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DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE
BY *Jana B. Clark*

* * * *

In the Matter of the Accusation of)	NO. H-1704 SD
LA JOLLA PACIFIC MORTGAGE)	
SERVICE, a California)	
corporation, and LADRUE)	
RAY JORDAN,)	
Respondent.)	

DECISION

The Proposed Decision dated May 1, 1990, of Randolph Brendia, Regional Manager, Department of Real Estate, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o' clock noon on July 10, 1990.

IT IS SO ORDERED June 15, 1990.

JAMES A. EDMONDS, JR.
Real Estate Commissioner
By Robin T. Wilson, Chief Counsel

Robin S. Wilson

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of) NO. H-1704 SD
)
 LA JOLLA PACIFIC MORTGAGE)
 SERVICE, a California)
 corporation, and)
 LADRUE RAY JORDAN,)
)
 Respondents.)
)

PROPOSED DECISION

This matter was presided over as an uncontested case by Randolph Brendia, Regional Manager, Department of Real Estate, as the designee of the Real Estate Commissioner, in Los Angeles, California on May 1, 1990.

Timothy L. Newlove, Counsel for the Department of Real Estate, represented the Complainant.

Respondent, LA JOLLA PACIFIC MORTGAGE SERVICE, and its attorney of record, Patrick M. Smith, waived appearance at the hearing.

The matter of the Accusation of LADRUE RAY JORDAN has been severed for hearing and decision purposes.

The matter of the Accusation of LA JOLLA PACIFIC MORTGAGE SERVICE was submitted upon the written stipulation of the parties, and pursuant thereto, the following Decision is proposed, certified and recommended for adoption:

FINDINGS OF FACT

I

The Complainant, J. Chris Graves, in his capacity as a Deputy Real Estate Commissioner of the State of California, made the Accusation in his official capacity.

II

Respondent LA JOLLA PACIFIC MORTGAGE SERVICE (hereinafter "LA JOLLA PACIFIC") is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter referred to as the "Code").

III

At all times mentioned herein, respondent LA JOLLA PACIFIC was licensed by the California Department of Real Estate (hereinafter "Department") as a corporate real estate broker.

IV

At all times material herein, respondent LADRUE RAY JORDAN (hereinafter "JORDAN") was licensed by the Department as a real estate broker.

V

At all times material herein from September 26, 1986 to June 9, 1989, JORDAN was licensed by the Department as the designated officer of respondent LA JOLLA PACIFIC. As the designated officer of LA JOLLA PACIFIC, JORDAN was responsible for the supervision and control of the activities conducted on behalf of the corporation by its officers and employees as necessary to secure full compliance with the Real Estate Law as set forth in Section 10159.2 of the Code.

VI

At all times mentioned, respondent LA JOLLA PACIFIC engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker in the State of California within the meaning of Section 10131(d) of the Code including the operation of mortgage loan brokerage business with the public, wherein LA JOLLA PACIFIC solicited borrowers and lenders for loans secured by liens on real property, all for or in expectation of compensation.

VII

In or about June, 1988, respondent JORDAN terminated his employment and association with respondent LA JOLLA PACIFIC. From June, 1988 to June 9, 1989, respondent LA JOLLA PACIFIC and JORDAN, and each of them, failed to inform the Department that JORDAN had terminated his employment and association with LA JOLLA PACIFIC, thereby leaving said respondent without a supervising real estate broker for said period of time.

VIII

At all times material herein from June, 1988 to June 9, 1989, respondent LA JOLLA PACIFIC conducted the above-described mortgage loan brokerage business without a designated licensed real estate broker in fact to supervise the real estate activities of LA JOLLA PACIFIC.

IX

From September, 1986 to and including January, 1989, respondent LA JOLLA PACIFIC employed and compensated persons who were not licensed by the Department as real estate brokers or real estate salespersons to solicit borrowers and lenders for loans secured by liens on real property in connection with the mortgage loan brokerage business of LA JOLLA PACIFIC. Said unlicensed persons included, but are not necessarily limited to, Vickie Wagner and Cris Rose Rhoads.

X

The Board of Directors of LA JOLLA PACIFIC had delegated the responsibility for remaining in full compliance with the Code to management. Due to changes in management, full compliance was not achieved during the period of June, 1988 to June 9, 1989.

DETERMINATION OF ISSUES

I

The conduct of respondent LA JOLLA PACIFIC, in failing to inform the Department of the departure of respondent JORDAN in June, 1988 and in operating without an actual supervising designated licensed officer from June, 1988 to June 9, 1989, as described in Paragraphs VII and VIII hereinabove, constitutes a violation of Section 10130 of the Code and Section 2740 of Chapter 6, Title 10 of the California Code of Regulations. Said conduct and violations are cause to suspend or revoke the real estate license and license rights of respondent LA JOLLA PACIFIC under the provisions of Section 10177(d) of the Code.

II

The conduct of respondent LA JOLLA PACIFIC, in employing and compensating persons not licensed by the Department to conduct activity which requires a real estate license, as described in Paragraph IX hereinabove, constitutes a violation of Section 10137 of the Code and is cause thereunder to suspend or revoke the real estate license rights of respondent LA JOLLA PACIFIC.

ORDER

WHEREFORE THE FOLLOWING ORDER IS MADE PURSUANT TO THE WRITTEN STIPULATION OF THE PARTIES:

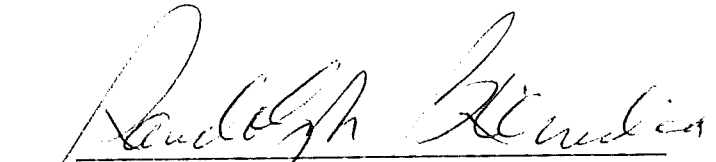
I

The corporate real estate broker license and license rights of respondent LA JOLLA PACIFIC MORTGAGE SERVICE under the provi-

sions of Part 1 of Division 4 of the Business and Professions
Code are revoked.

DATED:

May 1, 1990


RANDOLPH BRENDIA
Regional Manager
Department of Real Estate

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DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE
BY *Laura B. Chava*

* * * *

In the Matter of the Accusation of)
LA JOLLA PACIFIC MORTGAGE)
SERVICE, a California)
corporation, and LADRUE RAY)
JORDAN,)
Respondent.)

NO. H- 1704 SD

DECISION

The Proposed Decision dated May 1, 1990, of
Randolph Brendia, Regional Manager, Department of Real
Estate, is hereby adopted as the Decision of the Real Estate
Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o' clock
noon on July 3, 1990.

IT IS SO ORDERED May 29, 1990.

JAMES A. EDMONDS, JR.
Real Estate Commissioner

by: *John R. Liberator*
JOHN R. LIBERATOR
Chief Deputy Commissioner

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of) NO. H-1704 SD
)
LA JOLLA PACIFIC MORTGAGE)
SERVICE, a California)
corporation, and)
LADRUE RAY JORDAN,)
)
Respondents.)
_____)

PROPOSED DECISION

This matter was presided over as an uncontested case by Randolph Brendia, Regional Manager, Department of Real Estate, as the designee of the Real Estate Commissioner, in Los Angeles, California on May 1, 1990.

Timothy L. Newlove, Counsel represented the complainant.

Respondent, LADRUE RAY JORDAN and his attorney of record, Bill Van Dusen, waived appearance at the hearing.

The matter of the Accusation of LA JOLLA PACIFIC MORTGAGE SERVICE has been severed for hearing and decision purposes.

The matter of the Accusation of LADRUE RAY JORDAN, was submitted upon the written stipulation of the parties, and pursuant thereto, the following Decision is proposed, certified and recommended for adoption:

FINDINGS OF FACT

I

The complainant, J. Chris Graves, in his capacity as a Deputy Real Estate Commissioner of the State of California, made the Accusation in his official capacity.

II

Respondent LADRUE RAY JORDAN (hereinafter "JORDAN"), is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter referred to as the "Code").

III

At all times mentioned herein, respondent LA JOLLA PACIFIC was licensed by the California Department of Real Estate (hereinafter "Department") as a corporate real estate broker.

IV

At all times material herein, respondent JORDAN was licensed by the Department as a real estate broker.

V

At all times material herein from September 26, 1986 to June 9, 1989, JORDAN was licensed by the Department as the designated officer of respondent LA JOLLA PACIFIC. As the designated officer of LA JOLLA PACIFIC, JORDAN was responsible for the supervision and control of the activities conducted on behalf of the corporation by its officers and employees as necessary to secure full compliance with the Real Estate Law as set forth in Section 10159.2 of the Code.

VI

All further reference to respondent LA JOLLA PACIFIC shall be deemed to refer to, in addition to LA JOLLA PACIFIC, to the officers, directors, employees, agents, and real estate licensees employed by or associated with LA JOLLA PACIFIC, who at all times herein mentioned were engaged in the furtherance of the business or operation of said parties and who were acting within the course and scope of their corporate authority and employment.

VII

At all times mentioned, respondent LA JOLLA PACIFIC engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker in the State of California within the meaning of Section 10131(d) of the Code including the operation of mortgage loan brokerage business with the public, wherein LA JOLLA PACIFIC solicited borrowers and lenders for loans secured by liens on real property, all for or in expectation of compensation.

VIII

In or about June, 1988, respondent JORDAN terminated his employment and association with respondent LA JOLLA PACIFIC. On or about June 9, 1989, respondent LA JOLLA PACIFIC designated with the Department real estate broker Edwin Erwin Wilson to replace respondent JORDAN as the designated licensed officer of LA JOLLA PACIFIC. From June, 1988 to June 9, 1989, respondent LA JOLLA PACIFIC failed to inform the Department that JORDAN had terminated

his employment and association with LA JOLLA PACIFIC thereby leaving said respondent without a supervising real estate broker for said period of time.

IX

From September, 1986 to and including January, 1989, respondent LA JOLLA PACIFIC employed and compensated persons who were not licensed by the department as real estate brokers or real estate salespersons to solicit borrowers and lenders for loans secured by liens on real property in connection with the mortgage loan brokerage business of LA JOLLA PACIFIC. Said unlicensed persons included, but are not necessarily limited to, Vickie Wagner and Cris Rose Rhoads.

DETERMINATION OF ISSUES

I

The conduct of respondent LA JOLLA PACIFIC, in employing and compensating persons not licensed by the Department to conduct activity which requires a real estate license, as described in Paragraph IX hereinabove, constitutes a violation of Section 10137 of the Code.

II

The conduct of respondent JORDAN, in permitting respondent LA JOLLA PACIFIC to employ and compensate unlicensed persons to perform acts which require a real estate license, as described in Paragraph IX hereinabove, constitutes a failure on the part of respondent JORDAN, as the designated officer of LA JOLLA PACIFIC, to exercise reasonable supervision of the activities of said corporate respondent for which a real estate license is required under Section 10159.2 of the Code and is cause to suspend or revoke the real estate license and real estate license rights of respondent JORDAN under Section 10177(h) of the Code.

ORDER

WHEREFORE THE FOLLOWING ORDER IS MADE PURSUANT TO THE WRITTEN STIPULATION OF THE PARTIES:

I

The real estate broker license and license rights under the provisions of Part 1 of Division 4 of the Business and Professions Code of respondent LADRUE RAY JORDAN are suspended for thirty (30) days provided, however, that the entire suspension shall be fully stayed on the condition that no further cause for disciplinary action against the real estate license and license rights of said respondent shall occur within one (1) year from the

effective date of this Decision.

If it is determined pursuant to the Administrative Procedure Act that further cause for disciplinary action against the real estate license or license rights of said respondent has occurred within one (1) year from the effective date of this Decision, the stay of suspension hereby granted, or such portion thereof as the Real Estate Commissioner shall deem to be appropriate shall be vacated.

If no further cause for disciplinary action against the real estate license or license rights of said respondent shall occur within one (1) year from the effective date of this Decision, the stay hereby granted shall become permanent.

DATED: May 1, 1990.



RANDOLPH BRENDIA
Regional Manager
Department of Real Estate

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TIMOTHY L. NEWLOVE, Counsel
Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, CA 90012

(213) 620-4790

DEPARTMENT OF REAL ESTATE
BY *Laura B. Orma*

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	NO. H-1704 SD
LA JOLLA PACIFIC MORTGAGE)	<u>A</u> <u>C</u> <u>C</u> <u>U</u> <u>S</u> <u>A</u> <u>T</u> <u>I</u> <u>O</u> <u>N</u>
SERVICE, a California)	
corporation, and)	
LADRUE RAY JORDAN,)	
)	
)	
)	
Respondents.)	
)	

The Complainant, J. Chris Graves, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against LA JOLLA PACIFIC MORTGAGE SERVICE, a California corporation, and LADRUE RAY JORDAN alleges as follows:

1. The Complainant, J. Chris Graves, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in his official capacity.
2. Each respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter referred

1 to as the "Code").

2 3. At all times mentioned herein, respondent LA JOLLA
3 PACIFIC MORTGAGE SERVICE (hereinafter "LA JOLLA PACIFIC"), was
4 licensed by the California Department of Real Estate (hereinafter
5 "Department") as a corporate real estate broker.

6 4. At all times material herein, respondent LADRUE RAY
7 JORDAN (hereinafter "JORDAN") was licensed by the Department as a
8 real estate broker.

9 5. At all times material herein from September 26, 1986
10 to June 9, 1989, JORDAN was licensed by the Department as the
11 designated officer of respondent LA JOLLA PACIFIC. As the
12 designated officer of LA JOLLA PACIFIC, JORDAN was responsible for
13 the supervision and control of the activities conducted on behalf
14 of the corporation by its officers and employees as necessary to
15 secure full compliance with the Real Estate Law as set forth in
16 Section 10159.2 of the Code.

17 6. All further reference to respondent LA JOLLA PACIFIC
18 shall be deemed to refer to, in addition to LA JOLLA PACIFIC, to
19 the officers, directors, employees, agents, and real estate
20 licensees employed by or associated with LA JOLLA PACIFIC, who at
21 all times herein mentioned were engaged in the furtherance of the
22 business or operation of said parties and who were acting within
23 the course and scope of their corporate authority and employment.

24 7. At all times mentioned, respondent LA JOLLA PACIFIC
25 engaged in the business of, acted in the capacity of, advertised,
26 or assumed to act as a real estate broker in the State of
27 California within the meaning of Section 10131(d) of the Code

1 including the operation of a mortgage loan brokerage business with
2 the public, wherein LA JOLLA PACIFIC solicited borrowers and
3 lenders for loans secured by liens on real property, all for or in
4 expectation of compensation.

5 8. In or about June, 1988, respondent JORDAN terminated
6 his employment and association with respondent LA JOLLA PACIFIC.
7 On or about June 9, 1989, respondent LA JOLLA PACIFIC designated
8 with the Department real estate broker Edwin Erwin Wilson to
9 replace respondent JORDAN as the designated licensed officer of LA
10 JOLLA PACIFIC. From June, 1988 to June 9, 1989, respondents LA
11 JOLLA PACIFIC and JORDAN, and each of them, failed to inform the
12 Department that JORDAN had terminated his employment and
13 association with LA JOLLA PACIFIC thereby leaving said respondent
14 without a supervising real estate broker for said period of time.

15 9. At all times material herein from June, 1988 to June
16 9, 1989, respondent LA JOLLA PACIFIC conducted the above-described
17 mortgage loan brokerage business without a designated licensed
18 real estate broker in fact to supervise the real estate activities
19 of LA JOLLA PACIFIC.

20 10. From September, 1986 to and including January,
21 1989, respondent LA JOLLA PACIFIC employed and compensated persons
22 who were not licensed by the Department as real estate brokers or
23 real estate salespersons to solicit borrowers and lenders for
24 loans secured by liens on real property in connection with the
25 mortgage loan brokerage business of LA JOLLA PACIFIC. Said
26 unlicensed persons included, but are not necessarily limited to,
27 Vickie Wagner and Cris Rose Rhoads.

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FIRST CAUSE OF ACCUSATION

(Violation by respondent LA JOLLA PACIFIC of Sections 10130 and 10177(d) of the Code and Regulation 2740)

11. As a First Cause of Accusation, complainant incorporates herein by this reference the Preamble and each of the allegations in Paragraphs 1 through 9 hereinabove.

12. The conduct of respondent LA JOLLA PACIFIC, in failing to inform the Department of the departure of respondent JORDAN in June, 1988 and in operating without an actual supervising designated licensed officer from June 1988 to June 9, 1989, as described in Paragraphs 8 and 9 hereinabove, constitutes a violation of Section 10130 of the Code and Section 2740 of Chapter 6, Title 10 of the California Code of Regulations. Said conduct and violations are cause to suspend or revoke the real estate license and license rights of respondent LA JOLLA PACIFIC under the provisions of Section 10177(d) of the Code.

SECOND CAUSE OF ACCUSATION

(Violation by respondent LA JOLLA PACIFIC of Section 10137 of the Code)

13. As a Second Cause of Accusation, complainant incorporates herein by this reference the Preamble and each of the allegations set forth in Paragraphs 1 through 10 hereinabove.

14. The conduct of respondent LA JOLLA PACIFIC, in employing and compensating persons not licensed by the Department to conduct activity which requires a real estate license, as described in Paragraph 10 hereinabove, constitutes a violation of Section 10137 of the Code and is cause thereunder to suspend or

1 revoke the real estate license and license rights of respondent LA
2 JOLLA PACIFIC.

3 THIRD CAUSE OF ACCUSATION

4 (Violation by respondent JORDAN of Section
5 10177(h) of the Code)

6 15. As a Third Cause of Accusation, complainant
7 incorporates herein by this reference the Preamble and each of
8 the allegations in Paragraphs 1 through 10, 12 and 14 hereinabove.

9 16. The conduct of respondent JORDAN, in permitting
10 respondent LA JOLLA PACIFIC to employ and compensate unlicensed
11 persons to perform acts which require a real estate license, and
12 in failing to inform the Department of his departure from LA JOLLA
13 PACIFIC thereby allowing said corporate real estate broker to
14 operate without an actual designated licensed real estate broker
15 from June, 1988 to June 9, 1989, as described in Paragraphs 8, 9
16 and 10 hereinabove, constitutes a failure on the part of
17 respondent JORDAN, as the designated officer of LA JOLLA PACIFIC,
18 to exercise reasonable supervision of the activities of said
19 corporate respondent for which a real estate license is required
20 under Sections 10159.2 of the Code and is cause to suspend or
21 revoke the real estate license and real estate license rights of
22 respondent JORDAN under Section 10177(h) of the Code.

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