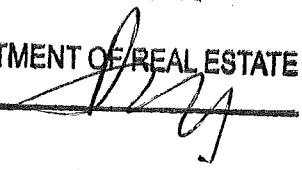


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**FILED**

MAY -3 2012

DEPARTMENT OF REAL ESTATE  
BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of

COMMERCIAL LENDING CAPITAL INC.  
and SCOTT HUGH OAKLEY, individually and as  
designated officer of Commercial Lending Capital Inc.;

Respondents.

No. H-37188 LA  
L-2011080012

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On March 30, 2011, an Accusation was filed in this matter against Respondent  
COMMERCIAL LENDING CAPITAL INC.

On April 2, 2012, Respondent petitioned the Commissioner to voluntarily  
surrender its real estate broker license rights pursuant to Section 10100.2 of the Business and  
Professions Code.

IT IS HEREBY ORDERED that Respondent COMMERCIAL LENDING  
CAPITAL INC.'s petition for voluntary surrender of its real estate broker license rights is  
accepted as of the effective date of this Order as set forth below, based upon the understanding


1 and agreement expressed in Respondent's Declaration dated April 2, 2012, (attached as Exhibit  
2 "A" hereto). Respondent's license certificate, pocket card and any branch office license  
3 certificate shall be sent to the below listed address so that they reach the Department on or before  
4 the effective date of this Order:

5  
6 Department of Real Estate  
7 Atten: Licensing Flag Section  
8 P.O. Box 187000  
9 Sacramento, CA 95818-7000

10 This Order shall become effective at 12 o'clock noon on May 23, 2012.

11 DATED: 4/22, 2012

12 REAL ESTATE COMMISSIONER

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15 By WAYNE S. BELL  
16 Chief Counsel

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of )

COMMERCIAL LENDING CAPITAL INC. )

and SCOTT HUGH OAKLEY, individually and as )

designated officer of Mortgage Restructuring Solutions Inc.; )

Respondents. )

No. H-37188 LA

L-2011080012

DECLARATION

My name is SCOTT HUGH OAKLEY and I am the owner and former  
designated officer of COMMERCIAL LENDING CAPITAL INC. which is licensed as a real  
estate broker and/or has license rights with respect to said licenses. I am acting on behalf of  
and am authorized and empowered to sign this declaration on behalf of COMMERCIAL  
LENDING CAPITAL INC. COMMERCIAL LENDING CAPITAL INC. is represented in this  
matter by Frank M. Buda, Esq.

///

1 In lieu of proceeding in this matter in accordance with the provisions of the  
2 Administrative Procedures Act (Sections 11400 et seq., of the Government Code)  
3 COMMERCIAL LENDING CAPITAL INC. wishes to voluntarily surrender its real estate  
4 license issued by the Department of Real Estate ("Department"), pursuant to Business and  
5 Professions Code Section 10100.2.

6 I understand that COMMERCIAL LENDING CAPITAL INC., by so voluntarily  
7 surrendering its license, can only have it reinstated in accordance with the provisions of Section  
8 11522 of the Government Code. I also understand that by so voluntarily surrendering its  
9 license rights, COMMERCIAL LENDING CAPITAL INC. agrees to the following:

10 The filing of this Declaration shall be deemed as COMMERCIAL LENDING  
11 CAPITAL INC.'s petition for voluntary surrender. It shall also be deemed to be an  
12 understanding and agreement by COMMERCIAL LENDING CAPITAL INC. that, it waives all  
13 rights it has to require the Commissioner to prove the allegations contained in the Accusation  
14 ("Accusation") filed in this matter at a hearing held in accordance with the provisions of the  
15 Administrative Procedures Act (Government Code Sections 11400 et seq.), and that it also  
16 waives other rights afforded to it in connection with the hearing such as the right to discovery,  
17 the right to present evidence in defense of the allegations in the Accusation and the right to  
18 cross examine witnesses.

19 I further agree on behalf of COMMERCIAL LENDING CAPITAL INC. that  
20 upon acceptance by the Commissioner, as evidenced by an appropriate order, all affidavits and  
21 all relevant evidence obtained by the Department in this matter prior to the Commissioner's  
22 acceptance, and all allegations contained in the Accusation filed in the Department Case No. H-  
23 37188 LA, may be considered by the Department to be true and correct for the purpose of  
24 deciding whether or not to grant reinstatement of COMMERCIAL LENDING CAPITAL  
25 INC.'s license pursuant to Government Code Section 11522.

26 ///

27 ///

1                   This Declaration is not an admission by COMMERCIAL LENDING CAPITAL  
2 INC. as to the allegations in the Accusation. This Declaration is made for the purpose of  
3 reaching a resolution of allegations contained in the DRE Case number H-37188 LA, and is  
4 expressly limited to this proceeding and any other proceeding or case in which the Department  
5 of Real Estate is a party and shall not otherwise be admissible or relied upon by any third  
6 parties for any purpose.  
7

8                   I further agree on behalf of COMMERCIAL LENDING CAPITAL INC. to pay  
9 the Commissioner's reasonable cost (\$7,993.80) for the audit which led to this action. In  
10 calculating the amount of the Commissioner's reasonable cost, the Commissioner may use the  
11 estimated average hourly salary for all persons performing audits of real estate brokers, and  
12 shall include an allocation for travel time to and from the auditor's place of work.  
13 COMMERCIAL LENDING CAPITAL INC. will pay such cost within 60 days of receiving an  
14 invoice from the Commissioner detailing the activities performed during the audit and the  
15 amount of time spent performing those activities.  
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18                   I am aware that if COMMERCIAL LENDING CAPITAL INC. petitions for  
19 reinstatement in the future, that payment of the audit costs will be a condition of reinstatement.  
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1 I declare under penalty of perjury under the laws of the State of California that  
2 the above is true and correct and that I am acting freely and voluntarily on behalf of  
3 COMMERCIAL LENDING CAPITAL INC. to surrender its licenses and all license rights  
4 attached thereto.

5  
6 4/2, 2012 At Los Angeles, CA  
7 Date and Place

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13 BY: SCOTT HUGH OAKLEY  
14 Owner and former Designated Officer of  
15 COMMERCIAL LENDING CAPITAL INC.  
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