell  
Effective: 6/22/09  
Violation: 490, 10177(b)
- Epstein, Scott Allen (RES)**  
26834 W. Hot Springs Pl., Calabasas  
Effective: 8/11/09  
Violation: 490, 10177(b)
- Franco, Guadalupe (REB)**  
8060 E. Florence Ave., Downey  
Effective: 8/3/09  
Violation: 2848(a)(2), 2848(a)(9), 10176(a)(g), 10177(d)(g), 10235, 10235.5
- Grice, Aggie Lamon (RES)**  
11100 Sepulveda Blvd. #337, Mission Hills  
Effective: 8/3/09  
Violation: 490, 10177(b)(j)
- Griggs, John Clinton (RES)**  
1537 San Bernardino Rd. #F, West Covina  
Effective: 7/9/09  
Violation: 490, 10177(b)

- Hamari, Roy Donald (RES)**  
4011-2H Calle Sonora, Laguna Hills  
Effective: 7/20/09  
Violation: 10177.5
- Hartford Mortgage Services, Inc. (REC)**  
108 Pacifica, Ste. 200, Irvine  
Effective: 6/15/09  
Violation: 2731, 2831, 2831.1, 2832(a), 2840, 10145, 10159.5, 10176(a)(e)(g), 10177(d)(g), 10240, 10236.4
- Healstone Investment Real Estate, Inc. (REC)**  
18818 Teller Ave., Ste. 270, Irvine  
Effective: 7/15/09  
Violation: 2726, 2731, 2752, 10160, 10177(d)(g)
- Hollis, Sunday Norma (RES)**  
2580 N. Soto St. #423, Los Angeles  
Effective: 8/25/09  
Violation: 490, 10177(b)
- John Alle Co. (REC)**  
301 N. Lake Ave., Ste. 1000-A, Pasadena  
Effective: 7/20/09  
Violation: 2742, 10177(d)
- Kanode, Barbara Louise (RES)**  
26402 Paseo Toscana, San Juan Capistrano  
Effective: 6/15/09  
Violation: 490, 10177(b)
- Lyon, Edward (RES)**  
26086 Amable Ct., Valencia  
Effective: 6/22/09  
Violation: 10177(k)
- MacArthur, William Frederick (RES)**  
14118 Estate Way, Victorville  
Effective: 6/22/09  
Violation: 490, 10177(b)
- Macias, Lee Moses (RES)**  
13385 Seneca Rd., Victorville  
Effective: 7/23/09  
Violation: 490, 10177(b)
- Mendez, Gustavo Cerda (RES)**  
9072 Buhman Ave, Downey  
Effective: 6/10/09  
Violation: 490, 10177(b)
- Molina, George Walter (RES)**  
11926 Beaty St., Norwalk  
Effective: 8/11/09  
Violation: 490, 10177(b)
- Namjou, Sean (RES)**  
1753 Appleton, Apt. G, Long Beach  
Effective: 6/11/09  
Violation: 490, 10177(b)
- Nelson, Jeffrey Ryan (RES)**  
10239 Bellman Ave., Downey  
Effective: 8/31/09  
Violation: 490, 10177(b)
- Nguyen, Tuanson (RES)**  
305 Knight Ln., Santa Ana  
Effective: 8/25/09  
Violation: 10177(b)
- O'Brien, James Michel (RES)**  
PO Box 932, Running Springs  
Effective: 6/22/09  
Violation: 490, 10177(b)
- On Line Funding (REC)**  
3915 W. 102<sup>nd</sup> St., Inglewood  
Effective: 6/10/09  
Violation: 2715, 10162, 10165, 10177(d)(g)
- Perry, Marion Anthony (RES)**  
22 Honey Locust, Irvine  
Effective: 7/13/09  
Violation: 10085, 10130, 10145, 10146, 10176(a)(b), 10177(d)(g)(j)
- Pineda, Ariel Dizon (RES)**  
14827 Sherman Way #1, Van Nuys  
Effective: 7/9/09  
Violation: 490, 10177(b)
- Ramos, Luis F. (RES)**  
PO Box 1021, Pomona  
Effective: 6/22/09  
Violation: 490, 10177(b)
- Recendez, Ray F. (RES)**  
1503 N. Second Ave., Upland  
Effective: 6/10/09  
Violation: 490, 10177(b)
- Rockefeller, Devin (REB)**  
940 S. Coast Dr. #245, Costa Mesa  
Effective: 7/20/09  
Violation: 490, 10177(b)
- Saremi, Kamron (RES)**  
27023 McBean Parkway #419, Santa Clarita  
Effective: 6/22/09  
Violation: 490, 10177(b)
- South Coast Financial Mortgage (REC)**  
950 S. Coast Dr. #195, Costa Mesa  
Effective: 7/20/09  
Violation: 10148, 10177(d)
- Suh, Robin (RES)**  
710 Lemonwood, La Habra  
Effective: 6/22/09  
Violation: 490, 10177(b)
- Sweitzer, Dale Alan (REB)**  
4231 Apricot Rd., Simi Valley  
Effective: 7/9/09  
Violation: 490, 10177(b)
- Team One Enterprises, Inc. (REC)**  
9455 Heil Ave., Fountain Valley  
Effective: 7/6/09  
Violation: 2715, 2725, 2742(c), 2752, 10161.8, 10177(d)(g)
- The Real Estate Bank - A Full Service Real Estate and Mortgage Corporation (REC)**  
870 N. Diamond Bar Blvd., Diamond Bar  
Effective: 6/18/09  
Violation: 10137, 10177(d)
- Udall, Casey (RES)**  
141 S. Princeton Ave. #5, Fullerton  
Effective: 6/10/09  
Violation: 490, 10177(b)
- Vasquez, Monica P. (RES)**  
9230 Appleby St., Downey  
Effective: 8/25/09  
Violation: 490, 10177(b)
- Wahl, Jeremy Lawrence (RES)**  
1128 Glenville Dr. #2, Los Angeles  
Effective: 6/15/09  
Violation: 490, 10177(b)
- Williams, John Clyde (RES)**  
2521 Ladoga Ave., Long Beach  
Effective: 6/22/09  
Violation: 490, 10177(b)
- Wilshire Financial Group (REC)**  
10550 Sepulveda Blvd., Ste. 103, Mission Hills  
Effective: 6/1/09  
Violation: 10137, 10177(d)(g)(h)

**Yi, Shaynie S. (RES)**

2680 N. Santiago Blvd., Orange  
Effective: 8/31/09  
Violation: 490, 10177(b)

**OAKLAND REGION****Alvarez, Marco Anton (RES)**

1707 Yellowstone Ave., Milpitas  
Effective: 7/20/09  
Violation: 490, 10177(b)

**Amistad, Florence C. (RES)**

PO Box 611286, San Jose  
Effective: 7/30/09  
Violation: 490, 10177(b)

**Chin, Christopher (RES)**

903 Oceana Blvd. #207, Pacifica  
Effective: 6/2/09  
Violation: 490, 10177(b)

**Connell, Leann (RES)**

10190 Calvert Dr., Cupertino  
Effective: 7/30/09  
Violation: 490, 10177(b)

**Gardner, Diana Annie (RES)**

PO Box 2364, Union City  
Effective: 6/30/09  
Violation: 490, 10177(b)

**Hilltop Financial Mortgage, Inc. (REC)**

860 Hillview Ct. #310, Milpitas  
Effective: 6/2/09  
Violation: 10159.5, 10163, 10165,  
10177(d), 10240(a)

**Hilltop Lending Corporation (REC)**

1851 McCarthy Blvd., Ste. 207-D,  
Milpitas  
Effective: 6/2/09  
Violation: 10137, 10159.5, 10161.8,  
10163, 10165, 10177(d),  
10240(a)

**Jimenez, Pauline Katherine (RES)**

2916 Del Loma Dr., Campbell  
Effective: 8/6/09  
Violation: 490, 10177(b)

**Johnson, Esperanza Nieves (REB)**

949 Stonegate Cir. Oakley  
Effective: 6/29/09  
Violation: 2715, 10137, 10159.2,  
10161.8, 10176(a)(c)(i),  
10177(d)

**Kaba, Ibrahim K. (REB)**

43206 Giovanni Terrace, Fremont  
Effective: 6/2/09  
Violation: 10177(d)(g)(h)

**Landwehr, Lanny P. (RES)**

438 Lilly Ann Way, San Jose  
Effective: 7/20/09  
Violation: 490, 10177(b)

**Lorenz, Erich Andrew (RES)**

1015 Sunshine Cir., Danville  
Effective: 7/20/09  
Violation: 490, 10177(b)

**Phinney, Andy Peter (RES)**

8670 Camino Colegio #168,  
Rohnert Park  
Effective: 7/20/09  
Violation: 490, 10177(b)

**Rangel, Teresa Alejandra (RES)**

74 Cyclamen Ct., San Jose  
Effective: 6/30/09  
Violation: 490, 10177(b)

**Riker Homes, Inc. (REC)**

31 North 2<sup>nd</sup> St., San Jose  
Effective: 6/17/09  
Violation: 10176(a)(i)(j)

**Rodriguez, Armando Jose (RES)**

1700 Tulane St., Union City  
Effective: 6/2/09  
Violation: 490, 10177(b)

**Rospendowski, Linda Susan (REB)**

1458 Hudson St., Ste. 103,  
Redwood City  
Effective: 8/19/09  
Violation: 490, 10177(b)

**Saballos, Mario Roberto (RES)**

325 Dumbarton Ave., Redwood City  
Effective: 8/18/09  
Violation: 490, 10177(b)

**Schindler, Laura J. (RES)**

PO Box 1236, Pacifica  
Effective: 6/8/09  
Violation: 490, 10177(b)

**Schoolcraft, William E. (RES)**

612 Santa Alicia Dr., Rohnert Park  
Effective: 7/20/09  
Violation: 490, 10177(b)

**Signature One Mortgage & Real Estate (REC)**

331 E. Leland Rd., Pittsburg  
Effective: 6/29/09  
Violation: 2715, 10137, 10159.2,  
10161.8, 10176(a)(c)(i),  
10177(d)

**SACRAMENTO REGION****Bennett, Beth Evelyn (REB)**

1604 Main St., Susanville  
Effective: 6/3/09  
Violation: 2726, 2831, 2831.1, 2831.2,  
2832.1, 10145, 10148,  
10176(i), 10177(d)

**Castro, Christopher Damon (REB)**

520 Capitol Mortgage, Ste. 650,  
Sacramento  
Effective: 8/18/09  
Violation: 10130, 10137, 10177(d),  
10232.4, 10240

**Chandler, Megan Kathleen (RES)**

1100 Orchard Ave., Vallejo  
Effective: 7/20/09  
Violation: 490, 10177(b)

**Cordes, Sharon Kay (RES)**

167 Rodeo Dr., Sacramento  
Effective: 7/20/09  
Violation: 490, 10177(b)

**Crossley, Mary Kathleen (RES)**

2622 First St., Apt. 121, Napa  
Effective: 8/4/09  
Violation: 10177(b)

**Cunamay, Ernest Limjoco (REB)**

4775 Mangels Blvd., Fairfield  
Effective: 8/10/09  
Violation: 2715, 10162, 10165,  
10177(d)

**Eggeman, Shane Richard (RES)**

303 Herman Cir., Auburn  
Effective: 6/2/09  
Violation: 490, 10177(b)

**Galford, Patricia Sandra (RES)**

13382 Camanche Pky. South,  
PO Box 166, Burson  
Effective: 8/25/09  
Violation: 490, 10177(b)

**Hice, Raymond Gilbert (RES)**

PO Box 806, Napa  
Effective: 6/2/09  
Violation: 490, 10177(b)

**Johnson, William (RES)**

PO Box 5177, Sacramento  
Effective: 8/3/09  
Violation: 10177(b)

**Kim, Anthony H. (RES)**

PO Box 1610, Carmichael  
Effective: 8/19/09  
Violation: 490, 10177(b)

**Morgan, Jason (RES)**

8520 Birch Crest Ct., Elk Grove  
Effective: 7/20/09  
Violation: 490, 10177(b)

**Mueller, Dale, Arthur (REB)**

128 Oak Rock Cir., Folsom  
Effective: 8/19/09  
Violation: 490, 10177(b)

**O'Neal, Cooper Wesley (RES)**

PO Box 547, Tahoe City  
Effective: 8/25/09  
Violation: 490, 10177(b)

**Truitt, Edward Franklin (RES)**

10823 Peoria Rd., Browns Valley  
Effective: 6/23/09  
Violation: 490, 10177(b)

**Ward, Ralondria Antionette (RES)**

9427 Berkshire Ln., Vallejo  
Effective: 7/9/09  
Violation: 10176(a)(c)(i), 10177(j)

**Wislar, Allison E. (REB)**

4275 Vista Oaks Ct., Redding  
Effective: 8/19/09  
Violation: 490, 10177(b)

**SAN DIEGO REGION****Bankers Capital Lending, Inc. (REC)**

5005 Texas St., Ste. 205, San Diego  
Effective: 7/9/09  
Violation: 2715, 10148, 10162,  
10177(d)

**Bankers Capital Realty, Inc. (REC)**

5005 Texas St., Ste. 205, San Diego  
Effective: 7/9/09  
Violation: 2715, 10148, 10162, 10177(d)

**California Home Loan Solutions, Inc. (REC)**

2237 Faraday Ave., Ste. 120, Carlsbad  
Effective: 7/30/09  
Violation: 2726, 2752, 2831, 2831.1,  
2832, 10145, 10161.8,  
10177(d), 10240

**Campillo, Vanessa (RES)**

12045 World Trade Dr. #1, San Diego  
Effective: 8/26/09  
Violation: 490, 10177(b)

**Crouch, Sandra Lee (REB, REO)**

74-051 Hwy 111, Palm Desert  
Effective: 7/20/09  
Officer of: Trust Deed Services, Inc.  
Violation: 2715, 2831, 2831.1, 2831.2,  
2832.1, 10145(a), 10177(d)  
(g), 10232.2(a)(c), 10232.25,  
10238(h)(3), 10238(i)(6),  
10238(k)(3)

**Deguzman, Veronica M. (RES)**

27636 Ynez Rd. L-7 #182, Temecula  
Effective: 8/4/09  
Violation: 490, 10177(b)

**Dronet, David Joseph (REB)**

4386 Bonita Rd., Bonita  
Effective: 6/17/09  
Violation: 490, 10177(b)

**Green, Gary (RES)**

4325 Silver Spring Way, Oceanside  
Effective: 6/17/09  
Violation: 490, 10177(b)

**Hileman, Lewis Jr. (REB)**

1174 E. Main St. #5, El Cajon  
Effective: 8/26/09  
Violation: 490, 10177(b)

**Hoskins, David Wayne (REB)**

680 Palm Canyon Dr., Borrego Springs  
Effective: 6/3/09  
Violation: 10176(e)(i), 10177(d)(g)

**Ivy, Victor Dorvale (RES)**

3415 Dwight St., Unit A, San Diego  
Effective: 7/30/09  
Violation: 490, 10177(b)

**Lewis, Kinya D'Rae (RES)**

2016 S. Grade Rd., Alpine  
Effective: 8/26/09  
Violation: 490, 10177(b)

**Lopez, Manuel (RES)**

401 4<sup>th</sup> Avenue #C, Chula Vista  
Effective: 7/9/09  
Violation: 490, 10177(b)

**More, Caroline Paula (RES)**

4007 Frink Ave., San Diego  
Effective: 7/22/09  
Violation: 490, 10177(b)

**Northcutt, Marc Alden (RES)**

424 Victoria Pl., Vista  
Effective: 7/22/09  
Violation: 490, 10177(b)

**Nuese, Roberta Lynn (RES)**

333 H Street, Ste. 3000, Chula Vista  
Effective: 7/9/09  
Violation: 490, 10177(b)

**Popova, Victoria Valerievna (RES)**

3861 Basilone St., Unit 4, San Diego  
Effective: 7/22/09  
Violation: 490, 10177(b)

**Reason, Honor (RES)**

2549 E. Valley Parkway #15, Escondido  
Effective: 7/22/09  
Violation: 490, 10177(b)

**Rosner, Kenneth I (RES)**

PO Box 28423, San Diego  
Effective: 8/13/09  
Violation: 490, 10177(b)

**Seagren, Sean Garrie (RES)**

211 West D Street, Encinitas  
Effective: 6/29/09  
Violation: 490, 10177(d)

**Trap, Michael A. (REB)**

1076 Cima Dr., San Marcos  
Effective: 6/23/09  
Violation: 490, 10177(b)

**Trust Deed Services, Inc. (REC)**

74-051 Hwy 111, Palm Desert  
Effective: 7/20/09  
Violation: 2715, 2831, 2831.1, 2831.2,  
2832.1, 10145(a), 10177(d)  
(g), 10232.2(a)(c), 10232.25,  
10232.6, 10238(a)(f)(o)(p),  
10238(h)(3), 10238(i)(6),  
10238(k)(3)

**REVOKED WITH A  
RIGHT  
TO A RESTRICTED  
LICENSE**

**FRESNO REGION****Abel, John Scott (REB, REO)**

231 Mitchell Pl, Boulder Creek  
Effective: 7/27/09  
Violation: 2831, 2831.1, 2831.2, 2832,  
2834, 10130, 10145, 10159.2,  
10176(e), 10177(d)(g)(h)

Right to RRES license on terms and  
conditions

**Gil, Hugo Urias (REB)**

2305 Whitcomb Way, Modesto  
Effective: 6/29/09  
Violation: 10137, 10177(d)  
Right to RRES license on terms and  
conditions

**Hutchins, John Paul (RES)**

PO Box 2872, Paso Robles  
Effective: 6/24/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**LOS ANGELES REGION****Cupp, Cheryl Lynn (RES)**

18415 Tamarind St., Fountain Valley  
Effective: 8/25/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Duhaime, Teala (RES)**

8651 Foothill Blvd. #138,  
Rancho Cucamonga  
Effective: 8/31/09  
Violation: 10177(k)  
Right to RRES license on terms and  
conditions

**Irvin, Desiree L. (RES)**

19671 Beach Blvd. #101,  
Huntington Beach  
Effective: 6/10/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Kamar, Taleen K. (REB)**

4460 Alta Canyon Rd.,  
La Canada Flintridge  
Effective: 7/8/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Kennedy, Charlie Frank (RES)**

24562 Aguirre, Mission Viejo  
Effective: 7/16/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Kenny, William Preston (RES)**

1048 Irvine Ave. #323, Newport Beach  
Effective: 6/30/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Lee, Young Jae (REB)**

3700 Wilshire Blvd. #740, Los Angeles  
Effective: 7/10/09  
Violation: 10176(j), 10177(h)  
Right to RRES license on terms and  
conditions

**Martinez, Shannon (REB)**

1301 Paseo Alamos, San Dimas  
Effective: 6/10/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Medrano, Mario Emilio (RES)**

2116 W. Forry St., Lancaster  
Effective: 6/10/09  
Violation: 10177(k)  
Right to RRES license on terms and  
conditions

**Miranda, James Michael (RES)**

PO Box 4343, San Clemente  
Effective: 7/20/09  
Violation: 10177(k)  
Right to RRES license on terms and  
conditions

**Nunez-Espinoza, Maria C. (RES)**

3124 W. Beverly Blvd., Montebello  
Effective: 8/26/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Pita, Frank (RES)**

29251 N. Discovery Ridge, Saugus  
Effective: 6/11/09  
Violation: 10130, 10177(d)  
Right to RRES license on terms and  
conditions

**Rodriguez, Angelina Vanessa Michelle (RES)**

2528 Calaveras Pl., Ontario  
Effective: 6/10/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Rosenthal, Jay Steven (REB)**

3310 Oak Ridge Terr., Calabasas  
Effective: 6/22/09  
Violation: 2830.1, 2832(a), 2834, 10145,  
10177(d)(g)  
Right to RRES license on terms and  
conditions--RRES license suspended  
for 16 days

**Vizireanu, Simona Nicoleta (REB)**

166 N. Moorpark Rd., Ste. 106,  
Thousand Oaks  
Effective: 6/30/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Yang, Hannah Yon Sook (RES)**

4465 Alta Canyon Rd., La Canada  
Effective: 8/4/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Zebdieh, Mustafa (RES)**

12300 Sycamore St., Victorville  
Effective: 8/25/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**OAKLAND REGION****Cook, Nathan O'Neal (RES)**

1012 107<sup>th</sup> Ave., Oakland  
Effective: 6/2/09  
Violation: 10130, 10137, 10177(d)  
Right to RRES license on terms and  
conditions

**Madar, Satpal Singh (RES)**

PO Box 360507, Milpitas  
Effective: 8/20/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Pacheco, Harry Estrada (RES)**

36487 Colbert St., Newark  
Effective: 6/17/09  
Violation: 10176(a), 10177(j)  
Right to RRES license on terms and  
conditions--RRES license suspended for  
30 days

**Ramezani, Maryam V. (RES)**

1169 Mountain Quail Cir., San Jose  
Effective: 8/17/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Salarpour, Mohammad Ali (RES)**

6238 Lean Ave., San Jose  
Effective: 7/27/09  
Violation: 10137, 10176(a), 10177(d)  
Right to RRES license on terms and  
conditions

**Silveira, Brian Lester (RES)**

6509 Snake Rd., Oakland  
Effective: 8/10/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**SACRAMENTO REGION****Amin, Malahat Michelle (REB)**

3776 W. Grantline Rd., Tracy  
Effective: 8/3/09  
Violation: 490, 10177(b)(f)(j)  
Right to RRES license on terms and  
conditions

**Bontrager, Lawrence L. (REB)**

9355 E. Stockton Blvd., Ste. 100,  
Elk Grove  
Effective: 7/21/09  
Violation: 10159.2, 10177(h)  
Right to RRES license on terms and  
conditions

**Figueroa, Lionel Robert (RES)**

360 Frances St., Manteca  
Effective: 6/23/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Myers, Linda E. (REB)**

3166 Godman Ave., Chico  
Effective: 8/17/09  
Violation: 2731, 2831, 2831.1, 2831.2,  
2832.1, 10145, 10159.5,  
10176(a)(b)(i), 10177(d),  
10233(a), 10232.5  
Right to RRES license on terms and  
conditions

**Pfingst, Vicki Anne (REB)**

9978 Folsom Blvd., Sacramento  
Effective: 8/24/09  
Violation: 2831, 2831.1, 2832, 2832.1,  
10145, 10148, 10177(d)(g)  
Right to RRES license on terms and  
conditions

**Ussery, John Joseph (REB)**

313 Judah St., Ste. 1, Roseville  
Effective: 7/21/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**SAN DIEGO REGION****Ecklund, Kimberly Ann (RES)**

1330 West 8<sup>th</sup> St. #20, Corona  
Effective: 8/25/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Gamalinda, Rossini Grijaldo (REB, REO)**

11440 W. Bernardo Ct., Ste. 157,  
San Diego  
Effective: 6/1/09  
Officer of: Wilshire Financial Group  
Violation: 10137, 10177(d)(g)(h)  
Right to RRES license on terms and  
conditions

**Haflich, Jeffrey Dayton (RES)**

37650 Remuda Dr., Temecula  
Effective: 6/8/09  
Violation: 10177(b)  
Right to RRES license on terms and  
conditions

**Hook-Finch, Michelle Dawn (RES)**

548 Fruit Tree Way, Oceanside  
Effective: 8/20/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Jara, Jamie Paul (RES)**

4810 Eastgate Mall #203, San Diego  
Effective: 6/24/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Lara, Anthony George (RES)**

36068 Hidden Springs Rd. #C-50,  
Wildomar  
Effective: 7/20/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Stevenson, Barbara A. (RES)**

917 La Salle Cir., Corona  
Effective: 8/25/09  
Violation: 490, 10177(b)  
Right to RRES license on terms and  
conditions

**Waite, Eric Lancaster Jr. (REB)**

7019 Goldenrod Way, Carlsbad  
Effective: 7/16/09  
Violation: 10177(h)  
Right to RRES license on terms and  
conditions

## SUSPENDED WITH STAY

### LOS ANGELES REGION

#### Tu Vivienda Real Estate Investments, Inc. (REC)

14916 Burbank Blvd., Van Nuys  
*Effective:* 7/16/09  
*Violation:* 2831.1, 2832(e), 2832.1, 2950(f), 10145, 10177(d)(g), 10240

Suspended for 60 days—30 days stayed for 2 years on terms and conditions

#### Accelerated Funding, Inc. (REC)

190 Sierra Ct., Ste. B-203, Palmdale  
*Effective:* 7/8/09  
*Violation:* 10177(g)

Suspended for 90 days—45 days stayed for 2 years on terms and conditions

#### All Nations Lending, Inc. (REC)

2505 N. Glenoaks Blvd., Burbank  
*Effective:* 6/26/09  
*Violation:* 2840, 10145, 10176(g), 10177(d)(g), 10236.4, 10240

Suspended for 60 days—30 days stayed for 2 years on terms and conditions

#### Allen, William Hubert III (REB, REO)

555 E. Ocean Blvd. #110 Long Beach  
*Effective:* 7/15/09  
*Officer of:* Healstone Investment Real Estate, Inc.

*Violation:* 2726, 2731, 2752, 2832(a), 2834, 10130, 10137, 10145, 10159.2, 10160, 10177(d)(g)(h)

Suspended for 30 days—stayed for 2 years on terms and conditions

#### Budet, Jose A. (REB, REO)

215 N. Marengo Blvd., Ste. H 3<sup>rd</sup> Floor, Pasadena  
*Effective:* 6/18/09  
*Violation:* 10177(g)

Suspended for 45 days—30 days stayed for 2 years on terms and conditions

#### Capital Holdings, Inc. (REC)

3595 Inland Empire Blvd., Bldg. 3, Ontario  
*Effective:* 8/31/09  
*Violation:* 10177(d), 11018.2

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Edwards, Christopher Kent (REB)

9200 Sunset Blvd., Ste. 307, Los Angeles  
*Effective:* 7/13/09  
*Violation:* 10130, 10177(d)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Gutierrez, Gardenia (REB, REO)

2505 N. Glenoaks Blvd., Burbank  
*Effective:* 6/26/09  
*Officer of:* All Nations Lending, Inc.  
*Violation:* 2840, 10145, 10176(g), 10177(d)(g), 10236.4, 10240

Suspended for 60 days—30 days stayed for 2 years on terms and conditions

#### Jenkins, Michelle (REB, REO)

15981 Yarnell St., Ste. 247, Sylmar  
*Effective:* 7/8/09  
*Officer of:* Accelerated Funding, Inc.  
*Violation:* 10177(g)

Suspended for 90 days—45 days stayed for 2 years on terms and conditions

#### Larraldo, Stephen Joseph (RES)

18539 Ardenwood Lane, Riverside  
*Effective:* 8/26/09  
*Violation:* 490, 10177(b)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Loans Unlimited Mortgage Group, Inc. (REC)

14151 Newport Ave., Ste. 200, Tustin  
*Effective:* 6/26/09  
*Violation:* 2831, 2831.1, 2834, 2950(d), 10145, 10177(d)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Mattson Real Estate Services, Inc. (REC)

4633 W. El Segundo Blvd., Hawthorne  
*Effective:* 8/12/09  
*Violation:* 2731, 2831.1, 2832.1, 2834, 10145, 10159.5, 10177(d)(g)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Mattson, Roger Glenn (REB, REO)

4633 W. El Segundo Blvd., Hawthorne  
*Effective:* 8/12/09  
*Officer of:* Mattson Real Estate Services, Inc.

*Violation:* 2731, 2831.1, 2832.1, 2834, 10145, 10159.5, 10177(d)(g)(h)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Nam, Jenny Sung-Won (REB, REO)

9625 Garden Grove Blvd., Garden Grove  
*Effective:* 6/18/09  
*Officer of:* New Star Realty, Inc.  
*Violation:* 2753, 2950(d), 10145, 10177(d)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### New Haven Financial, Inc. (REC)

24025 Park Sorrento #150, Calabasas  
*Effective:* 7/7/09  
*Violation:* 10145, 10177(d)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### New Star Realty, Inc. (REC)

9625 Garden Grove Blvd. #C, Garden Grove  
*Effective:* 6/18/09  
*Violation:* 2753, 2950(d), 10145, 10177(d)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Ngo, Alexander Ngoc (REB, REO)

10141 Westminster Ave., Ste. 7, Garden Grove  
*Effective:* 7/6/09  
*Officer of:* Team One Enterprises, Inc.  
*Violation:* 2715, 2725, 2742(c), 2752, 10159.2, 10161.8, 10177(d)(g)(h)

Suspended for 60 days—30 days stayed for 2 years on terms and conditions

#### Oretra USA, Inc. (REC)

16300 Crenshaw Blvd., Ste. 209, Torrance  
*Effective:* 7/7/09  
*Violation:* 2832, 2834, 10145, 10177(d)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Pozo, Gilmer K. (REB, REO)

14126 Sherman Way #205, Van Nuys  
*Effective:* 7/16/09  
*Officer of:* Tu Vivienda Real Estate Investments, Inc.  
*Violation:* 2831.1, 2832(e), 2832.1, 2950(f), 10145, 10159.2, 10177(d)(g)(h), 10240

Suspended for 60 days—30 days stayed for 2 years on terms and conditions

#### Rabinoff, Lawrence S. (REB, REO)

24025 Park Sorrento #150, Calabasas  
*Effective:* 7/7/09  
*Officer of:* New Haven Financial, Inc.  
*Violation:* 10145, 10177(d)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Ronald L. Wolfe & Associates, Inc. (REC)

173 Chapel St., Santa Barbara  
*Effective:* 7/6/09  
*Violation:* 10145, 10177(d)  
 Suspended for 60 days—stayed for 2 years on terms and conditions

#### Salas, Juan Antonio (REB, REO)

16911 Bellflower Blvd., Bellflower  
*Effective:* 6/26/09  
*Officer of:* Loans Unlimited Mortgage Group, Inc.

*Violation:* 2831, 2831.1, 2834, 2950(d), 10145, 10177(d)

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Season's Land Corporation (REC)

3595 Inland Empire Blvd., Bldg. 3, Ontario  
*Effective:* 8/31/09  
*Violation:* 10177(d), 11018.2

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Sison, Edith Abuda (REB)

3595 Inland Empire Blvd., Bldg. 3, Ontario  
*Effective:* 8/31/09  
*Violation:* 10177(d), 11018.2

Suspended for 60 days—stayed for 2 years on terms and conditions

#### Tamkin, Robert Michael (REB)

15300 Ventura Blvd., Ste. 500, Sherman Oaks  
*Effective:* 7/3/09  
*Violation:* 2715, 2731, 2832(a), 10130, 10145, 10162, 10177(d)

Suspended for 30 days—stayed for 2 years on terms and conditions

#### The Capstone Mortgage Group, Inc. (REC)

500 N. State College Blvd., Ste. 1050, Orange  
*Effective:* 7/6/09  
*Violation:* 2753, 10160, 10176(a)(g), 10177(d)(g), 10236.4

Suspended for 60 days—30 days stayed for 2 years on terms and conditions

#### Vega, Humberto (REB, REO)

105 S. Shakespeare St., Anaheim  
*Effective:* 7/6/09  
*Officer of:* The Capstone Mortgage Group, Inc.  
*Violation:* 2753, 10160, 10176(a)(g),

10177(d)(g), 10236.4

Suspended for 60 days—30 days stayed for 2 years on terms and conditions

#### Wolfe, Ronald Leigh (REB, REO)

173 Chapel St., Santa Barbara  
*Effective:* 7/6/09  
*Officer of:* Ronald L. Wolfe & Associates, Inc.

*Violation:* 10145, 10177(d)

Suspended for 60 days—stayed for 2 years on terms and conditions

### OAKLAND REGION

#### Anderson, Steven Lee (REB)

38665 Fremont Blvd., Fremont  
*Effective:* 7/16/09  
*Violation:* 2831, 2831.1, 2831.2, 2832, 2834, 2835, 10145, 10177(d)(e)

Suspended for 90 days—60 days stayed for 1 year on terms and conditions

#### Birchfield Property Management Incorporated (REC)

1325 B Street, Hayward  
*Effective:* 6/8/09  
*Violation:* 2715, 2831.2, 2832, 2832.1, 10130, 10145, 10177(d)

Suspended for 20 days—stayed for 2 years on terms and conditions

#### Birchfield, J. Kenneth (REB)

1325 B Street, Hayward  
*Effective:* 6/8/09  
*Violation:* 2715, 2831.2, 2832, 2832.1, 10130, 10145, 10177(d)

Suspended for 20 days—stayed for 2 years on terms and conditions

#### Hughes, Brian T. (REB)

3535 Ross Ave. #303, San Jose  
*Effective:* 6/17/09  
*Violation:* 10177(g)(h)

Suspended for 100 days—stayed for 2 years on terms and conditions

#### Uribe, Felipe (REB)

2180 Story Rd., Ste. 202, San Jose  
*Effective:* 6/17/09  
*Violation:* 10177(g)

Suspended for 60 days—stayed for 2 years on terms and conditions

### SAN DIEGO REGION

#### Burns, Gregory S. (REB)

15739 Camino Real, Moreno Valley  
*Effective:* 7/2/09  
*Violation:* 2731, 2831, 2831.1, 2831.2, 2832(d), 2832.1, 2950(d)(g), 2951, 10145, 10159.5, 10177(d), 10240

Suspended for 60 days—30 days stayed for 2 years on terms and conditions

#### Selis, Sarah McBride (REB)

4062 Lago Grata Circle, San Diego  
*Effective:* 8/31/09  
*Violation:* 2715, 10148, 10159.2, 10162, 10165, 10177(d)(h)

Suspended for 45 days—stayed for 2 years on terms and conditions

#### Stone, Gregory Neal (REB)

815 Classic Ave., Beaumont  
*Effective:* 7/2/09  
*Violation:* 10177(g)  
 Suspended for 30 days—stayed for 2 years on terms and conditions



## License ID number disclosure requirement

Continued from page 1

Regulation §2773, which requires that the name and eight (8) digit license number of a broker or salesperson, when engaging in acts for which a license is required, be disclosed on materials

intended to be the “first point of contact” with consumers. If those materials also include the name of a corporate broker, or an employing broker of a licensed employee or broker associate whose solicitation

it is, the license number of the corporate broker or individual employing broker need not also be included on that licensed employee or broker associate's solicitation materials.

B&P §10140.6 (b)(2) states that the term “solicitation materials intended to be the first point of contact with consumers” includes business cards, stationery, advertising fliers, and other materials designed to solicit the creation of a professional relationship between the licensee and the consumer.

The new Commissioner's Regulation clarifies the materials which require disclosure of the license number. In addition to business cards and stationery, the regulation also requires the license number to be included on (i) websites owned, controlled, and/or maintained by the soliciting real estate licensee, and (ii) promotional and advertising fliers, brochures, email and regular mail, leaflets, and any marketing or promotional materials designed to solicit the creation of a professional relationship between the licensee and a consumer, or which is intended to incentivize, induce or entice a consumer to contact the licensee about any service for which a license is required.

Some *promotional* materials, such as giant pencils and refrigerator magnets, would likely not qualify as solicitation materials “designed to solicit the creation of a professional relationship”... and thus, would not require the license number.

The new law also *excludes* certain materials from the license number requirement. Namely, advertisements in print or electronic media,

“for sale” signs, and classified rental advertisements that provide the telephone number at the premises of properties offered for rent or the address of the property offered for rent. “Advertisements in electronic media” includes radio, cinema and television ads, and the opening section of streaming video and audio. Also excluded is print advertising in any newspaper or periodical, as well as “For Sale” signs placed on or around a property intended to alert the public the property is available for lease, purchase or trade.

### Recapitulation:

- Where a licensee's name appears in a solicitation, as defined by the statute, the eight (8) digit number of that licensee should also appear.
- Where more than one licensee's name appears (as with a “team” concept), each licensee's name should be accompanied by their license number. This does not apply to employing brokers or to corporate brokers whose name or logo appears on a solicitation by their employed salespersons or affiliated brokers, so long as the name and number of the employed salesperson or affiliated broker does appear on that solicitation.
- Finally, there are no exceptions or qualifications within the code section or new regulation excluding particular real estate market types or segments, such as “commercial” or “industrial” real estate brokerage. “Consumer” as used in the statute includes all potential clients/customers of all real estate licensees. 🏠

### LICENSE SURRENDER

#### FRESNO REGION

##### Able Property Management, Inc. (REC)

4444 Scotts Valley Rd., Ste. 8-B,  
Scotts Valley  
Effective: 7/27/09

##### Robinson, William Curtis (REB)

6766 N. Tamera, Fresno  
Effective: 7/15/09

#### LOS ANGELES REGION

##### Airway Lending, Inc. (REC)

3151 Airway Ave., Ste. M-1, Costa Mesa  
Effective: 7/22/09

##### Corrodi, John Theron Jr. (REB)

28811 Pacific Coast Hwy., Malibu  
Effective: 8/26/09

##### King, Dana Renee (RES)

1530 Cedar Ave., Long Beach  
Effective: 6/22/09

##### Loffarelli, Thomas Charles (REB)

12400 Ventura Blvd. #126, Studio City  
Effective: 8/3/09

##### Saxton, Richard Craig (REB)

1421 E. Cooley Dr., Colton  
Effective: 7/13/09

##### Tuttle, Elizabeth (REB)

1090 Marcine St., La Habra  
Effective: 6/11/09

#### OAKLAND REGION

##### Consos, James Michael (RES)

PO Box 111, Pleasanton  
Effective: 6/16/09

##### Querard, Michael John (REB)

2122 Centro East, Tiburon  
Effective: 8/27/09

##### San Francisco Funding, Inc. (REC)

250 Bel Marin Keys Blvd., Ste. A,  
Novato  
Effective: 8/31/09

##### Varley, Karen Jannette (RES)

2117 Sleepy Hollow Ave., Hayward  
Effective: 8/27/09

#### SACRAMENTO REGION

##### Garcia, Michael (RES)

420 N. Lexington Dr., Folsom  
Effective: 8/27/09

##### Hastert, Thomas John (REB)

101 Providence Mine Rd. #105,  
Nevada City  
Effective: 6/16/09

##### Kimball Hill Homes California, Inc. (REC)

9355 E. Stockton Blvd., Ste. 100,

Elk Grove

Effective: 7/21/09

##### Mathews, Karen L. (REB)

22560 Antelope Blvd., Red Bluff  
Effective: 7/9/09

#### SAN DIEGO REGION

##### Louie, Peter (REB)

169 Saxony Rd. #115, Encinitas  
Effective: 8/10/09

##### Norris, John Keller (REB)

7752 Fay Ave., Ste. H, La Jolla  
Effective: 8/27/09

##### Walpert, Spiro Robert (RES)

1306 Petree St. #443, El Cajon  
Effective: 8/27/09

##### Watters, Tammie Jeanne (REB)

2440 Sacada Cir., Carlsbad  
Effective: 6/16/09

### PUBLIC REPROVAL

#### LOS ANGELES REGION

##### Becerra, Ruben Gomez (REB, REO)

17408 Chatsworth St. #101,  
Granada Hills  
Effective: 8/20/09  
Officer of: Broadway Financial  
Group, Inc.

Violation: 10159.2, 10177(h)

##### Shepherd, Markus Steven (REB)

17407 Napa St., Northridge  
Effective: 7/9/09  
Violation: 10177(g)

### INDEFINITE SUSPENSIONS

(under Recovery Act provisions)

#### LOS ANGELES REGION

##### Farias, Ruth Georgenne (REB)

131 N. Tustin Ave., Ste. 210, Tustin  
Effective: 06/25/09

##### McGregor, Anita Marie (REB)

45287 Shaugnessy, Indio  
Effective: 08/25/09

##### Rent Ready, Inc. (REC)

3200 E. Inland Empire Blvd., #210,  
Ontario  
Effective: 08/05/09

#### OAKLAND REGION

##### Pollio, Gennaro James (REB)

831A Stannage Ave., Albany  
Effective: 08/25/09

## New requirement for mortgage brokers



California State Senate Bill 36 was signed into law and added Section 10166.02 to the Business and Professions Code (B&P). That section requires real estate brokers who make, arrange, or service loans secured by real property and any salespersons who act in a similar capacity under the supervision of a broker to report to the Department of Real Estate by January 31, 2010 or within 30 days of commencing the activities, whichever is later. See the Excerpts from B&P §10131.1 and §10131(d) and (e) below for the descriptions of the applicable activities.

Instructions for submitting the required RE 866 report electronically are available at [www.dre.ca.gov](http://www.dre.ca.gov). Licensees are asked for identifying information such as name, real estate license number, and licensed real estate corporation information. They are asked to identify the mortgage loan activities being performed as well as any mortgage loan originator activities. It is important to note that failure to submit the required report in a timely manner may result in the assessment of penalty fees of fifty dollars (\$50) per day for the first 30 days the report is not filed and one hundred dollars (\$100) per day for every day thereafter for a maximum of \$10,000.

### Excerpt from B&P §10131.

A real estate broker within the meaning of this part is a person who, for compensation or in expectation of compensation, regardless of the form or time of payment, does or negotiates to do one or more of the following acts for another or others:

(d) Solicits borrowers or lenders for or negotiates loans or collects payments or performs services for borrowers or lenders or note owners in connection with loans secured directly or collaterally by liens on real property or on a business opportunity.

(e) Sells or offers to sell, buys or offers to buy, or exchanges or offers to exchange a real property sales contract, or a promissory note secured directly or collaterally by a lien on real property or on a business opportunity, and performs services for the holders thereof.


### B&P §10131.1.(a)

A real estate broker within the meaning of this part is also a person who engages as a principal in the business of making loans or buying from, selling to, or exchanging with the public, real property sales contracts or promissory notes secured directly or collaterally by liens on real property, or who makes agreements with the public for the collection of payments or for the performance of services in connection with real property sales contracts or promissory notes secured directly or collaterally by liens on real property. (b) As used in this section:

- (1) "In the business" means any of the following:
  - (A) The acquisition for resale to the public, and not as an investment, of eight or more real property sales contracts or promissory notes secured directly or collaterally by liens on real property during a calendar year.
  - (B) The sale to or exchange with the public of eight or more real property sales contracts or promissory notes secured directly or collaterally by liens on real property during a calendar year. However, no transaction negotiated through a real estate licensee shall be considered in determining whether a person is a real estate broker within the meaning of this section.
  - (C) The making of eight or more

loans in a calendar year from the person's own funds to the public when those loans are held or resold and are secured directly or collaterally by a lien on residential real property consisting of a single dwelling unit in a condominium or cooperative or on any parcel containing only residential buildings if the total number of units on the parcel is four or less. However, no transaction negotiated through a real estate broker who meets the criteria of subdivision (a) or (b) of §10232 shall be considered in determining whether a person is a real estate broker within the meaning of this section.

- (2) "Sale," "resale," and "exchange" include every disposition of any interest in a real property sales contract or promissory note secured directly or collaterally by a lien on real property, except the original issuance of a promissory note by a borrower or a real property sales contract by a vendor, either of which is to be secured directly by a lien on real property owned by the borrower or vendor.
- (3) "Own funds" means either of the following:
  - (A) Cash, corporate capital, or warehouse credit lines at commercial banks, savings banks, savings and loan associations, industrial loan companies, or other sources that are liability items on the person's financial statements, whether secured or unsecured.
  - (B) Cash, corporate capital, or warehouse credit lines at commercial banks, savings banks, savings and loan associations, industrial loan companies, or other sources that are liability items on the financial statement of an affiliate of the person, whether secured or unsecured.
- (4) "Own funds" does not include funds provided by a third party to fund a loan on condition that the third party will subsequently purchase or accept an assignment of the loan.

Questions about these new reporting requirements should be directed to the Mortgage Loan Activity Section at (916) 227-0770. 

## SUMMARY OF SIGNIFICANT 2009 LEGISLATION

October 11, 2009 marked the end of the year of the 2009/2010 legislative session. Last year, 948 bills made it to the Governor's desk, of which 694 were signed and 254 were vetoed.

The following brief legislative summaries are of legislation from 2009 that affect real estate licensees and subdividers. These summaries are intended to alert you to pertinent changes to the law. We encourage you to consult the statutes for complete information. Copies of the bills can be obtained on-line 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 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, 2010 unless otherwise noted.

### **ABX2 7 (Lieu) and SBX2 7 (Corbett) California Foreclosure Prevention Act (Chapter 5, Chapter 4)**

These identical bills prohibit lenders and servicers from foreclosing for an additional 90 days on specified residential loans unless they have an approved comprehensive loan modification program. The provisions of California Foreclosure Prevention Act went into effect in June 2009. The provisions of the Act will sunset on January 1, 2011 unless otherwise extended by legislation. For more information, visit DRE's Web site and click on the "Industry" tab.

### **AB 260 (Lieu) Mortgage Loans (Chapter 629)**

This bill places restrictions on higher cost mortgages including limiting the use of, among other things, prepayment penalties, yield spread premiums and negative amortization. The bill also codifies that mortgage brokers are fiduciaries of the borrower and prohibits a broker from steering a borrower into a loan that is more beneficial to the broker than the borrower.

### **AB 313 (Fletcher) Assessments for Common Interest Developments (Chapter 431)**

This bill prohibits a homeowners association (HOA) in a common interest development from basing the HOA dues on the assessed value of the homeowner's property, unless the governing documents

of the HOA allowed for this practice on or before December 31, 2009.

### **AB 329 (Feuer) Reverse Mortgages (Chapter 236)**

This bill enacts the Reverse Mortgage Elder Protection Act of 2009. Specifically, this bill restricts cross-selling of some financial products to an applicant in connection with a reverse mortgage and requires lenders and counseling agencies to provide applicants with information on the risks and suitability of reverse mortgages prior to the applicant making application for a reverse mortgage. The bill also increases the number of choices of HUD certified housing counselors a lender can refer an applicant to for counseling from five to at least ten.

### **AB 899 (Torres) Common Interest Developments; Disclosures (Chapter 848)**

This bill requires a homeowners association (HOA) in a common interest development (CID) to distribute annually to its members a Disclosure Documents Index that cross references a homeowner's right to receive various reports with the specific code section that requires a HOA to provide the report. This bill also allows for electronic distribution of these disclosures. Additionally, this bill provides that the required Assessment and Reserve Funding Disclosure Summary include a specified statement regarding the assumed interest rate earned on reserve funds and the assumed inflation rate applied to major component repair and replacement costs.

### **AB 957 (Galgiani) Buyers Choice Act; Escrow and Title Insurance (Chapter 264)**

AB 957 prohibits any seller who acquired the property as the result of a foreclosure sale (REOs) from requiring a buyer of the property, as a condition of the sale, to use the seller's choice of title insurer or escrow company if the buyer is paying for these services. As an urgency measure, it became effective upon the Governor's signature on October 11, 2009.

### **AB 1061 (Lieu) Common Interest Developments; Landscaping (Chapter 503)**

This bill makes void and unenforceable any provisions of governing documents

of a common interest development that prohibit or include conditions that have the effect of prohibiting or restricting compliance with a local water-efficient landscape ordinance or water conservation measure.

### **AB 1094 (Conway) Confidential Destruction of Records (Chapter 134)**

This bill requires all licensed businesses, including real estate firms, to take all reasonable steps to confidentially dispose of records containing personal information. Records containing, but not limited to, a name, social security number, signature, address, telephone number, and account numbers are generally considered records containing personal information. This bill allows customers to recover civil penalties for violations of the law. Check out the Office of Privacy Protection Web site: [www.oispp.ca.gov](http://www.oispp.ca.gov) for more information.

### **AB 1160 (Fong) Translation of Loan Terms (Chapter 274)**

This bill requires lenders to provide a summary of the loan terms in Spanish, Chinese, Tagalog, Vietnamese, or Korean if the loan was negotiated primarily in one of those languages.

### **SB 36 (Calderon) Enacts the Federal SAFE Act (Chapter 160) in CA**

This measure resulted from the passage federal legislation; see [Title V of HR 3221](#). SB 36 requires residential mortgage loan originators to pass an exam and register in a national database. It also requires residential mortgage loan originators licensed by DRE to obtain an endorsement on his or her license in order to originate residential loans. Finally, the bill requires real estate brokers that originate residential mortgage loans to submit business activity reports. Residential mortgage loan originators licensed by the DRE will need an endorsement on his or her license by January 1, 2011. See related article in this edition of the bulletin.

### **SB 94 (Calderon) Bans Advance Fees for Loan Modification Services (Chapter 630)**

This [urgency legislation](#) prohibits any person, including real estate licensees and lawyers, from demanding or collecting

Continued on page 12



Official Publication  
 CALIFORNIA DEPARTMENT OF REAL ESTATE  
 P.O. Box 187000  
 Sacramento, California 95818-7000

**2009 legislative changes** Continued from page 11

an advance fee from a consumer for loan modification or mortgage loan forbearance services affecting 1 – 4 unit residential dwellings. As an urgency measure, it became effective upon the Governor’s signature on October 11, 2009. Most of the provisions of SB 94 will sunset on 1/1/2013 unless otherwise extended by new legislation.

**SB 237 (Calderon) Appraisal Management Companies (Chapter 173)**

The Real Estate Appraisers’ Licensing and Certification Law provides for the licensure and regulation of real estate appraisers and vests the duty of enforcing and administering that law with the Office of Real Estate Appraisers (OREA). Current law does not regulate “appraisal management companies” (AMCs). This bill creates a registration program for AMCs within the OREA, and would require AMCs to meet similar existing licensing program requirements for independent appraisers. This bill also specifies and clarifies prohibited acts by AMCs as well as others who have an interest in a real estate transaction

involving an appraisal.


**SB 239 (Pavley) Mortgage Fraud (Chapter 174)**

This bill makes it a crime to commit mortgage fraud. The bill broadly defines fraud as providing false information to any party in a mortgage loan transaction that is relied upon by any party to the mortgage transaction.

**SB 407 (Padilla) Property Transfers: Plumbing Fixtures Replacement (Chapter 587)**

This bill requires the replacement of all non-water conserving plumbing fixtures, as defined, in commercial and residential properties built prior to 1994 with water-conserving fixtures by either 2017 or 2019, depending on the type of property.

**SB 633 (Wright) Impound Accounts (Chapter 57)**

This measure creates new exceptions in regard to when an impound or trust account can be required as a condition of a real property sales contract, or a mortgage or deed of trust on single-family, owner-occupied real property. 

**Real Estate Bulletin**

WINTER 2009

**INSIDE THIS ISSUE:**

- Commissioner's Message
- Clarifying the License ID Number Disclosure Requirement
- Homeowners and Private Investors Beware!
- Another Update on the SAFE Mortgage Licensing Act
- Summary of Significant 2009 Legislation

**DEPARTMENT OF REAL ESTATE — PRINCIPAL OFFICE**  
 We're located at: 2201 Broadway, Sacramento, 95818-2500  
 Mailing Address: P.O. Box 187000, Sacramento, 95818-7000

**Primary Telephone Numbers**

Consumer Information .....	916-227-0864
Mortgage Loan Activities .....	916-227-0770
General Licensing Information .....	877-373-4542
Examinations .....	877-373-4542

**CALIFORNIA RELAY TELEPHONE SERVICE**  
 (For the deaf and hearing impaired)

From TDD phone.....	1-800-735-2929
From voice phone.....	1-800-735-2922