

# REAL ESTATE BULLETIN

PETE WILSON, *Governor*

JOHN R. LIBERATOR, *Interim Real Estate Commissioner*

Spring 1995



## Blind Ads

by Pete Hurst, *Managing Deputy Commissioner II*

The Department frequently receives consumer complaints regarding the failure of real estate licensees to properly disclose their licensed status in advertisements. Real estate licensees also send complaints about competitors who fail to follow the laws governing advertising.

Section 10140.6 of the Business and Professions Code (the Code) states: "A real estate licensee shall not publish, circulate, distribute, nor cause to be published, circulated or distributed in any newspaper or periodical, or by mail any matter pertaining to any activity for which a real estate license is required which does not contain a designation disclosing that he is performing acts for which a real estate license is required. The provisions of this section shall not apply to classified rental advertisements reciting the telephone number at the premises of the property offered for rent or the address of the property offered for rent."

The means of complying with Section 10140.6 are spelled out in Commissioner's Regulation 2770.1: "Use of the terms broker, agent, Realtor, loan correspondent or the abbreviations bro., agt., or other similar terms or abbreviations, is deemed sufficient identification to fulfill the designation requirements of Section 10140.6 of the Business and Professions Code." Moreover, Regulation 2770 requires that if the advertisement contains the name of a salesperson, the employing broker's name also be set forth.

The purpose for disclosing one's license status is to alert the public that they are dealing with an agent, not a principal.

Shpg mall, income prpty.  
Fax #xxx-555-0000;  
ph# 555-0000

### PROPERTY WANTED!

Income prop. up to \$10Mil.  
Fast closing, cash buyer.  
xxx-555-0000

agency to contact to check on license status, etc. The following wording is deemed to be in compliance with this required disclosure: "Real estate broker- California Department of Real Estate". The use of this disclosure would satisfy the requirements of both Section 10140.6 and Section 17539.4.

All real estate licensees should pay careful attention to their advertising. A real estate licensee who violates the law regarding advertising risks license suspension or revocation for violation of Section 10177(g) (negligence) or Section 10177(d) (willful disregard) of the Code. The employing broker, in addition to the foregoing violations, may incur discipline under Section 10177(h) for failure to supervise one or more of his or her sales staff.

As part of its enforcement program, the Department regularly reviews various forms of advertising for compliance with various laws pertaining to advertising, and appreciates the efforts made by licensees to ensure that their advertising meets legal requirements.



## Negotiating In Spanish

by Pablo Wong,  
*Industry/Consumer Liaison*

California real estate agents who are fluent in Spanish sometimes have occasion to use that language to negotiate with a Spanish-speaking consumer.

If an agent uses Spanish to negotiate a residential tenancy of longer than one month or a loan subject to Article 7 of Chapter 3 of the Real Estate Law, Civil Code Section 1632 requires that the agent give the consumer a Spanish translation of the proposed rental agreement (or lease or sublease) or, for a loan, the Spanish translation of the Mortgage Loan Disclosure Statement (Borrower).

At the time and place of the conduct of these negotiations, the licensee must conspicuously display a notice, in Spanish, of the consumer's right to receive a Spanish translation of the rental agreement or loan disclosure form before an agreement is signed.

Failure to comply with Section 1632 allows the client rescission rights.

While Civil Code Section 1632 applies only to the Spanish language and does not apply to the sale of real property, a real estate agent has a duty to see that a consumer who does not speak or read English is provided an explanation of the terms and conditions of any agreement negotiated by the licensee.

For loans subject to Article 7, DRE makes available RE 882A, a Spanish version of the Mortgage Loan Disclosure Statement (Borrower). To obtain a copy of the Spanish version, please contact the Mortgage Lending Unit located at 2201 Broadway, Sacramento CA 95818. 

**REAL ESTATE BULLETIN**Official Publication of the  
California Department of Real Estate

Vol. 55, No. 1 Spring 1995

**STATE OF CALIFORNIA**PETE WILSON, *Governor*BUSINESS, TRANSPORTATION AND HOUSING AGENCY  
DEAN R. DUNPHY, *Secretary***DEPARTMENT OF REAL ESTATE**JOHN R. LIBERATOR, *Interim Real Estate Commissioner***PRINCIPAL OFFICE**

2201 Broadway, P.O. Box 187000, Sacramento, 95818-7000

Consumer Information ..... (916) 227-0864

Mortgage Loan Activities ..... (916) 227-0770

**LICENSING NUMBERS**

General Licensing Information ..... (916) 227-0931

Broker Examinations ..... (916) 227-0899

Salesperson Examinations ..... (916) 227-0900

Original Licensing (sales/brokers) ..... (916) 227-0904

TDD for the hearing impaired only ..... (916) 227-0929

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Consumer Information ..... (916) 227-0864

Charles W. Koenig, *Managing Deputy Commissioner III*

Fresno, Room 3070, 2550 Mariposa Street, 93721

Consumer Information ..... (209) 445-5009

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Los Angeles, Room 8107, 107 S. Broadway, 90012

Consumer Information ..... (213) 897-3399

vacant, *Managing Deputy Commissioner III*

San Diego, Room 3064, 1350 Front Street, 92101-3687

Consumer Information ..... (619) 525-4192

J. Chris Graves, *Managing Deputy Commissioner II*

Santa Ana, Room 639, 28 Civic Center Plaza, 92701

Consumer Information ..... (714) 558-4491

Thomas McCrady, *Managing Deputy Commissioner III***SUBDIVISIONS**

Principal Office: Sacramento, P.O. Box 187005, 95818-7005

Thomas R. Hensley, *Assistant Commissioner, Subdivisions*

South — Los Angeles, Room 7111, 107 S. Broadway, 90012

Consumer Information ..... (213) 897-3908

Robert D. Gilmore, *Managing Deputy Commissioner III*

North — Sacramento, P.O. Box 187005, 95818-7005

Consumer Information ..... (916) 227-0813

Margret Stroh, *Managing Deputy Commissioner III*

## Mortgage Loan Advertising DRE Approval Now Voluntary

by Larry Smith, *Managing Deputy Commissioner IV*

Assembly Bill (AB) 3358 has amended Business and Professions (B&P) Code Section 10232.1 to abolish all mandatory mortgage loan ad reviews for “threshold” real estate brokers. In the past, brokers satisfying the provisions of Section 10232 of the B&P Code were required by B&P Code Section 10232.1 to submit all of their mortgage loan advertising to the Department for review and approval prior to its use. Regulation 2847 has allowed mortgage brokers who did not satisfy the “threshold” criteria the option to voluntarily submit their advertising to the Department for “safe harbor” clearance.

Effective January 1, 1995, submission of mortgage loan advertising for DRE approval will be entirely voluntary. For those brokers who want a “safe harbor” and voluntarily submit their advertising for approval, a fee to cover the costs of the review will be charged. Moreover, approvals will be for a certain duration.

### Approved mortgage loan advertising will only be valid for five years.

The amount of the fee will be established by regulation and will be no more than \$40.00 per ad.

The actual amount of the fee will be finalized in a regulation hearing tentatively planned for the Spring of 1995.

Although the specific date is not known at this time, the fee requirement is expected to be effective in July 1995. Until the fee is established, there will be no charge for ad reviews.

AB 3358 also sets the length of time an ad approval will remain valid. In the past, when the Department of Real Estate issued an approval of mortgage loan advertising, the approval was for an indefinite time period. Effective January 1, 1995, approvals of mortgage loan advertising will only be valid for five years. Please note that the five year period pertains also to previous ad approvals and commences on the date the ad was approved. For example, an approval issued on March 30, 1990, will expire on March 29, 1995.

If you have any questions regarding AB 3358, please call the Mortgage Lending Unit at 916-227-0770. 🏠

### Real Estate Advisory Commission

James P. Antt, Jr.  
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Michael Cortney  
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The *REAL ESTATE BULLETIN* (ISSN 07347839) is published quarterly by the State of California, Department of Real Estate, 2201 Broadway, Sacramento, CA 95818, as an educational service to all real estate licensees in the state under the provisions of Section 10083 of the Business and Professions Code. Second Class Postage paid at Sacramento, California.

Postmaster, send address changes to *REAL ESTATE BULLETIN*, P.O. Box 187000, Sacramento, CA 95818-7000.

## Maintenance Responsibilities

# Condominium or Planned Development Project

by Robert D. Gilmore, Managing Deputy Commissioner III

Each year DRE receives a number of inquiries regarding who is responsible for maintenance of common areas within a condominium or planned development. Answering this type of question can be difficult, as it may involve interpretation of the governing documents for the project.

The responsibilities for maintenance of areas owned by individual purchasers and those owned in common are normally set forth in the recorded restrictions and do not necessarily correlate with fee ownership. Each project is different and maintenance responsibilities may be assigned to be consistent with the architectural charac-

teristics of the project. For example, certain common areas of a condominium project may be the responsibility of an individual unit owner if there are no shared party walls (e.g., exterior painting of freestanding units). Also, the roofs of units with discernible roof lines could be the responsibility of the individual owners. In these cases, the restrictions normally provide that an affected unit owner is granted an easement over the common area and owners have maintenance responsibility for these common areas.

It is extremely important that the budget be constructed to support the homeowner association's maintenance responsi-

bilities. DRE provides the specific guidelines for each item to be included in the initial budget for a new project. Because the project is new, the initial budget is only a fair projection of operating costs, based on rates and formulas of the anticipated costs of operating and maintaining the common areas. After DRE approval, the assessment amount is disclosed in the final subdivision public report and a copy of the budget is provided to all buyers. A portion of the assessment will be allocated to the reserve fund for long-term repair and replacement of major common area components.

Thus, if you have questions regarding maintenance responsibilities in a condominium or planned development project, you should first review the governing documents and budget for the project. If those documents do not resolve your concerns, an inquiry should be made to the homeowners' association. 🏠

## Real Estate Education in California

by Thomas L. Mabry, Manager, Education Section

Education is crucial to success in all professions, including real estate. The following is a general discussion of the evolution of real estate education in California.

### The Historical Perspective

In 1949, a much-needed college level course of study in real estate education became a reality. After several years of effort on the part of industry leaders and the Real Estate Commissioner, the University of California (UC) agreed to start offering a program of professional education in real estate through its Extension System. UC began this effort with an appropriation of \$50,000 from DRE's Real Estate Fund. However, it was soon learned that the cart had been put before the horse because, overall, there was a shortage of educational materials relating to the subject of real estate. As a result, for each of the next eight years, the Department appropriated \$100,000 a year to UC for research and course development, including educational aids. Concurrently, UC began offering a statewide Certificate Program in Real Estate.

In 1956, legislation established a special Real Estate Education and Research Fund, funded from a specific percentage of

license fees. The legislation included a provision extending the advancement of real estate education and research to the state college system (now the California State University System), and the state's junior college system (now the California Community Colleges).

Throughout the following years, many steps have been taken to encourage and enhance real estate education in California. These include: 1) legislation establishing optional pre-license requirements in 1963 (which became mandatory in 1971); 2) twenty years later, the institution of continuing education requirements for license renewals; 3) making endowments to support real estate "chairs" at UC Berkeley and UCLA; 4) grants to further the development of Community College and State University real estate education programs; and 5) the offering of scholarships for students pursuing real estate careers.

Moreover, various past and present advisory committees have actively assisted and advised the Real Estate Commissioner on educational matters to assure that real estate licensees receive the education needed to serve and protect consumers. For example, last year the continuing education requirements were expanded to respond to

Department and industry concerns relative to trust fund accounting/handling and fair housing. These new requirements will become effective on January 1, 1996. (The specifics of the new continuing education requirements were set forth in the Winter Real Estate Bulletins for 1993 and 1994 and may also be obtained by writing to the Department of Real Estate's Education Section at Post Office Box 187000, Sacramento, California 95818-7000.) Also, an optional three-unit course in "Mortgage Loan Brokering and Lending" has been added to the pre-licensing courses for prospective broker licensees in response to increased licensee participation in this segment of the real estate industry.

Indeed, the list of accomplishments is impressive. California has been and will continue to be one of the most active states in support of education in all aspects of the real estate industry. The Department will continue to do its part to assure the public that California real estate licensees have the education necessary to prepare for and maintain competence in a real estate career and to protect and serve their clients. 🏠

## Case Study

# The Consequences of Wrongful Conduct

The great majority of real estate licenses endeavor to provide honest service to their principals. Most of the consumer complaints which the Department receives originate from negligence, ignorance or miscommunication. Occasionally, however, some brokers deliberately contrive to defraud the public. Such schemes often result in not only license revocation but also jail time.

The following incident involved a licensed corporate broker that negotiated listings and sales and arranged loans through its president, the designated officer-broker. The vice president of the corporation was a former real estate salesperson whose license had expired prior to the violations discussed herein.

### The Scheme

The two corporate officers developed and executed a two-tiered plan and scheme to defraud investors by: 1) creating forged notes and deeds of trust in sham loan transactions, selling them to the public, and then converting the loan proceeds for their own use; and, 2) converting borrower payoffs on hard money loans and continuing to make monthly payments to the investors as though the loans were still outstanding.

### Investigation Findings

A DRE investigation and audit disclosed that the corporate broker appeared to be servicing about 150 loans for 120 investors but only 12 of these loans involved legitimate borrowers actually making monthly payments. Even though there was a lack of record keeping, DRE was able to prove that the two corporate officers diverted and disbursed for their own benefit a minimum of \$358,000 in investor trust funds. DRE also proved that the corporation and designated officer: 1) failed to designate a number of bank accounts as trust accounts; 2) commingled trust funds; 3) permitted unlicensed and unbonded persons to withdraw trust funds; and, 4) failed to maintain and to make available for inspection certain trust fund records. In addition to these fraudulent and dishonest acts, DRE showed that the designated officer failed to exercise reasonable supervision

and control of the corporation's activities and was negligent or incompetent in his licensed duties.

### The End Result

The corporation's and designated officer's license rights were revoked. Although the vice president's license rights had expired, his acts are grounds to deny him a license if he should ever apply in the future. Such an application will have to wait until he gets out of jail because, after

the administrative proceedings, the designated officer and vice president were prosecuted for grand theft and sentenced to serve ten years in state prison. The designated officer is concurrently serving three years for bank fraud. 🏠



## Leaving the business?

by Larry Cannon, Managing Deputy Commissioner II

Whether it's for retirement to find the "good life" or a career change, the time may come when you decide to close your real estate brokerage office. When that day comes, broker licensees should keep the following in mind:

✓ **Advise DRE if any salespersons will be terminated from your employment.**

This can be accomplished by submitting a completed Salesperson Change Application (RE 214) for each of the salespersons that are in your employ. The license certificate must be returned to each salesperson.

✓ **Notify DRE of any future mailing or residence addresses.**

Even though it may be your intention to leave the business, you are still licensed until your license expires. (Licensure on an inactive basis was eliminated in 1981.) You are obligated to keep DRE informed of the most current mailing and residence addresses. This can be accomplished by submitting a Broker Change Application (RE 204) for individual brokers, or a Corporation Change Application (RE 204A) for licensed corporation officers.

✓ **Retain your records for a minimum of three years.**

While your real estate practice may be ending, you will be responsible for maintaining copies of all listings, deposit receipts, canceled checks, trust records, and other documents that you or any of your salespersons have ex-

ecuted or obtained in connection with any transactions for which a real estate license is required. The retention period runs from the date of the closing of the transaction, or from the date of the listing in the event that the transaction was not consummated. If you have conducted mortgage loan transactions, all mortgage loan disclosure statements that you have provided to borrowers must be retained for a period of four years.

✓ **Trust Funds.**

If you have a trust account, all client trust funds that are on deposit must be maintained in the account until disbursed in accordance with instructions from the person(s) entitled to the funds. If, under unusual circumstances, you are unable to locate the beneficiaries to money that is on deposit, you must maintain the funds in the account for a period of three years. After this period, the funds will escheat to the State of California pursuant to Section 1518 of the California Code of Civil Procedure. You should contact the Unclaimed Property Division of the State Controller's Office regarding the correct procedures to relinquish the funds to the State. 🏠

## DISCIPLINARY ACTION — SEPTEMBER 1994 TO NOVEMBER 1994

- ✓ 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 taken 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]
- ✓ The following are brief summaries of the numerical code sections listed. The full text of the various sections is found in the Business and Professions Code and the Regulations of the Real Estate Commissioner, both of which are printed in the *Real Estate Law* book. The *Real Estate Law* book is available for purchase from the Department of Real Estate.



### Commissioner's Regulations

2715	Broker's failure to maintain current address with DRE	10176(e)	Commingle trust funds
2725	Failure of broker to review and initial agreements	10176(g)	Secret profit or undisclosed compensation
2726	Failure to have broker-salesperson agreements	10176(i)	Fraud or dishonest dealing in licensed capacity
2731	Unauthorized use of fictitious business name	10177(a)	Procuring a real estate license by misrepresentation or material false statement
2731(a)	Failure to obtain dba license	10177(b)	Conviction of crime
2752	Broker's failure to notify DRE of new salesperson	10177(d)	Violation of real estate law or regulations
2753	Broker's failure to maintain salesperson's license at main office or return the license at termination	10177(f)	Conduct that would have warranted denial of a license
2785(a)	Unlawful conduct in sale, lease and exchange transactions	10177(g)	Negligence or incompetence as licensee
2785(b)	Unlawful conduct in mortgage loan transactions	10177(h)	Failure to supervise salespersons or corporation
2790	Application/fee for public report	10177(j)	Fraud or dishonest dealing not in licensed capacity
2791	Unlawful subdivision purchase money disbursements	10177(k)	Violation of restricted license condition
2830	Failure to maintain trust fund account	10177.5	Civil fraud judgment based on licensed acts
2831	Inadequate trust fund records	10231	Accepting loan funds for pooling
2831.1	Inadequate trust fund records	10232	Failure to notify DRE of threshold status
2831.2	Inadequate trust fund records	10232.2	Failure to file annual MLB reports
2832	Failure to comply with specific provisions for handling trust funds	10232.25	Failure to file trust fund status reports
2832.1	Broker's failure to obtain permission to disburse trust funds from an account involving multiple beneficiaries	10232.4	Failure to give lender/purchaser disclosure
2833	Escrow trust fund handling violation	10233.1	Failure of broker to notify mortgage lender that payments were made from funds other than the borrowers
2834	Trust account withdrawals by unauthorized person	10234	Failure of broker to record trust deed in loan transaction or to cause recorded assignment of trust deed in sale of note secured by trust deed
2840	Failure to give borrower disclosure	10240	Failure to give mortgage loan disclosure statement
2950	Violation of broker-controlled escrow	10241	Improper mortgage loan disclosure statement
2950(h)	Failure of broker to advise all parties of licensee's interest in agency holding escrow		
2951	Record keeping requirements for broker handled escrows		
2970	Misleading advance fee advertising material		
2972	Incomplete advance fee accountings		

### Business and Professions Code

480(a)	Denial of real estate license on grounds of conviction of crime, dishonest or fraudulent act, or act which would warrant suspension or revocation of license
480(c)	Denial of license on grounds of false statement in license application
490	Relationship of conviction of licensed activity
498	License obtained by fraud, deceit or misrepresentation/omitting a material fact
10085	Failure to submit advance fee materials
10130	Acting without license
10137	Unlawful payment of compensation
10145	Trust fund handling
10145(a)	Trust fund handling
10145(c)	Failure by salesperson to deliver trust funds to broker
10145(d)	Trust fund handling
10145(g)	Failure to maintain a separate record of receipt & disposition of all trust funds
10146	Failure to handle advance fees as trust funds or to furnish verified accounting to principal
10148	Failure to retain records and make available for inspection
10159.2	Failure by designated officer to supervise licensed acts of corporation
10160	Failure to have 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
10176(a)	Making any substantial misrepresentation
10176(c)	Course of misrepresentation through salespersons

### LICENSES REVOKED

#### Fresno Region

##### Allen, William Kenneth (RRES)

P.O. Box 2185, Paso Robles

Effective: 9/20/94

Violation: 10177(j)

##### Casey, Patrick James (REB, REO)

2125 Wylie Dr., Ste. 2B, Modesto

Effective: 9/19/94

Violation: 2725, 2726, 2830, 2831, 2831.1, 2831.2, 10145, 10161.8, 10177(d)

Officer of: Gold Mountain Financial Corporation; American Gold Mortgage Company

##### Jordan, Harold E. (RES)

2130 Solano Dr., Bakersfield

Effective: 11/7/94

Violation: 490, 10177(a)

##### Keller, Robert Wayne (RES)

2059 W. Bullard, #113, Fresno

Effective: 9/21/94

Violation: 490, 10177(b)

##### Rosenkrans, Richard D. (RES)

331 Renell St., Morro Bay

Effective: 10/6/94

Violation: 10176(a)(i), 10177(j)

##### Spriet, John Julius (RES)

2475 Bliss Ave., Clovis

Effective: 9/6/94

Violation: 490, 10177(b)

#### Los Angeles Region

##### Azima & Associates, Inc. (REC)

20501 Ventura Blvd., #287, Woodland Hills

Effective: 9/8/94

Violation: 2715, 2790, 2791, 2830, 2831, 2831.1, 2831.2, 10176(e), 10177(d), 10240

##### Baboudjian, Vardan (RES)

1102 E. Acacia, Glendale

Effective: 9/15/94

Violation: 480(c), 490, 10177(a)(b)

##### Balao, Candy P. (RES)

7970 Woodman Ave. #243, Van Nuys

Effective: 11/29/94

Violation: 498, 10177(a)

##### Bate, Pierre Antoine (RES)

10773 Lawler St. #205, L.A.

Effective: 11/16/94

Violation: 490, 10177(b)

##### Bennett, Clyde Richard (RES)

240 Ravencrest Ct., Newbury Park

Effective: 9/29/94

Violation: 490, 10177(b)



- Bowman, Steven Clyde (RES)**  
1754 N. Palomares, Pomona  
Effective: 9/28/94  
Violation: 490, 10177(b)
- Calvo, Carlos Alberto (RES)**  
225 S. Sepulveda Blvd., Ste. 250,  
Manhattan Beach  
Effective: 9/29/94  
Violation: 490, 10177(b)
- Carapetian, Karineh (RES)**  
1215 N. Central Ave., Glendale  
Effective: 9/20/94  
Violation: 10176(i), 10177(d)
- Cendejas, Leo (RES)**  
103 W. Forest Ave., Arcadia  
Effective: 11/8/94  
Violation: 490, 10177(b)
- Champion Home Loan, Inc. (RREC)**  
699 Hampshire Rd., Ste. 220,  
Westlake Village  
Effective: 9/21/94  
Violation: 10177(d)
- Chateau Capital Corp. (REC)**  
4939 Medina Dr., Woodland Hills  
Effective: 9/15/94  
Violation: 2831, 2831.1, 2831.2,  
2832.1, 10145(a), 10148,  
10176(i), 10232.4, 10240
- Cheney, Cam Judith-Anne (RES)**  
1930 S. Beverly Glen Blvd., #103,  
Los Angeles  
Effective: 9/20/94  
Violation: 490, 10177(b)
- Coastline Financial Services, Inc. (REC)**  
18107 Sherman Way, Reseda  
Effective: 11/3/94  
Violation: 10162, 10165,  
10177(f)
- Commercial Property Mortgage Corp. (REC)**  
4000 Barranca Pkwy., Ste. 200,  
Irvine  
Effective: 10/3/94  
Violation: 2832.1, 2970, 2972,  
10137, 10145, 10146,  
10176(a)(e)(i), 10177(d)(g)(j)
- Dagbo, Bely A. (REB)**  
11752 Garden Grove Blvd., #210,  
Garden Grove  
Effective: 9/28/94  
Violation: 2715, 2831, 2831.1,  
2831.2, 2832.1, 10145
- Douglas, Gary Michael (REB, REO)**  
4920 Topanga Canyon Blvd., Ste.  
150, Woodland Hills  
Effective: 9/15/94  
Violation: 10176(i), 10177(d)(h)  
Officer of: Chateau Capital Corp.
- Duddy, Beverly Sue (RES)**  
1733 Ellincourt, #D, South  
Pasadena  
Effective: 10/4/94  
Violation: 490, 10177(b)
- Dunn, Michael Howard (REB, REO)**  
4000 Barranca Pkwy., Ste. 200,  
Irvine  
Effective: 10/3/94  
Violation: 10177(h)  
Officer of: Commercial Property  
Mortgage Corp.
- First Statewide Capital, Inc. (REC)**  
4705 Laurel Canyon Blvd., Ste.  
300, North Hollywood  
Effective: 9/22/94  
Violation: 10176(i), 10177(d)
- Fish, Franklin Wakefield III (RREB)**  
350 S. Havenside Ave.,  
Newbury Park  
Effective: 9/21/94  
Violation: 10177(d)
- Galindo Financial Corp. (REC)**  
6522 S. Atlantic Ave., Bell  
Effective: 10/11/94  
Violation: 2830, 2831, 2831.1,  
2831.2, 2832.1, 2833, 2950,  
10145(a), 10163, 10177(d),  
10232.2
- Grout, Raymond Scott (RES)**  
17060 Ft. Tejon Rd., Llano  
Effective: 10/4/94  
Violation: 10177(a)
- Gutierrez, Jose Padilla (RES)**  
1548 Ellsmere Ave., Los Angeles  
Effective: 9/15/94  
Violation: 498, 10177(a)
- Islam, Hanan Hafeezah (RES)**  
1515 S. Oleander Ave., Compton  
Effective: 9/28/94  
Violation: 490, 10177(b)
- Jariv, James I. (REB, REO)**  
17945 Medley Dr., Encino  
Effective: 9/22/94  
Violation: 10159.2, 10177(d)(h)  
Officer of: First Statewide  
Capital, Inc.; Triangle  
Mortgage Servicing,  
Inc.
- Jones, Christopher David (RREB)**  
2120 South 2nd Ave., Arcadia  
Effective: 9/20/94  
Violation: 10177(k)
- Kyles, Shawn Irvin (REB)**  
6700 Fallbrook Ave., Ste. 135,  
West Hills  
Effective: 10/19/94  
Violation: 2715, 2731(a),  
2832.1, 10145, 10148, 10163,  
10176(e)(i), 10177(d)(j)
- Lee-Jon Financial Services, Inc. (REC)**  
1047 W. Carson St., #S100,  
Torrance  
Effective: 11/4/94  
Violation: 10162, 10165,  
10177(f)
- Lopez, Armando Gonzalez (RES)**  
18840 Napa St., Northridge  
Effective: 11/8/94  
Violation: 498, 10177(a)
- Milligan, Dean Alan (RES)**  
400 W. Century Blvd.,  
Los Angeles  
Effective: 10/12/94  
Violation: 490, 498, 10177(a)(b)
- Moguel, Pamela Lyn (REB)**  
864 S. Robertson Blvd., Ste. 101,  
Los Angeles  
Effective: 10/4/94  
Violation: 490, 10177(b)
- Morrow, Howard Charles (REO)**  
1741 W. Lomita Blvd., Ste. C,  
Lomita  
Effective: 11/10/94  
Violation: 2830, 2832.1, 10137,  
10145, 10177(d)(h)  
Officer of: Morrow Mortgage  
Company, Inc.
- Pacheco, Ruth Frances (REB, REO)**  
4821 Lee St., Torrance  
Effective: 11/21/94  
Violation: 10177(h)  
Officer of: First Pacific Funding  
Corp.
- Pizano, Oscar (RES)**  
13133 Bigelow St., Cerritos  
Effective: 9/28/94  
Violation: 490, 10177(b)
- Reynolds, Stephen G. (RES)**  
514 N. Helberta, Redondo Beach  
Effective: 10/4/94  
Violation: 490, 10177(b)
- Robbins, Alan (REB)**  
9721 Cedres Ave., Panorama City  
Effective: 4/4/94  
Violation: 490, 10177(b)
- Ruppert, C. Thomas (REB)**  
1611 San Vicente Blvd., 9th Fl.,  
Los Angeles  
Effective: 7/6/94  
Violation: 2830, 2831, 2831.1,  
2831.2, 10145, 10176(e)(i),  
10177(d)
- Schmiederer, Robert Harold (REB, REO)**  
14039 Margate St., Van Nuys  
Effective: 9/8/94  
Violation: 10159.2, 10177(d)(h)  
Officer of: Azima & Associates,  
Inc.
- Scott, Michael K. (RES)**  
2571 Puesta Del Dol,  
Santa Barbara  
Effective: 11/22/94  
Violation: 490, 498, 10177(a)(b)
- Simons, Kelly Rae (RES)**  
2504 Willow, #102, Signal Hill  
Effective: 10/4/94  
Violation: 10177(a)
- Statewide Home Loan Corp. (REC)**  
4705 Laurel Canyon Blvd., Ste.  
300, North Hollywood  
Effective: 9/22/94  
Violation: 10176(i), 10177(d)
- Strawder, Richard Horace (REB)**  
10612 Kester Ave., Mission Hills  
Effective: 9/20/94  
Violation: 490, 10177(b)
- Tri-County Realty, Inc. (REC)**  
350 S. Havenside Ave.,  
Newbury Park  
Effective: 9/21/94  
Violation: 10177(d)
- Triangle Mtg. Servicing, Inc. (REC)**  
4705 Laurel Canyon Blvd.,  
Ste. 300, North Hollywood  
Effective: 9/22/94  
Violation: 10176(i), 10177(d)
- Young, Ghada (RES)**  
982 - 11th St., #4, San Pedro  
Effective: 11/3/94  
Violation: 490, 10177(b)
- Ziba, Vahid (RES)**  
743 Silvertree, Claremont  
Effective: 10/4/94  
Violation: 490, 10177(b)

### Santa Ana Region

**Agboghidi, Moses Aichenede (RES)**  
22220 Deberry St., Grand Terrace  
Effective: 9/20/94  
Violation: 10177(d)

**Bancorp Mortgage (REC)**  
1717 S. State College Blvd.,  
Ste. 150, Anaheim  
Effective: 9/20/94  
Violation: 10177(d)

**Blanco, John Eric (RRES)**  
26871 Alessandro Blvd., Sp. 5,  
Moreno Valley  
Effective: 10/24/94  
Violation: 490, 10130,  
10177(a)(d)(f)(j)(k)

**Davis, Willie Paul (RES)**  
25912 Terra Bella, Laguna Hills  
Effective: 11/8/94  
Violation: 10137

**Eitzen, Robert Gray (RES)**  
1060 N. Morgan, Orange  
Effective: 9/20/94  
Violation: 490, 10177(b)

**Espedia, Brad (REB)**  
3941E S. Bristol St., #483,  
Santa Ana  
Effective: 10/18/94  
Violation: 490, 10177(b)

**Gonzalez, Juan (RES)**  
1219 Meadow Ct., Upland  
Effective: 9/20/94  
Violation: 10176(a)(b)(i),  
10177(g)(j)

**Grefe, William Martin (RES)**  
P.O. Box 2254, Mission Vieje  
Effective: 9/15/94  
Violation: 490, 10177(b)

**Hile Financial Corporation (REC)**  
184 Camino Encanto,  
Palm Springs  
Effective: 11/4/94  
Violation: 10177.5

**Hyde, Benita Sue (RES)**  
2601 Del Rosa Ave., #103,  
San Bernardino  
Effective: 11/3/94  
Violation: 490, 10177(b)

**J M O'Neill Mortgage, Inc. (REC)**  
6101 W. Ball Rd., Ste. 207,  
Cypress  
Effective: 10/27/94  
Violation: 2731, 2752, 2753,  
2831.1, 2831.2, 2834, 2840,  
2950(h), 10137, 10145, 10159.5,  
10160, 10161.8, 10177(d), 10240,  
10241

**Jenkins, Barbara Nell (REB)**  
14198 Apple Blossom Lane,  
Moreno Valley  
Effective: 11/29/94  
Violation: 2715, 10162, 10165,  
10177(d)(k)

**Macik, Edward Michael (RES)**  
P.O. Box 3133, Anaheim  
Effective: 10/4/94  
Violation: 490, 10177(b)

**McKinzie, Janet Faye (REB)**  
39 N. Hampton Ct.,  
Newport Beach  
Effective: 11/3/94  
Violation: 490, 10177(b)

**Mowry, Brett Palm (RES)**  
14599 Riverside Dr.,  
Apple Valley  
Effective: 9/20/94  
Violation: 2785(a)(b),  
10176(a)(i)

**Nimmo, Richard William (RES)**  
5291 Plum Tree, Irvine  
Effective: 9/20/94  
Violation: 490, 10177(b)

**Novak, Ramona Kay (RES)**  
19776 Sunset Ln., Apple Valley  
Effective: 9/28/94  
Violation: 490, 10177(b)

**Previti, James Louis (RES)**  
1295 Peppertree Ln.,  
San Bernardino  
Effective: 9/20/94  
Violation: 490, 10177(b)

**Prickett, Claude Clarence (RES)**  
2401 Shadow Hill Dr., Riverside  
Effective: 9/29/94  
Violation: 10130, 10137,  
10177(d), 10232.4

**Rawlings, Tony Anhtuan (RES)**  
3722 S. Garsey St., Santa Ana  
Effective: 9/27/94  
Violation: 490, 10177(a)

**Sandroff, Jason Marvin (RES)**  
P.O. Box 7247, Orange  
Effective: 11/8/94  
Violation: 490, 498, 10177(a)(b)

**Tran, Betty Tran Huynh (REB)**  
14291 Euclid St., Ste. D108,  
Garden Grove  
Effective: 10/4/94  
Violation: 490, 10177(b)

**Veritas Corp. Consultants (REC)**  
17671 Irvine Blvd., Ste. 206,  
Tustin  
Effective: 11/22/94  
Violation: 2725, 2752, 2830,  
2832, 10137, 10145, 10177(d)(h)

**West Coast Timeshares, Inc. (REC)**  
184 Camino Encanto,  
Palm Springs  
Effective: 11/4/94  
Violation: 10177.5

### Sacramento Region

**Attenburg, Sandra R. (RES)**  
826 Cordwell Cir., Roseville  
Effective: 9/14/94  
Violation: 10176(a)(i), 10177(j)

**Bell, Dennis Lynn (RES)**  
1532 Jones Dr., Yuba City  
Effective: 11/7/94  
Violation: 490, 10177(b)

**Chand, Subhash (REB)**  
8456 Hidden Valley Cir.,  
Fair Oaks  
Effective: 10/3/94  
Violation: 490, 10177(b)

**Del Favero, Alfred Joseph (REB)**  
1407 A St., Ste. B, Antioch  
Effective: 1/6/94  
Violation: 2726, 10145(a),  
10176(i), 10177(b)(d)(j)

**Gilbert, Thomas Allen (RES)**  
23 Heritage Oaks Rd.,  
Pleasant Hill  
Effective: 11/2/94  
Violation: 490, 10177(b)

**Larson, Judie Ann (RES)**  
250 S. Harding Blvd., Roseville  
Effective: 9/14/94  
Violation: 10176(a)(i), 10177(g)

**Littlefield, Allan Wayne (RES)**  
4603 Ronnie Ct., Rocklin  
Effective: 10/3/94  
Violation: 490, 10177(b)

**McCauley, Thomas Benton (RES)**  
2740 Arden Way, Ste. 220,  
Sacramento  
Effective: 10/5/94  
Violation: 10130, 10131,  
10145(c), 10176(a)(b)(c)(e)(i),  
10177(d)(j)

**Moneymaker, Mike Bruce (RES)**  
P.O. Box 613120,  
South Lake Tahoe  
Effective: 10/4/94  
Violation: 490, 498, 10177(a)(b)

**Nellis, Gail Catherine (RES)**  
5259 English Colony Way,  
Penryn  
Effective: 10/4/94  
Violation: 490, 10177(b)

**Sahota, Manjit Singh (RES)**  
8340 Lichen Dr., Citrus Heights  
Effective: 8/4/94  
Violation: 10130, 10131,  
10145(c), 10176(a)(e)(i),  
10177(d)

**Wang, Kenneth K. (REB)**  
5900 Hoffman Ln., Fair Oaks  
Effective: 10/5/94  
Violation: 490, 10177(b)

### San Diego Region

**Alonzo, Perlita Tagle (RES)**  
740 Brass Lantern Rd.,  
San Marcos  
Effective: 11/7/94  
Violation: 490, 10177(b)

**Braun, Robert David (RES)**  
P.O. Box 216, La Jolla  
Effective: 11/8/94  
Violation: 10177(f)

**Foster, Teresa A. (RES)**  
5151 Murphy Canyon Rd.,  
Ste. 150, San Diego  
Effective: 9/28/94  
Violation: 10176(i), 10177(j)

**Foulet, William Raine (RES)**  
512 Via De La Valle, Ste. 100,  
Solana Beach  
Effective: 11/7/94  
Violation: 490, 10177(b)

**Goertz, Claudia Winter (REB)**  
9845 Erma Rd., Ste. 208,  
San Diego  
Effective: 10/18/94  
Violation: 10177(f)

**Howard, Kristopher C. (RES)**  
2655 Camino Del Rio North,  
#150, San Diego  
Effective: 9/29/94  
Violation: 498, 10177(a)

**Kashani, Parviz (RES)**  
4182 Mt. Alifan Pl. #G,  
San Diego  
Effective: 11/16/94  
Violation: 490, 10177(b)

**Kendrick, Vaughn Winston (RES)**  
406 Mainsail Rd., Oceanside  
Effective: 11/8/94  
Violation: 10137

**Kerr, Michael Gordon (REB)**  
942 E. Valley Pky., Escondido  
Effective: 11/7/94  
Violation: 2715, 2832.1, 10162,  
10165, 10176(i), 10177(d)(g)

**Newman, Kurt Russell (RES)**  
7168 Ruane St., San Diego  
Effective: 11/16/94  
Violation: 490, 10177(b)

**Ng, Arnold Jonathan (RES)**  
6846 Century St., La Mesa  
Effective: 11/28/94  
Violation: 490, 10177(b)

**Polvent, Clifford John (RES)**  
P.O. Box 3690, Rancho Santa Fe  
Effective: 10/28/94  
Violation: 490, 10177(b)

**Saria, Cesar Navarro (REB, REO)**  
9580 Black Mountain Rd., Ste. E,  
San Diego  
Effective: 10/4/94  
Violation: 10177.5

### San Francisco Region

**Agnew, James Graham (RES)**  
1320 Galaxy Way, Concord  
Effective: 9/29/94  
Violation: 10145(c),  
10176(a)(e)(g)(i), 10177(d)

**Bokov, Serge (RES)**  
477 34th Avenue, #9,  
San Francisco  
Effective: 9/12/94  
Violation: 480(a), 498,  
10177(a)(b)

**California Fidelity, Inc. (REC)**  
500 5th St., Eureka  
Effective: 11/3/94  
Violation: 10130, 10137,  
10177(d)(f),

**Duff, Raymond John Jr. (REB, REO)**  
500 5th St., Eureka  
Effective: 11/3/94  
Violation: 2830, 2831.1, 2832.1,  
10145, 10145(d), 10148,  
10176(a)(e), 10177(d)(g)(h),  
10231, 10232.4, 10233.1, 10234  
Officer of: California Fidelity,  
Inc.

**Garcia, Jose Manuel (RES)**  
915 Constitution Dr., Foster City  
Effective: 9/20/94  
Violation: 10176(a)(i),  
10177(f)(g)(j)

**Kelley, Glen Fletcher (RES)**  
450 College Ave., Santa Rosa  
Effective: 9/14/94  
Violation: 490, 10177(b)

**Kong, Francine Analisa (RES)**  
363 24th Ave., San Francisco  
Effective: 9/12/94  
Violations: 480(a), 498,  
10177(a)(b)

**Posadas, Gregory Stephen (RES)**  
3150 Sneath Ln., San Bruno  
Effective: 9/12/94  
Violation: 490, 10177(b)

## REVOKED WITH A RIGHT TO A RESTRICTED LICENSE

### Fresno Region

**Cambridge Mortgage Company, Inc. (REC)**  
2332 W. Whitendale, Ste. A,  
Visalia  
Effective: 11/21/94  
Violation: 2831, 2831.1, 2831.2,  
2832, 2832.1, 2840, 10145,  
10177(d), 10240  
Right to RREC license on terms  
and conditions.

**Guzman, Eugene A. (REB, REO)**  
538 McHenry Ave., Ste. B,  
Modesto  
Effective: 10/11/94  
Violation: 10176(a)  
Officer of: Guzman Realty, Inc.  
Right to RREC license on terms  
and conditions.

**Guzman Realty, Inc. (REC)**  
538 McHenry Ave., Ste. B,  
Modesto  
Effective: 10/11/94  
Violation: 10176(a)  
Right to RREC license on terms  
and conditions.

**Martin, Beverly Louise (REB, REO)**  
1520 H St., Modesto  
Effective: 9/21/94  
Violation: 2830, 2831, 2831.1,  
2831.2, 2832.1, 10145, 10177(d),  
10232, 10232.2, 10232.25  
Officer of: Martin Mortgage  
Corporation  
Right to RREC license on terms  
and conditions.

**Martin Mortgage Corp. (REC)**  
1520 H St., Modesto  
Effective: 9/21/94  
Violation: 2830, 2831, 2831.1,  
2831.2, 2832.1, 10145, 10177(d),  
10232, 10232.2, 10232.25  
Right to RREC license on terms  
and conditions.

**Tellalian, Harry Hrant (REB)**  
814 W. Main St., Visalia  
Effective: 11/21/94  
Violation: 2831, 2831.1, 2831.2,  
2832, 2832.1, 2840, 10145,  
10177(d)(h), 10240  
Right to RREC license on terms  
and conditions.






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### Los Angeles Region

- Arroyo, Ruben Davila (REB)**  
1545 E. Verness St., West Covina  
*Effective:* 11/30/94  
*Violation:* 2830, 2831(a), 2831.1, 2831.2, 2832.1, 2834(a), 2950(h), 2951, 10137, 10145(d), 10177(d)  
Right to RREB license on terms and conditions.
- Barr, Gregory Paul (REB)**  
2145 Brea Canyon Rd., Diamond Bar  
*Effective:* 11/29/94  
*Violation:* 2831, 2840, 10137, 10145, 10148, 10177(d), 10240  
Right to RREB license on terms and conditions.
- Carrizo, Eduardo (REO)**  
8111 State St., South Gate  
*Effective:* 11/1/94  
*Violation:* 10159.2, 10177(h)  
*Officer of:* Santa Fe Home Loans, Inc.  
Right to RREB license on terms and conditions.
- Crumpler, Sean Travis (RES)**  
291 S. La Cienega Blvd., #643, Beverly Hills  
*Effective:* 10/13/94  
*Violation:* 490, 10177(b)  
Right to RRES license on terms and conditions.
- Galindo, Rafael (REB, REO)**  
6522 S. Atlantic Ave., Bell  
*Effective:* 10/11/94  
*Violation:* 2830, 2831, 2831.1, 2831.2, 2832.1, 2833, 2950, 10145(a), 10163, 10177(d)(h), 10232.2  
*Officer of:* Galindo Financial Corporation  
Right to RREB license on terms and conditions.
- Garrison, Alphonse (RES)**  
P.O. Box 8586, Northridge  
*Effective:* 9/28/94  
*Violation:* 498, 10177(a)  
Right to RRES license on terms and conditions.
- Khan, Riffat Ahmad (REB)**  
5478 Wilshire Blvd. #205, Los Angeles  
*Effective:* 10/26/94  
*Violation:* 10137, 10145, 10176(a), 10177(h)(j)  
Right to RRES license on terms and conditions.
- Kim, David Eun Tae (RES)**  
1146 Old Canyon Dr., Hacienda Heights  
*Effective:* 11/1/94  
*Violation:* 10177(a)  
Right to RRES license on terms and conditions.

**Morrow Mortgage Company, Inc. (REC)**  
1741 W. Lomita Blvd., Ste. C, Lomita  
*Effective:* 11/10/94  
*Violation:* 2830, 2832.1, 10145, 10177(d)  
Right to RREC license on terms and conditions.

**Santa Fe Home Loans, Inc. (REC)**  
8111 State St., South Gate  
*Effective:* 11/1/94  
*Violation:* 2725, 2731, 2830, 2831, 2831.1, 2831.2, 2832.1, 2834, 2950(h), 10145, 10176(g), 10177(d), 10240  
Right to RREC license on terms and conditions.

**Vaystukh, David (RES)**  
1632 N. Avon St., Burbank  
*Effective:* 10/11/94  
*Violation:* 10177(b)  
Right to RRES license on terms and conditions.

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### Santa Ana Region

- Alonge, Steven (REB)**  
1525 3rd St., Riverside  
*Effective:* 11/9/94  
*Violation:* 10145(a), 10177(d)  
Right to RREB license on terms and conditions.
- Capasso, Nicholas Peter (REB)**  
17853 Santiago Blvd., Ste. 107, Villa Park  
*Effective:* 9/3/94  
*Violation:* 10137, 10177(d)(h)  
Right to RREB license on terms and conditions.
- Cook, Steven Roy (RES)**  
567 N. Mountain Ave., Upland  
*Effective:* 10/26/94  
*Violation:* 10177(c), 10177(d)  
Right to RRES license on terms and conditions.
- D'Silva, Pascal Ignatius (REB, REO)**  
155 East C St., #A, Upland  
*Effective:* 10/18/94  
*Violation:* 2725, 2752, 2831, 2831.2, 2834, 2951, 10137, 10161.8, 10163, 10177(d)(h), 10240  
Right to RREB license on terms and conditions.
- Goodin, James Robert (RES)**  
39565 Highbury Dr., Murrieta  
*Effective:* 10/27/94  
*Violation:* 10177(d)(f)  
Right to RRES license on terms and conditions.
- Goodlin, Dennis D. (RES)**  
946 #C West Arrow Hwy., Upland  
*Effective:* 9/14/94  
*Violation:* 10177(f)  
Right to RRES license on terms and conditions.
- Goodlin Mortgage, Inc. (REC)**  
12050 I Ave., Ste. G, Hesperia  
*Effective:* 9/14/94  
*Violation:* 10137, 10177(d)  
Right to RREC license on terms and conditions.

**Hallett, Richard Allen (RES)**  
732 N. Mountain Ave., #A, Upland  
*Effective:* 11/8/94  
*Violation:* 490, 10177(b)  
Right to RRES license on terms and conditions.

**Ingalls, John R. (REB, REO)**  
14265 California, Beaumont  
*Effective:* 11/22/94  
*Violation:* 2725, 2752, 2830, 2832, 10137, 10145, 10177(d)(h)  
*Officer of:* Veritas Corporation Consultants  
Right to RREB license on terms and conditions.

**Ishida, Michael Kiyoshi (RES)**  
24512 Mozer Dr., Laguna Niguel  
*Effective:* 10/24/94  
*Violation:* 490, 10177(a)(b)  
Right to RRES license on terms and conditions.

**Jones, Steven Russell (RES)**  
11542 Montclair Ct., Garden Grove  
*Effective:* 10/4/94  
*Violation:* 490, 498, 10177(a)(b)  
Right to RRES license on terms and conditions.

**Juhlke, Beverly Joan (REB)**  
72702 Willow St., #3, Palm Desert  
*Effective:* 11/8/94  
*Violation:* 10137  
Right to RREB license on terms and conditions.

**Paul, George Robert (REB)**  
1801 E. Edinger Ave., Ste. 200, Santa Ana  
*Effective:* 10/27/94  
*Violation:* 10159.2, 10177(d)(h)  
*Officer of:* J M O'Neill Mortgage, Inc.  
Right to RREB license on terms and conditions.

**Smith, Clarence Walter (REB, REO)**  
13733 Jicarilla Rd., Apple Valley  
*Effective:* 9/14/94  
*Violation:* 10137, 10177(d)  
*Officer of:* Goodlin Mortgage, Inc.  
Right to RREB license on terms and conditions.

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### Sacramento Region

- Carter, Terry Eugene (REB)**  
#5 Culver St., Colfax  
*Effective:* 11/14/94  
*Violation:* 2830, 2831, 2832, 10145, 10148, 10177(d)  
Right to RREB license on terms and conditions.
- Couch, Helen Dean (REB)**  
14380 Lakeshore Dr., Clearlake  
*Effective:* 11/14/94  
*Violation:* 2725, 2830, 2832.1, 10145, 10177(d)(h)  
Right to RREB license on terms and conditions.
- Dunn, Kelly Ray (RES)**  
2443 Fair Oaks Blvd., Ste. 327, Sacramento  
*Effective:* 10/19/94  
*Violation:* 490, 10177(b)  
Right to RRES license on terms and conditions.

**Gaylor, William Paul Sr. (RES)**  
1702 Oakcreek Ct., Roseville  
*Effective:* 9/14/94  
*Violation:* 10176(a)  
Right to RRES license on terms and conditions.

**Lavine, James B. (RES)**  
9005 Erle Blunden Way, Fair Oaks  
*Effective:* 10/12/94  
*Violation:* 490, 10177(b)  
Right to RRES license on terms and conditions.

**McKeown, Margaret (REB)**  
1900 Churn Creek Rd., Ste. 114, Redding  
*Effective:* 9/6/94  
*Violation:* 2830, 2832.1, 2834, 2970, 2972, 10085, 10145, 10146, 10177(d)  
Right to RREB license on terms and conditions.

**Thomas, Randall Ferral (REB)**  
1919 Grand Canal Blvd., Ste. C-6, Stockton  
*Effective:* 10/3/94  
*Violation:* 10137, 10176(i)  
Right to RREB license on terms and conditions.

**Vasquez, Margaret C. (RES)**  
9514 Shumway Dr., Orangevale  
*Effective:* 10/5/94  
*Violation:* 10137  
Right to RRES license on terms and conditions.

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### San Diego Region

- England, Mitchell Clayton (REB)**  
5640 Baltimore Dr., La Mesa  
*Effective:* 9/29/94  
*Violation:* 490, 10177(b)  
Right to RREB license on terms and conditions.
- Marcelin, Angela Marie (RES)**  
16316 Avenida Venusto, #B, San Diego  
*Effective:* 9/1/94  
*Violation:* 490, 10177(b)  
Right to RRES license on terms and conditions.

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### San Francisco Region

- Agnew, Joanna Durgan (REB)**  
P.O. Box 51071, Pacific Grove  
*Effective:* 9/29/94  
*Violation:* 2830, 2831, 2831.1, 2831.2, 10145(a), 10148(a), 10177(d)(g)(h)  
Right to RRES license on terms and conditions.
- Bliss, Gregory Albert (REB, REO)**  
930 Mission St., Ste. 3, Santa Cruz  
*Effective:* 9/15/94  
*Violation:* 490, 10177(b)  
Right to RREB license on terms and conditions.
- Duling, Craig Paul (REB)**  
400 Hamilton Ave., Palo Alto  
*Effective:* 11/9/94  
*Violation:* 10176(a)  
Right to RREB license on terms and conditions.

**Evatt, Tom Paul (REB, REO)**  
1361 S. Winchester Blvd.,  
Ste. 210, San Jose  
*Effective:* 10/17/94  
*Violation:* 2725, 2831, 2831.1,  
2831.2, 2832.1, 2834, 10145,  
10177(d)(g)(h), 10232.25, 10240  
*Officer of:* Tamda Financial  
Group  
Right to RREB license on terms  
and conditions.

**Hickman, Lawrence M. (REB)**  
44 Montgomery St., Ste. 500,  
San Francisco  
*Effective:* 11/21/94  
*Violation:* 490, 10177(b)  
Right to RREB license on terms  
and conditions.

**Huynh, Chrys (RES)**  
746 Devonshire Way, Sunnyvale  
*Effective:* 10/17/94  
*Violation:* 10130, 10137,  
10177(f)  
Right to RRES license on terms  
and conditions.

**Linn, Richard L. (REB)**  
912 Garfield St., San Francisco  
*Effective:* 9/19/94  
*Violation:* 2725, 10137,  
10177(d)(g)(h), 10240  
Right to RREB license on terms  
and conditions.

**Solano, Julio (RES)**  
253 East 3rd St., Cloverdale  
*Effective:* 10/13/94  
*Violation:* 490, 498, 10177(a)(b)  
Right to RRES license on terms  
and conditions.

**Tamda Financial Group (REC)**  
1361 S. Winchester Blvd., #210,  
San Jose  
*Effective:* 10/17/94  
*Violation:* 2725, 2831, 2831.1,  
2831.2, 2832.1, 2834, 10130,  
10137, 10145, 10177(d),  
10232.25(e), 10240  
Right to RREC license on terms  
and conditions.

**Walsh, Morgan Scott (REB)**  
P.O. Box 2731, Novato  
*Effective:* 9/15/94  
*Violation:* 10177(f)  
Right to RREB license on terms  
and conditions.

## SUSPENDED INDEFINITELY

### Los Angeles Region

**CFFI Limited, Inc. (REC)**  
2373 Hacienda Blvd.,  
Hacienda Heights  
*Effective:* 11/1/94  
*Violation:* 10162, 10165  
Suspended indefinitely.

**Hamilton Property & Investment  
Co. (REC)**  
3365 Walnut Grove, #A,  
Rosemead  
*Effective:* 9/21/94  
*Violation:* 2715, 10162, 10165  
Suspended indefinitely.

### Santa Ana Region

**Alliance Acceptance Corp. (REC)**  
5120 Birch St., Newport Beach  
*Effective:* 11/8/94  
*Violation:* 10162, 10165  
Suspended indefinitely.

**Norrell, Shannon Dee (REB, REO)**  
17744 Slypark Cir., Ste. 180,  
Irvine  
*Effective:* 11/8/94  
*Violation:* 10162, 10165  
*Officer of:* Alliance Acceptance  
Corporation  
Suspended indefinitely.

## SUSPENDED WITH STAYS

### Los Angeles Region

**Alvarez, Mario Sandoval (REB)**  
556 N. Diamond Bar Blvd.,  
Ste. 301, Diamond Bar  
*Effective:* 10/25/94  
*Violation:* 2731, 2830, 2831,  
2831.2, 10148  
Suspended for 6 months; all but  
10 days stayed for 2 years on  
terms and conditions.

**Avatar Communities of California,  
Inc. (REC)**  
11306 East 183rd St., Ste. 303,  
Cerritos  
*Effective:* 10/25/94  
*Violation:* 10145(g), 10177(d)  
Suspended for 90 days; stayed for  
1 year on conditions.

**David N. Schultz, Inc. (REC)**  
715 N Central Ave., Ste. 300,  
Glendale  
*Effective:* 10/11/94  
*Violation:* 10145, 10177(d)(h)  
Suspended for 120 days; stayed  
for 2 years on terms & conditions.

**Evans, Charlie III (REB)**  
2155 E. Garvey Ave. North,  
Ste. B-10, West Covina  
*Effective:* 11/9/94  
*Violation:* 2715, 2725, 2830,  
2831.1, 2831.2, 2832.1, 2834,  
2840, 10137, 10145, 10176(e)(h),  
10177(d)  
Suspended for 90 days; stayed for  
1 year on terms and conditions.

**Iskander, George R. (REB)**  
20509 Bind Ct., Walnut  
*Effective:* 11/3/94  
*Violation:* 2831, 2831.2, 2832.1,  
10145, 10176(e), 10177(d)  
Suspended for 90 days; all but 10  
days stayed for 1 year on terms  
and conditions.

**Middleton, Marian Gabriel (REB,  
REO)**  
22653 Pacific Coast Hwy.,  
Malibu  
*Effective:* 9/6/94  
*Violation:* 10177(g)  
Suspended for 30 days; stayed for  
1 year on terms and conditions.

**Omohundro, Betty Jane (REB, REO)**  
540 Crooked Arrow Dr.,  
Diamond Bar  
*Effective:* 9/6/94  
*Violation:* 2715, 2726, 2752,  
2753, 2834, 10137, 10159.2,  
10161.8, 10163, 10165,  
10177(d)(h)  
*Officer of:* CFC Mortgage Corp.  
(formerly California  
Financial Corp.)  
Suspended for 90 days; stayed for  
2 years on terms and conditions.

**Salas, Rogelio Renteria (RES)**  
4827 E. Gage Ave., Bell  
*Effective:* 11/23/94  
*Violation:* 2785(a)(8), 10177(d)  
Suspended for 60 days; stayed for  
1 year on terms and conditions.

**Schultz, David Norbert (REO)**  
715 N. Central Ave., Ste. 300,  
Glendale  
*Effective:* 10/11/94  
*Violation:* 10145, 10177(d)(h)  
*Officer of:* David N. Schultz, Inc.  
Suspended for 120 days; stayed  
for 2 years on terms & conditions.

**Suhr, Jennie Wol (REB, REO)**  
34 Franciscan Pl., Pomona  
*Effective:* 10/25/94  
*Violation:* 10177(h)  
Suspended for 30 days; stayed for  
1 year on conditions.

**Yang, Chia Ling (REB)**  
12140 Artesia Blvd., #209,  
Artesia  
*Effective:* 11/29/94  
*Violation:* 2731, 2830, 2831,  
2831.1, 2831.2, 2833, 2840,  
10145, 10177(d), 10240  
Suspended for 90 days; stayed for  
2 years on terms and conditions.

### Santa Ana Region

**Alejandro, Nolan (REB, REO)**  
9355 Chapman Ave., Ste. 200,  
Garden Grove  
*Effective:* 10/25/94  
*Violation:* 10177(h)  
Suspended for 30 days; stayed for  
1 year on conditions.

**CFC Mortgage Corporation (REC)**  
850 E. Washington St., 2nd Floor,  
Colton  
*Effective:* 9/6/94  
*Violation:* 2715, 2726, 2752,  
2753, 2834, 10137, 10161.8,  
10163, 10165, 10177(d)  
*Formerly:* California Financial  
Corporation  
Suspended for 90 days; stayed for  
2 years on terms and conditions.

**Schramm, Arthur Daniel (REB)**  
24012 Calle De La Plata, Ste. 485,  
Laguna Hills  
*Effective:* 11/29/94  
*Violation:* 2725, 2726, 2830,  
2831, 2831.1, 2831.2, 10145,  
10159.2, 10177(d)  
Suspended for 60 days; stayed for  
2 years on terms and conditions.

### Sacramento Region

**Bisbee, Douglas Sylvester (REB)**  
3754 Fairway Dr., Cameron Park  
*Effective:* 11/22/94  
*Violation:* 10176(a)(b)(i)  
Suspended for 2 years; stayed for  
2 years on terms and conditions.

**Mathews, Edwin Stanley Robert  
(REB)**  
111 Main St., Placerville  
*Effective:* 11/22/94  
*Violation:* 10176(a)(b)(i)  
Suspended for 2 years; stayed for  
2 years on terms and conditions.

**More & Mathews, Inc. (REC)**  
3377 Coach Ln., Ste. A,  
Cameron Park  
*Effective:* 11/22/94  
*Violation:* 10176(a)(b)(i)  
Suspended for 2 years; stayed for  
2 years on terms and conditions.

**More, Warren Burns (REB)**  
3377 Coach Ln., Ste. A,  
Cameron Park  
*Effective:* 11/22/94  
*Violation:* 10176(a)(b)(i)  
Suspended for 2 years; stayed for  
2 years on terms and conditions.

**Rolin, Samie Laverne (REB)**  
23988 Balsam Ct., Auburn  
*Effective:* 10/27/94  
*Violation:* 10177(d)  
Suspended for 3 years; all but 60  
days stayed on terms & conditions.

### San Diego Region

**Truttmann, Sharon Rose (RES)**  
2041 Monarch Ridge Cir.,  
El Cajon  
*Effective:* 11/28/94  
*Violation:* 10176(a)(i)  
Suspended for 90 days; stayed for  
1 year on terms and conditions.

## SUSPENDED

### Los Angeles Region

**Williams, Frederick Douglas Jr.  
(REB)**  
2033 West 84th Pl., Los Angeles  
*Effective:* 11/29/94  
*Violation:* 2830, 2831, 2831.1,  
2831.2, 10137, 10145, 10177(d)  
Suspended for 60 days.





## INDEFINITE SUSPENSIONS (under Recovery Acct. provisions)

### Los Angeles Region

#### Bjorklund, Patricia Claire (RES)

31215 Pacific Coast Hwy.,  
Malibu  
Effective: 9/15/94

#### Evans, Benzell (REB)

3540 W. Slauson Ave.,  
Los Angeles  
Effective: 9/15/94

### Santa Ana Region

#### Borras, James Charles (REB)

P.O. Box 427-28, Tustin  
Effective: 11/15/94

### San Diego Region

#### Irvine, Edmund Joseph, Jr. (REB)

9360 Towne Centre Dr.,  
Suite 300, San Diego  
Effective: 11/8/94

#### Mitchell, Thomas Michael (REB)

28941 Cypress Ln., Pine Valley  
Effective: 11/15/94

#### Wisniewski, Kelly Marie (REB)

10426 Mission Gorge Rd., Santee  
Effective: 10/20/94

### San Francisco Region

#### DiLorenzo, Vincent (REB)

19065 Portola Dr., Ste. K., Salinas  
Effective: 9/15/94

#### Fonseca, Pedro (RES)

P.O. Box 2302, Redwood City  
Effective: 9/15/94

#### Haberman, P. Clayton (RES)

2051 Ellis St., San Francisco  
Effective: 9/15/94

#### Proell, Thomas Nagle (REB)

2975 Treat Blvd., Concord  
Effective: 9/15/94

#### Steinman, Patricia (REB)

P.O. Box 213, Mill Valley  
Effective: 9/29/94

#### Trompas, Steven Alexander (RES)

500 Ygnacio Valley Rd., #100,  
Walnut Creek  
Effective: 9/15/94

## Real Estate Agents: Not Independent Contractors In All Cases

*The following article was submitted by the State Compensation Insurance Fund (SCIF) in response to inquiries about the status of real estate salespersons as it relates to the obligation of employing brokers to pay workers' compensation insurance. It states the opinion of SCIF and does not necessarily apply to every situation.*

The question periodically arises: Are real estate agents independent contractors or employees of the broker for purposes of workers' compensation insurance? The answer is that in most cases real estate agents are employees of the broker. This applies even when the broker has attempted to construct an independent contractor relationship by the use of written contracts. For purposes of workers' compensation insurance, a real estate agent is **usually found to be an employee** of the real estate broker and must be covered by workers' compensation insurance.

Business and Professions Code Section 10132 refers to real estate salespersons as being "employed" while Section 10177(h) requires that the broker provide reasonable supervision over the sales staff. In workers' compensation matters, a real estate salesperson can only be considered an independent contractor under very special circumstances and with unequivocal documentation.

To be considered an independent contractor, a person must meet a number of criteria within workers' compensation regulations. The California Workers' Compensation Insurance Manual sets forth several factors that must be evaluated before any determination of independent contractor status can be made. The most important factor is the right to control the manner and means of accomplishing the results desired. An independent contractor is legally obligated to complete the contract, and cannot quit before the job is complete, whereas an employee may terminate employment at any time. Another important point is whether the contractor is engaged in a separately established business distinct from the employer, or if the services performed by the salesperson are a part of the regular business of the employer. Other questions include the amount of supervision received from the broker, whether the broker supplies the instruments and tools to perform the job, and whether the salesperson may hire, terminate and pay employees.

Considering the above criteria and the pertinent sections of the Business and Professions Code, it is clear that most real estate agents are employees of a broker for purposes of workers' compensation insurance. It is important that brokers pay the workers' compensation premium for their salespersons. Failure to do so could result in a fine to the broker should an injury occur to an employee. Specific questions regarding the status of a broker's employees should be directed to the workers' compensation insurer. 🏠

## Free Booklets Explain Residential Energy Standards

The California Energy Commission is distributing free publications explaining the *Building Energy Efficiency Standards*. Designed for residential construction only, the booklets include:

- **BUILDING FOR ENERGY EFFICIENCY**, An Overview — An explanation of the *Standards'* requirements and practical benefits.
- **MANDATORY MEASURES** for Residential Buildings — The minimum features and devices that must be installed in all new homes and additions.
- **CONSTRUCTION DETAILS** for Residential Buildings — Energy efficient wood construction techniques for floors, walls and ceilings which will meet or exceed insulation levels established by the *Standards*.
- **HEATING AND COOLING** for Residential Buildings — Information on compliance, documentation, and sizing requirements for HVAC systems.

The Energy Commission developed the booklets to make it easier for real estate sales professionals and residential property owners to understand and comply with the *Building Energy Efficiency Standards*. To receive free copies of these publications by mail, write:

California Energy Commission, 1516 9th Street, MS 25,  
Sacramento CA 95814-5512, Attn: Energy Specs/DRE

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	21	Job Analysis and Examination Specifications Study (1993; <i>report</i> )	\$9.00		
	28	Supervision of the Real Estate Office (1987; <i>video</i> )	\$25.00		
	29	Trust Funds (1987; <i>video</i> )	\$25.00		
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	33	Agency Disclosures in Residential Real Estate Transactions (1988; <i>video</i> )	\$25.00		
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	35A	Using the Services of a Mortgage Broker ( <i>brochure</i> ) (35 & 35A are a set)	<i>per set</i>		
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	39	Common Interest Development Brochure ( <i>brochure</i> )	<i>free</i>		
	44	Role of Licensees in Assisting First-Time Buyers: What Can Be Done? (1991; <i>report</i> )	\$9.00		
	45	The Need for Specialized Licensure and Education of Non-Residential Real Estate Licensees (1991; <i>report</i> )	\$9.00		
	46	The Impacts of Tax Reform on Real Estate Investment in California (1991; <i>report</i> )	\$9.00		
	47	Understanding the Affordability Issue: California Real Estate (1992; <i>report</i> )	\$9.00		

### SHIPPING INFORMATION

SHIPPING NAME			SUBTOTAL	
SHIPPING ADDRESS			+ SALES TAX	
CITY	STATE	ZIP CODE	TOTAL ENCLOSED	\$

# The DRE — An Industry/Government Partnership

by Dan Garrett, Manager, Legislation & Public Information

*As the Department of Real Estate is a relatively old consumer protection agency, its origins are unknown to many. This article, which gives a glimpse of the early history of the Department and the reasons for its establishment, points out the long-standing cooperative relationship between the Department and the industry it regulates.*

As California outgrew the pioneering and homesteading stages of its development and became increasingly urbanized, strangers found it difficult to "strike a deal" in bargaining for land and homes. The need for an intermediary to provide basic real estate knowledge and services, including negotiation, prompted the genesis of the real estate agent.

Along with increasing opportunities to provide real estate services to the maturing state came certain abuses of the public trust in the form of unethical, illegal or sharp practices by dishonest or incompetent agents operating in a climate of oftentimes unscrupulous competition. Responsible real estate practitioners began to see the need for some type of oversight organization.

The California Department of Real Estate was created by legislative act in 1917. It was the first law of its kind providing for the licensing and regulation of real

estate agents. It has served as a pattern for similar legislation in many other states.

As first enacted, the law was declared unconstitutional by the State Supreme Court in March of 1918. Opponents had claimed the act was unreasonable interference with the right of every citizen to engage in a legitimate and useful occupation and that the power given to the Commissioner was arbitrary.

In its ruling, the court found the new law invalid because it exempted from its provisions those corporations and persons who had "received from the Insurance Commissioner of the Bureau of Building and Loan Supervision a certain authority or license to do business within the state."

The court noted the requirements for obtaining licenses from the Insurance Commissioner were much simpler than those imposed upon real estate brokers and salespersons by the Real Estate Act: insurance licensees did not require recommendations vouching for their truthfulness and honesty; did not need a bond; and did not need to maintain an office. The court could not discern any reason for these special conditions or concessions but raised no other objections to the Act.

The constitutionality of the Act was still in question when a new Real Estate

Commissioner, Ray L. Riley, was appointed in July of 1919. Through his urging, the Legislature passed legislation which refined the original law. Among the strongest supporters was the organized real estate industry. The industry believed that the reasonable regulation of those engaged in the real estate business would benefit the public and assist in creating and maintaining higher professional standards and ethical practices in the conduct of real estate brokerage activities. As amended, the law was upheld by the Supreme Court in November, 1919.

Based on this framework, the Real Estate Law has evolved over the years to refine licensing requirements, establish continuing education, mandate helpful disclosures, etc. All these efforts, aimed at professionalism, have been implemented with the cooperation, and often the sponsorship, of the real estate industry.

Today, California's real estate regulatory structure is recognized as one of the most effective in the country. Current laws and regulations reflect a much more complex society than that of 1917 but, consistent with its origins, the Department's role has been developed by responding to the needs of consumers while at the same time addressing the practical concerns of licensees. 🏠

*Official Publication*

CALIFORNIA DEPARTMENT OF REAL ESTATE  
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