

1 Department of Real Estate  
2 320 West Fourth Street, #350  
3 Los Angeles, California 90013

**FILED**

MAR 30 2012

DEPARTMENT OF REAL ESTATE  
BY: CA

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7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) DRE Case No. H-37361 LA  
12 ) OAH Case No. L-2011090545  
13 AFFORDABLE HOME ASSISTANCE.COM )  
14 a corporate real estate broker; )  
15 THOMAS AARON SIGNORELLI, )  
16 individually and as former designated officer )  
17 of Affordable Home Assistance.com; ) STIPULATION AND  
18 ALI SHAH; and ) AGREEMENT  
19 BRITTANY LEANNA WILSON; )  
20 )  
21 Respondents.)

22 It is hereby stipulated by and between BRITTANY LEANNA WILSON  
23 (sometimes referred to herein as "Respondent"), represented in this matter by Joseph Balzer,  
24 Attorney at Law, and the Complainant, acting by and through Martha J. Rosett, Counsel for the  
25 Department of Real Estate, as follows for the purpose of settling and disposing of the  
26 Accusation filed on June 28, 2011 in this matter:

27 1. All issues which were to be contested and all evidence which was to be  
presented by Complainant and Respondent at a formal hearing on the Accusation, which  
hearing was to be held in accordance with the provisions of the Administrative Procedure Act  
(APA), shall instead and in place thereof be submitted solely on the basis of the provisions of  
this Stipulation and Agreement.

1                   2. Respondent has received, read and understands the Statement to Respondent,  
2 the Discovery Provisions of the APA and the Accusation filed by the Department of Real  
3 Estate in this proceeding.

4                   3. On August 31, 2011, Respondent filed a Notice of Defense pursuant to  
5 Section 11506 of the Government Code for the purpose of requesting a hearing on the  
6 allegations in the Accusation. In order to effectuate this settlement, Respondent hereby freely  
7 and voluntarily withdraws said Notice of Defense. Respondent acknowledges that she  
8 understands that by withdrawing said Notice of Defense, she will thereby waive her right to  
9 require the Commissioner to prove the allegations in the Accusation at a contested hearing held  
10 in accordance with the provisions of the APA and that she will waive other rights afforded to  
11 her in connection with the hearing such as the right to present evidence in defense of the  
12 allegations in the Accusation and the right to cross-examine witnesses.

13                   4. Respondent, pursuant to the limitations set forth below, although not  
14 admitting or denying the truth of the allegations, will not contest the factual allegations  
15 contained in the Accusation filed in this proceeding and the Real Estate Commissioner shall  
16 not be required to provide further evidence of such allegations.

17                   5. It is understood by the parties that the Real Estate Commissioner may adopt  
18 the Stipulation and Agreement as his Decision in this matter, thereby imposing the penalty and  
19 sanctions on Respondent's real estate license and license rights as set forth in the below  
20 "Order". In the event that the Commissioner in his discretion does not adopt the Stipulation  
21 and Agreement, it shall be void and of no effect, and Respondent shall retain the right to a  
22 hearing and proceeding on the Accusation under all the provisions of the APA and shall not be  
23 bound by any stipulation or waiver made herein.

24                   6. The Order or any subsequent Order of the Real Estate Commissioner made  
25 pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to  
26 any further administrative proceedings by the Department of Real Estate with respect to any  
27 matters which were not specifically alleged to be causes for accusation in this proceeding.



1 nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a  
2 real estate licensee.

3 2. The restricted license issued to Respondent may be suspended prior to hearing  
4 by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that  
5 Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands  
6 Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted  
7 license.

8 3. Respondent shall not be eligible to apply for the issuance of an unrestricted  
9 real estate license nor for the removal of any of the conditions, limitations or restrictions of a  
10 restricted license until two years have elapsed from the effective date of this Decision.

11 4. Respondent shall submit with any application for license under an employing  
12 broker, or any application for transfer to a new employing broker, a statement signed by the  
13 prospective employing real estate broker on a form approved by the Department of Real Estate  
14 which shall certify:

15 a. That the employing broker has read the Decision of the Commissioner which  
16 granted the right to a restricted license; and

17 b. That the employing broker will exercise close supervision over the  
18 performance by the restricted licensee relating to activities for which a real estate license is  
19 required.

20 5. Respondent shall, within nine months from the effective date of this Decision,  
21 present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the  
22 most recent issuance of an original or renewal real estate license, taken and successfully  
23 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate  
24 Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the  
25 Commissioner may order the suspension of the restricted license until the Respondent presents  
26 such evidence. The Commissioner shall afford Respondent the opportunity for a hearing  
27 pursuant to the Administrative Procedure Act to present such evidence.



Respondent may signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by Respondent, to the Department at the following fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: 1/19/2012

  
BRITTANY LEKENNA WILSON  
Respondent

DATED: 1/19/2012

  
JOSEPH BALZER, Attorney at Law  
Counsel for Respondent

\*\*\*

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on \_\_\_\_\_.

IT IS SO ORDERED \_\_\_\_\_

BARBARA BIGBY  
Acting Real Estate Commissioner

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Respondent may signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by Respondent, to the Department at the following fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: \_\_\_\_\_

\_\_\_\_\_  
BRITTANY LEANNA WILSON  
Respondent

DATED: \_\_\_\_\_

\_\_\_\_\_  
JOSEPH BALZER, Attorney at Law  
Counsel for Respondent

\* \* \*

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on April 19, 2012.

IT IS SO ORDERED 3/12/12

BARBARA BIGBY  
Acting Real Estate Commissioner







1 (APA), shall instead and in place thereof be submitted solely on the basis of the provisions of  
2 this Stipulation and Agreement.

3           2. Respondent has received, read and understands the Statement to Respondent,  
4 the Discovery Provisions of the APA, the Accusation and the Supplemental Accusation filed  
5 by the Department of Real Estate in this proceeding.

6           3. On August 9, 2011, Respondent filed a Special Notice of Defense pursuant  
7 to Section 11506 of the Government Code for the purpose of requesting a hearing on the  
8 allegations in the Accusation. In order to effectuate this settlement, Respondent hereby freely  
9 and voluntarily withdraws said Special Notice of Defense. Respondent acknowledges that he  
10 understands that by withdrawing said Notice of Defense, he will thereby waive his right to  
11 require the Commissioner to prove the allegations in the Accusation at a contested hearing held  
12 in accordance with the provisions of the APA and that he will waive other rights afforded to  
13 him in connection with the hearing such as the right to present evidence in defense of the  
14 allegations in the Accusation and the right to cross-examine witnesses.

15           4. Respondent, pursuant to the limitations set forth below, although not  
16 admitting or denying the truth of the allegations, will not contest the factual allegations  
17 contained in the First Supplemental Accusation and Fourth cause for discipline filed in this  
18 proceeding and the Real Estate Commissioner shall not be required to provide further evidence  
19 of such allegations.

20           5. It is understood by the parties that the Real Estate Commissioner may adopt  
21 the Stipulation and Agreement as his Decision in this matter, thereby imposing the penalty and  
22 sanctions on Respondent's real estate license and license rights as set forth in the below  
23 "Order". In the event that the Commissioner in his discretion does not adopt the Stipulation  
24 and Agreement, it shall be void and of no effect, and Respondent shall retain the right to a  
25 hearing and proceeding on the Accusation under all the provisions of the APA and shall not be  
26 bound by any stipulation or waiver made herein.

27



1                    1. Respondent pays a monetary penalty pursuant to Section 10175.2 of the  
2 Business and Professions Code at the rate of \$100 per day for each day of the suspension, for a  
3 total monetary penalty of \$6,000.00.

4                    2. Said payment shall be in the form of a cashier's check or certified check  
5 made payable to the Recovery Account of the Real Estate Fund. Said check must be received  
6 by the Department prior to the effective date of the Decision in this matter.

7                    3. No further cause for disciplinary action against the real estate license of  
8 Respondent occurs within two years from the effective date of the Decision in this matter.

9                    4. If Respondent fails to pay the monetary penalty in accordance with the terms  
10 and conditions of the Decision, the Commissioner may, without a hearing, order the immediate  
11 execution of all or any part of the stayed suspension in which event the Respondent shall not be  
12 entitled to any repayment nor credit, prorated or otherwise, for money paid to the Department  
13 under the terms of this Decision.

14                    B. As to the remaining thirty (30) days of the ninety (90) day suspension, said  
15 thirty (30) days shall be stayed for two (2) years upon the following terms and conditions:

16                    1. Respondent shall obey all laws, rules and regulations governing the rights,  
17 duties and responsibilities of a real estate licensee in the State of California; and

18                    2. That no final subsequent determination be made, after hearing or upon  
19 stipulation, that cause for disciplinary action occurred within two (2) years of the effective date  
20 of this Decision. Should such a determination be made, the Commissioner may, in his  
21 discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed  
22 suspension. Should no such determination be made, the stay imposed herein shall become  
23 permanent.

24                    C. Respondent shall, within six months from the effective date of this Decision,  
25 take and pass the Professional Responsibility Examination administered by the Department  
26 including the payment of the appropriate examination fee. If Respondent fails to satisfy this  
27

1 condition, the Commissioner may order suspension of Respondent's license until Respondent  
2 passes the examination.

3 D. All licenses and license rights of Respondent SIGNORELLI are indefinitely  
4 suspended unless or until Respondent provides proof satisfactory to the Commissioner, of having  
5 taken and successfully completed the continuing education course on trust fund accounting and  
6 handling specified in paragraph (3) of subdivision (a) of Section 10170.5 of the Business and  
7 Professions Code. Proof of satisfaction of this requirement includes evidence that Respondent  
8 has successfully completed the trust fund account and handling continuing education course  
9 within 120 days prior to the effective date of the Decision in this matter.

10  
11 DATED: 11/4/11

*Martha J. Rosett*  
12 MARTHA J. ROSETT  
13 Counsel for Complainant

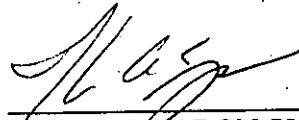
14 \* \* \*

15 I have read the Stipulation and Agreement, have discussed it with my counsel,  
16 and its terms are understood by me and are agreeable and acceptable to me. I understand that I  
17 am waiving rights given to me by the California Administrative Procedure Act (including but  
18 not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I  
19 willingly, intelligently and voluntarily waive those rights, including the right of requiring the  
20 Commissioner to prove the allegations in the Accusation at a hearing at which I would have the  
21 right to cross-examine witnesses against me and to present evidence in defense and mitigation  
22 of the charges.

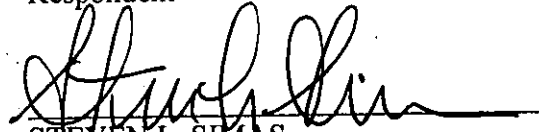
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1 Respondent may signify acceptance and approval of the terms and conditions of  
2 this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by  
3 Respondent, to the Department at the following fax number (213) 576-6917. Respondent agrees,  
4 acknowledges and understands that by electronically sending to the Department a fax copy of his  
5 actual signature as it appears on the Stipulation that receipt of the faxed copy by the Department  
6 shall be as binding on Respondent as if the Department had received the original signed  
7 Stipulation and Agreement.

8  
9 DATED: Nov. 4 2011

  
THOMAS AARON SIGNORELLI  
Respondent

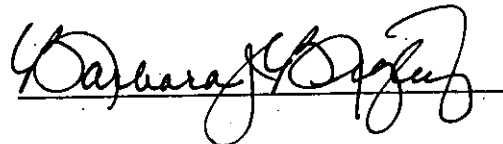
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11  
12 DATED: Nov 4, 2011

  
STEVEN L. SIMAS  
Attorney for Respondent  
\* \* \*

13  
14  
15 The foregoing Stipulation and Agreement is hereby adopted as my Decision in  
16 this matter and shall become effective at 12 o'clock noon on January 17, 2012.

17  
18  
19 IT IS SO ORDERED 12/16/11

20 BARBARA BIGBY  
Acting Real Estate Commissioner

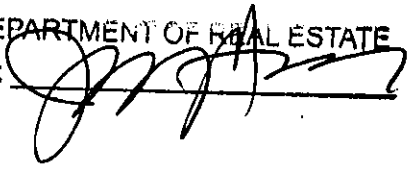
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1 MARTHA J. ROSETT, Counsel (SBN 142072)  
2 Department of Real Estate  
3 320 West Fourth St. #350  
4 Los Angeles, CA 90013

5 (213) 576-6982  
6 (213) 620-6430

**FILED**

NOV 04 2011

DEPARTMENT OF REAL ESTATE  
BY: 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \*

11	In the Matter of the Accusation of	)	DRE Case No. H-37361 LA
12		)	OAH Case No. L-2011090545
13	AFFORDABLE HOME ASSISTANCE.COM)	)	FIRST SUPPLEMENTAL
14	a corporate real estate broker;	)	ACCUSATION
15	THOMAS AARON SIGNORELLI,	)	
16	individually and as former designated officer	)	
17	of Affordable Home Assistance.com;	)	
	ALI SHAH; and BRITTANY WILSON;	)	
		)	
	Respondents.)	)	

18 The Complainant, Robin Trujillo, hereby supplements and amends the Accusation  
19 filed herein on June 27, 2011, as follows:

20 A Fourth Cause of Accusation, is hereby added to read:

21 44.

22 There is hereby incorporated in this Fourth, separate and distinct cause of  
23 Accusation, all of the allegations contained in the preamble and the First, Second and Third  
24 Causes of Accusation.

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45.

As set forth above, Respondent SIGNROELLI is licensed by the Department as a real estate broker. He has been licensed by the Department as a broker since April 4, 2004.

46.

Flex Pay Home Loans Inc. ("Flex Pay") is a California Corporation. Between on or about June 21, 2005 and June 20, 2009, Flex Pay was licensed by the Department as a corporate real estate broker. Respondent SIGNORELLI was the broker-officer for Flex Pay designated pursuant to Code Section 10159.2 to be responsible for supervising the employees and agents of Flex Pay to ensure compliance with the real estate laws.

47.

Respondent SHAH was an officer of Flex Pay. Beginning on or about June 22, 2005 and continuing through on or about December 17, 2008, Flex Pay was Respondent SHAH's employing broker of record. As the designated broker-officer of Flex Pay, Respondent SIGNORELLI was responsible for supervising Respondent SHAH's real estate salesperson activities.

48.

On or before October 1, 2008, Respondent SIGNORELLI discovered that his name was listed in public real estate licensing records as the designated broker-officer for Respondent AHA. SIGNORELLI discussed the matter with SHAH and told SHAH to discontinue using SIGNORELLI's name in association with AHA. At a time prior to December 17, 2008, Respondent SIGNORELLI learned that the Department was investigating the real estate activities of AHA. On December 17, 2008, SIGNORELLI submitted a Salesperson Change Application to the Department notifying the Department that Flex Pay's employment of

1 Respondent SHAH was discontinued as of that date. Respondent SIGNORELLI did not notify  
2 the Department, pursuant to a certified statement of facts, of the reasons for SHAH's termination  
3 from Flex Pay. Nor did Respondent SIGNORELLI submit a certified statement of facts to the  
4 Department detailing the circumstances pursuant to which he believed his name had been  
5 fraudulently associated with AHA.

6 49.

7  
8 As designated broker-officer of Flex Pay, Respondent SIGNORELLI was  
9 responsible for employing salespersons, maintaining proper broker-salesperson agreements with  
10 them, and providing the Department with records of employment. SIGNORELLI was required  
11 to notify the Department on appropriate forms upon hiring new salespersons, and upon  
12 termination of salespersons from employment. In addition, pursuant to Code Section 10178,  
13 SIGNORELLI was required to notify the Department in writing of the details anytime a licensed  
14 salesperson was terminated for misconduct.

15 50.

16  
17 On or about April 1, 2011, representatives of the Department went to the location  
18 listed as Respondent SIGNORELLI's main office address of record, 383 Diablo Rd. #100,  
19 Danville, CA 94562. The representatives discovered that Respondent's office was no longer  
20 located at that address. As of the date of filing this Supplemental Accusation, Respondent has  
21 not updated his licensing records with the Department, and has not provided the Department with  
22 the location and address of his main office out of which he conducts real estate business in this  
23 State.

24 51.

25  
26 The conduct, acts, and/or omissions of Respondent SIGNORELLI, in failing to  
27



1 notify the Department in a certified, written statement of facts, the circumstances under which  
2 SHAH was terminated from the employ of Flex Pay, as set forth above, constitutes grounds to  
3 revoke or suspend the real estate license and license rights of Respondent SIGNORELLI  
4 pursuant to Code Sections 10178, 10177(d) and/or 10177(g).

5 52.

6 The conduct, acts and/or omissions of Respondent SIGNORELLI, in failing to  
7 notify the Department of the definite place of business where his license is displayed for  
8 conducting real estate transactions constitutes grounds to revoke or suspend the real estate  
9 license of Respondent SIGNORELLI pursuant to Regulation 2715, and Code Sections 10162,  
10 10165, 10177(d) and/or 10177(g).

11 WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
12 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary  
13 action against all licenses and/or license rights of Respondents AFFORDABLE HOME  
14 ASSISTANCE.COM, THOMAS AARON SIGNORELLI, ALI SHAH and BRITTANY  
15 WILSON under the Real Estate Law and for such other and further relief as may be proper  
16 under other applicable provisions of law.  
17

18 Dated at Los Angeles, California  
19

20 this 4 day of November, 2011.  
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23  
24 Robin Trujillo  
25 Deputy Real Estate Commissioner  
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cc: Affordable Home Assistance.com  
Thomas Aaron Signorelli  
Ali Shah  
Brittany Wilson  
Robin Trujillo  
Sacto.  
Audits



2.

1 Respondent AFFORDABLE HOME ASSISTANCE.COM (“AHA”) is licensed  
2 and/or has license rights as a corporate real estate broker under the Real Estate Law, Part 1 of  
3 Division 4 of the Business and Professions Code (hereinafter “the Code”). AHA was originally  
4 licensed by the Department of Real Estate of the State of California (“Department”) on or about  
5 August 28, 2008. Respondent THOMAS AARON SIGNORELLI is the broker-officer  
6 designated pursuant to Code Section 10159.2 to be responsible for ensuring AHA’s compliance  
7 with the Real Estate Law.  
8  
9

3.

10 Respondent AHA is a California corporation, incorporated on or about  
11 July 7, 2008. At all times relevant herein, Respondent ALI SHAH was a 75% owner of AHA,  
12 Respondent BRITTANY LEANNA WILSON was treasurer, and Chris Howder was the  
13 president, CEO and 25% owner of AHA. At all times, AHA’s address of record with the  
14 Department and with the Secretary of State was, and now is, 3158 Redhill Ave., Suite 200B,  
15 Costa Mesa, CA 92626.  
16  
17

4.

18 Respondent THOMAS AARON SIGNORELLI (“SIGNORELLI”) was and now  
19 is licensed by the Department as a real estate broker. Respondent SIGNORELLI was first  
20 licensed as a broker on or about April 27, 2004. Respondent SIGNORELLI is, and at all times  
21 relevant, was the designated broker of record for Respondent AHA, as well as of several other  
22 real estate corporations, including Flex Pay Home Loans Inc.  
23  
24

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5.

1  
2 Respondent ALI SHAH, formerly known as Ali Shahvelayati ("SHAH") was  
3 licensed by the Department as a real estate salesperson. SHAH's license expired on  
4 December 11, 2010. The Department retains jurisdiction pursuant to Code Section 10103.  
5 At all times, SHAH's address of record with the Department is and was 3158 Red Hill Ave.,  
6 Suite 200, Costa Mesa, CA 92626.

- 7
- 8 a. Respondent SHAH was first licensed by the Department on or about  
9 December 12, 2002, in the employ of Sadak Inc.
  - 10 b. From June 22, 2005 to December 16, 2008, SHAH was employed as a  
11 salesperson by Flex Pay Home Loans Inc., a corporate real estate broker.  
12 SHAH was an officer with an ownership interest in Flex Pay Home Loans Inc.  
13 During this same period of time, SIGNORELLI was the designated broker-  
14 officer of Flex Pay Home Loans Inc.
  - 15 c. SHAH is not currently employed by a supervising broker.
- 16

17 6.

18 BRITTANY LEANNA WILSON ("WILSON") is licensed by the Department as  
19 a real estate salesperson. WILSON was first licensed by the Department as a real estate  
20 salesperson on or about October 20, 2008.

21 7.

22 Christopher Howder ("Howder") is not now and has never been licensed by the  
23 Department in any capacity. At times relevant herein, Howder was a 25% owner and manager of  
24 AHA.

25  
26 ///

27 ///

8.

Whenever reference is made in an allegation in this Accusation to an act or omission of one or more of the individuals or entities listed in Paragraphs 1 through 6 above, such allegation includes the officers, directors, employees, agents and real estate licensees employed by or associated with those individuals or entities while acting within the course and scope of their employment.

9.

At all times mentioned herein, Respondents engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers within the meaning of Sections 10131(d) and 10131.2 of the Code, for or in expectation of compensation. Respondents offered to provide borrowers with loan modification services in exchange for payment of advance fees within the meaning of Code Sections 10026 and 10085.

Desist and Refrain Order (H-35619 LA)

10.

On or about January 15, 2009, in Department of Real Estate Case No. H-35619 LA, the Commissioner issued a Desist and Refrain Order against Respondents AHA and SIGNORELLI, ordering them to desist and refrain from collecting advance fees unless and until they do so pursuant to written agreements that comply with Code Section 10085 and Regulation 2970. In addition, Mark B. Russell and Alex Sadak, unlicensed agents of AHA, were ordered to desist and refrain from engaging in activities requiring a real estate broker license unless and until they obtained real estate broker licenses, or were licensed as salespersons and employed by a supervising real estate broker.

////

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1 acting as an agent of AHA, solicited an advance fee of \$1,995.00 from Borrower DB, which she  
2 paid. Borrower DB subsequently received loan modification documents, including an agreement  
3 that set forth terms of loan modification services to be provided by AHA, including payment of  
4 additional monthly fees. The agreement identified Respondent WILSON as AHA's  
5 representative.

6 15.

7 On or about September 23, 2008, Borrower DB contacted Respondents by phone  
8 and by fax notifying them that she wished to cancel that transaction, and requesting a refund of  
9 the money paid. Borrower DB subsequently spoke several times to representatives of AHA,  
10 including to an agent who identified himself as Alex Sadak. Respondents never performed any  
11 services for Borrower DB and never refunded or accounted for any of the money paid.  
12

13 16.

14 Alex Sadak was not, and has never been, licensed by the Department in any  
15 capacity. In September, 2008, Mark B. Russell was licensed as a real estate salesperson, and his  
16 employing broker of record was 20<sup>th</sup> Century Real Estate Inc. Russell was, therefore, not  
17 licensed to conduct activities requiring a real estate license under the employ of AHA or  
18 SIGNORELLI. Respondent WILSON was not licensed as a salesperson or broker in September,  
19 2008.  
20

21 17.

22 The written agreement between Respondents and Borrower DB was not submitted  
23 to or reviewed by the Department prior to use, and did not set forth a specific date for full  
24 performance of the services promised.  
25

26 ///

27 ///



Francisco G.

18.

In September, 2008, Respondents, through AHA unlicensed agent Alex Sadak, solicited borrower Francisco G. ("Borrower FG"), and offered to assist him in modifying the terms of existing mortgage loan debt. On or about September 8, 2008, Borrower FG paid Respondents an advance fee of \$2,495.00. Respondents emailed Borrower FG a contract, which contained a signature line for Respondent WILSON as representative of AHA.

19.

On September 11, 2008, Borrower FG faxed Respondents a signed cancellation form. Respondents acknowledged receipt of the cancellation form, but did not perform any services for Borrower FG, and did not refund or account for the advance fee paid.

20.

At the time he handled Borrower FG's loan modification transaction, Alex Sadak was not, and has never been, licensed by the Department in any capacity. In September, 2008, Respondent WILSON was not licensed by the Department in any capacity. The written agreement between Respondents and Borrower FG was not submitted to or reviewed by the Department prior to use, and did not set forth a specific date for full performance of the services promised under the agreement.

21.

Additional examples of borrowers from whom Respondents collected advance fees for loan modification services pursuant to agreements which were not submitted to the Department for review include:

///

///

	<u>Borrower</u>	<u>Agreement Date</u>	<u>Date Fee Received</u>	<u>Amount</u>
1				
2	Diane B.	9/23/08	9/23/08	\$2,000.00
3	Francisco G.	9/8/08	9/9/08	\$2,495.00
4	Ana V.	7/10/08	7/14-8/15/08	\$3,500.00
5	Nickolas A.	6/30/08	6/30/08	\$1,995.00
6	Willie D.	8/2/08	8/2/08	\$1,996.00
7	Peter & Maura L.	9/4/08	9/4/08	\$1,000.00
8				
9	Chris S.	8/13/08	8/13/08	\$1,995.00
10	Bruce B.	10/24/08	11/22/08	\$3,000.00
11	Joan W.	9/30/08	9/30/08	\$ 995.00
12	Deborah M.	12/3/08	12/3/08-1/20/09	\$2,500.00
13	Beverly C.	11/6/08	11/5/08	\$1,200.00
14	Douglas & Carol P.	11/23/08	12/01/08	\$2,000.00

22.

Respondent AHA was not licensed by the Department in any capacity prior to August 28, 2008. In relation to its loan modification business, Respondent AHA engaged in activities requiring a real estate license prior to August 28, 2008. Examples include, but are not limited to, collecting advance fees for loan modification services from Nickolas A. on or about June 30, 2008, collecting advance fees for loan modification services from Willie D. on or about August 2, 2008, and collecting advance fees for loan modification services from Chris S. on or about August 13, 2008.

23.

Beginning on or about August 28, 2008, Respondents AHA, acting by and through SIGNORELLI as designated broker officer, employed individuals to perform activities

1 requiring a real estate license when those individuals were not licensed by the Department in any  
2 capacity, and/or were salespersons employed by brokers other than AHA or Signorelli.  
3 Specifically, Respondents employed Alex Sadak, Amin Anotio Arhami, and Dave Lewis, to  
4 conduct activities requiring a real estate license when none of these individuals have ever been  
5 licensed by the Department in any capacity. Respondents compensated Christopher Howder to  
6 manage the office and real estate activities of the corporation, when Christopher Howder has  
7 never been licensed by the Department in any capacity. Respondents employed Respondent  
8 WILSON to conduct activities requiring a real estate license prior to her licensure as a real estate  
9 salesperson on October 28, 2008.  
10

11 24.

12 The conduct, acts and/or omissions of Respondents AHA and Signorelli, as  
13 set forth in Paragraphs 11 through 23, above, in collecting advance fees from prospective  
14 borrowers pursuant to a written fee agreement, which agreement was not submitted to the  
15 Department for review prior to use, was in violation of Code Section 10085 and Regulation  
16 2970, and constitutes grounds to discipline the licenses and license rights of Respondents AHA  
17 and Signorelli pursuant to Code Sections 10177(d), 10176(i), 10177(j) and/or 10177(g).  
18

19 25.

20 The conduct, acts and/or omissions of Respondents AHA and Signorelli, in  
21 employing and compensating unlicensed individuals to perform acts requiring a real estate  
22 license constitutes grounds to discipline the licenses and license rights of Respondents AHA and  
23 Signorelli pursuant to Code Sections 10137, 10177(d), 10176(i), 10177(j) and/or 10177(g).  
24

25 26.

26 The conduct, acts and/or omissions of Respondent AHA in engaging in activities  
27 requiring a real estate broker license when it was not licensed as a real estate broker constitutes

1 grounds to discipline the license and license rights of Respondent AHA pursuant to Code  
2 Sections 10130 and 10137.

3 27.

4 The conduct, acts and/or omissions of Respondent WILSON in engaging in  
5 activities requiring a real estate broker license when she was not licensed as a real estate broker  
6 or as a salesperson acting under the supervision of her employing broker constitutes grounds to  
7 discipline the license and license rights of Respondent WILSON pursuant to Code Sections  
8 10130, 10137 and 10177(d).

9 28.

10 The conduct, acts and/or omissions of Respondent SIGMORELLI, in failing to  
11 exercise reasonable supervision over the activities of the agents and employees of AHA for  
12 which a real estate license is required, was in violation of Code Section 10159.2 and constitutes  
13 grounds to discipline the license and license rights of Respondent SIGMORELLI pursuant to  
14 Code Sections 10177(h), 10177(d), 10176 (i) and/or 10177(g).

15  
16  
17 SECOND CAUSE OF ACCUSATION  
18 (Audit Violations-LA 080156)

19 29.

20 There is hereby incorporated in this Second, separate and distinct Cause of  
21 Accusation, all of the allegations contained in Paragraphs 1 through 23 above, inclusive, with the  
22 same force and effect as if herein fully set forth.

23 30.

24 On or about February 19, 2009, the Department completed its examination of  
25 Respondent AHA's books and records pertaining to the mortgage lending activities described in  
26 Paragraph 9 above, covering a period from approximately June 1, 2008 to January 31, 2009. The  
27

1 primary purpose of the examination was to determine Respondent's compliance with the Real  
2 Estate Law. The examination, Audit No. LA 080156, revealed violations of the Code and Title  
3 10, Chapter 6 of the California Code of Regulations ("Regulations"), as set forth below, and as  
4 more specifically set forth in the Audit Report and Exhibits attached thereto.

5 31.

6 During the examination period, Respondent AHA, and supervising broker  
7 SIGNORELLI, did not maintain a trust account. Rather, funds, including trust funds, were  
8 deposited into and/or disbursed from one of the following three general business accounts:  
9

- 10 a. "General Account 1 (G/A 1)": This business checking account, account  
11 number xxxxxxx9173, was named, "Christopher J. Howder," and was  
12 maintained at the Bank of America, South Coast Center Br., P.O. Box 37176,  
13 San Francisco, CA 94137-0001. Advance fees for loan modification services  
14 were deposited into this account. Disbursements were made for general  
15 business and personal expenses of the account holder.  
16
- 17 b. "General Account 2 (G/A 2)": This account, account number xxxxxxx925-9,  
18 was named "Affordable Home Assistance.com" and was maintained at  
19 Washington Mutual, P.O. Box 660022, Dallas, Texas. Advance fees for loan  
20 modification services were deposited into this account. Disbursements were  
21 made for general business and personal expenses of the account holder.  
22
- 23 c. "General Account 3 (G/A 3)": This account, account number xxxxxxx924-1,  
24 was named, "Affordable Home Assistance.com.," and was maintained at  
25 Washington Mutual Bank, P.O. Box 660022, Dallas, Texas. Advanced fees  
26 for loan modification services were deposited into this account.  
27 Disbursements were made for general business and personal expenses of the

account holder.

32.

In the course of activities described in Paragraphs 9 and 31 above, and during the examination period described in Paragraph 29, Respondents acted in violation of the Code and the Regulations in that:

a) AHA collected up front, advance fees from borrowers for loan modification services. During the audit period, AHA collected advance fees ranging from approximately \$2,490.00 to \$5,370.00 per transaction, with more than \$46,511.00 collected from over ninety-three borrowers. Respondents failed to provide borrowers (beneficiaries) with accountings for the advance fees collected (trust funds). The advance fees were deposited into AHA's general business accounts, which were not set up as trust accounts. AHA's handling of the advance fees collected, placing them into general accounts without providing accountings to the borrowers, was in violation of Code Section 10146 and Regulation 2972.

b) The advance fee agreement used by AHA in connection with its loan modification activity during the audit period was not submitted to the Department for approval prior to collecting advance fees, in violation of Code Sections 10026 and 10085 and Regulation 2970.

c) By placing advance fees into general accounts, Respondent AHA commingled trust funds, in violation of Code Sections 10145 and 10176(e), and Regulation 2832.

d) AHA did not maintain a control record for the advance fees collected, in violation of Code Section 10145 and Regulation 2831.

e) AHA did not maintain a separate record for each beneficiary of trust funds collected (advance fees), in violation of Code Section 10145 and Regulation 2831.1.

///

1 f) AHA did not maintain the monthly reconciliation of the separate records to the  
2 control record of all trust funds received and disbursed during the audit period, in violation of  
3 Code Section 10145 and Regulation 2831.2.

4 g) AHA and SIGMORELLI allowed Christopher Howder, who was unlicensed, to  
5 be a signatory on the general accounts into which trust funds were placed without fidelity bond  
6 coverage. SIGMORELLI was not a signer on the accounts. These were violations of Code  
7 Section 10145 and Regulation 2834.

8 h) AHA did not retain and make all books and records used for the handling of  
9 advance fees during the audit period available for the audit, in violation of Code Section 10148.  
10

11 i) SIGMORELLI did not exercise adequate supervision over the activities of  
12 AHA to ensure compliance with the Real Estate Law, in violation of Code Sections 10159.2 and  
13 10177(h), and Regulation 2725.

14 j) AHA was engaged in activities requiring a real estate license prior to being  
15 licensed in August, 2008, in violation of Code Section 10130.  
16

17 33.

18 The conduct, acts and/or omissions of Respondents AHA and SIGMORELLI, as  
19 described in Paragraph 32, above, violated the Code and Regulations in the following ways:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
21 32(a)	Code Section 10146 and 2972
22 32(b)	Code Sections 10026 and 10085, and 23 Regulation 2970
24 32(c)	Code Sections 10145 and 10176(e) and 25 Regulation 2832
26 32(d)	Code Section 10145 and Regulation 2831
27 32(e)	Code Section 10145 and Regulation 2831.1

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- 32(f) Code Section 10145 and Regulation 2831.2
- 32(g) 10145 and Regulation 2834
- 32(h) Code Section 10148
- 32(i) 10159.2 and 10177(h) and Regulation 2725 (SIGNORELLI)
- 32(j) Code Section 10130

The foregoing violations constitute cause for the suspension or revocation of the real estate licenses and license rights of Respondents AHA and SIGNORELLI under the provisions of Code Sections 10177(d), 10176(e), 10176(i), 10177(g), 10177(j), 10165, 10137, and/or 10085.

34.

The violations set forth above constitute cause for the suspension or revocation of Respondent SIGNORELLI's real estate license and/or license rights, as the broker-officer of Respondent AHA, for failing to supervise the activities of the corporation, in violation of Code Sections 10159.2, in conjunction with 10177(h) and 10177(d).

THIRD CAUSE OF ACCUSATION  
(Dishonest Dealing)

35.

There is hereby incorporated in this Third, separate and distinct Cause of Accusation, all of the allegations contained in Paragraphs 1 through 23, and Paragraphs 29 through 32, above, inclusive, with the same force and effect as if herein fully set forth.

36.

Beginning at a time no later than July 7, 2008, and continuing through on or after January 31, 2009, Respondents SHAH and WILSON, along with unlicensed associate



1 Christopher Howder, conspired in a scheme to defraud distressed homeowners seeking loan  
2 modification and related loan services.

3 37.

4 On or about July 7, 2008, Respondents SHAH and WILSON, along with  
5 unlicensed associate Christopher Howder, formed AHA. Articles of Incorporation were filed  
6 with the Secretary of State. Respondents applied to the Department for a real estate broker  
7 license for AHA on or about August 11, 2008, and a corporate real estate license was issued for  
8 AHA on or about August 28, 2008. According to the license application, SIGNORELLI was  
9 listed as the broker to be responsible for supervising the activities of the corporate broker.  
10

11 38.

12 On or about September 9, 2008, Respondent SHAH and unlicensed associate  
13 Christopher Howder entered into an agreement pursuant to which Howder purchased a 25%  
14 interest in AHA from SHAH, who retained the remaining 75% interest in the company. Pursuant  
15 to the agreement, Howder agreed to pay SHAH \$94,000.00, in installments of \$10,000.00 per  
16 month beginning on October 1, 2008, through May 2009.  
17

18 39.

19 Between September 9, 2008 and on or about January 31, 2009, Howder deposited  
20 money collected from loan modification clients of AHA into one of three general bank accounts,  
21 held in the name of AHA. As set forth in the First and Second Cause of Accusation, above,  
22 money collected from AHA's loan modification clients included advance fees for loan services,  
23 and included, in some cases, fees for services which were never in fact rendered. Pursuant to his  
24 agreement with SHAH, Howder made disbursements from AHA's bank accounts to pay SHAH  
25 for Howder's interest in AHA.  
26

27 ///

40.

1 Respondents SHAH and WILSON operated a loan modification business without  
2 proper licensure and/or supervision, in concert with other unlicensed individuals. Respondent  
3 SIGNORELLI failed to supervise the activities of SHAH, who was an owner and licensed  
4 salesperson employee of Flex Pay, another corporation with a real estate broker license for which  
5 SIGNORELLI was licensed as the designated broker-officer. Respondent WILSON was not  
6 licensed in any capacity to conduct real estate activities during the time period in question, but  
7 nonetheless engaged in the loan modification business, through AHA.  
8  
9

41.

10 Respondent SHAH failed to maintain a current mailing address on record with the  
11 Department and SHAH has avoided contact with the Department and with his business  
12 associates since the Department's audit in 2009.  
13

42.

14 The conduct, acts, and/or omissions of Respondents SHAH, WILSON and  
15 SIGNORELLI, as set forth above, constitutes dishonest dealing and/or fraud, and is grounds to  
16 revoke or suspend the real estate licenses and license rights of Respondent SHAH, WILSON and  
17 SIGNORELLI pursuant to Code Sections 10176(i) and/or 10177(j).  
18  
19

43.

20 The conduct, acts and/or omissions of Respondent SHAH in failing to maintain  
21 on file with the Department his current mailing address, is in violation of Regulation 2715 and is  
22 grounds to revoke or suspend Respondent SHAH's real estate license pursuant to Code Section  
23 10177(d).  
24

25 ///

26 ///

1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary  
3 action against all licenses and/or license rights of Respondents AFFORDABLE HOME  
4 ASSISTANCE.COM, THOMAS AARON SIGNORELLI, ALI SHAH and BRITTANY  
5 LEANNA WILSON under the Real Estate Law (Part 1 of Division 4 of the Business and  
6 Professions Code) and for such other and further relief as may be proper under other applicable  
7 provisions of law.

8 Dated at Los Angeles, California  
9

10 this 27 day of June, 2011.  
11

12   
13 ROBIN TRUJILLO  
14 Deputy Real Estate Commissioner  
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23 cc: Affordable Home Assistance.com  
24 Thomas Aaron Signorelli  
25 Ali Shah  
26 Brittany Leanna Wilson  
27 Robin Trujillo  
Sacto.  
Audits