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FILED

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DEPARTMENT OF REAL ESTATE
BY: 

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10 DEPARTMENT OF REAL ESTATE

11 STATE OF CALIFORNIA

12 * * * * *

13 In the Matter of the Accusation

No. H- 37687 LA

14 STEVEN CARL WALDROFF, and)
15 JAIME DAN BARKER,)

ACCUSATION

16 Respondents.)
17 _____)

18 The Complainant, Robin Trujillo, a Deputy Real Estate
19 Commissioner of the State of California, for cause of Accusation
20 against STEVEN CARL WALDROFF ("WALDROFF") and JAIME DAN BARKER
21 ("BARKER") alleges as follows:

22 1.

23 The Complainant, Robin Trujillo, a Deputy Real Estate
24 Commissioner of the State of California, makes this Accusation in
25 her official capacity.

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2.

WALDROFF is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Code) as a real estate broker.

3.

Since on or about June 22, 2009, BARKER has been licensed and/or has license rights under the Real Estate Law as a real estate salesperson. Prior to June 22, 2009, BARKER was not licensed by the Department in any capacity.

4.

At no time herein mentioned herein has Cal-Pro Equities, Inc., doing business as Keep Your Home Today, been licensed by the Department in any capacity.

5.

At all times relevant herein Respondent BARKER was the chief executive officer of Cal-Pro Equities, Inc., doing business as Keep Your Home Today ("Keep Your Home").

FIRST CAUSE OF ACCUSATION
(Advance Fee Violation against Respondent WALDROFF)

6.

At all times mentioned herein, respondents engaged in the business of a real estate broker in the State of California within the meaning of Code Sections 10131(d) and 10131.2 including brokering mortgage loans and performing loan modification activities and claiming, demanding, charging, receiving, collecting or contracting for the collection of an

1 advance fee, within the meaning of Code Section 10026, including,
2 but not limited to, the following loan modification activities
3 with respect to a loan which was secured by a lien on real
4 property:

5 a. On or about November 27, 2008, Linda C. paid
6 respondents an advance fee of \$2995. The advance fee was made
7 payable to Keep Your Home and collected by WALDROFF pursuant to
8 the provisions of an agreement pertaining to loan solicitation,
9 negotiation, and modification services to be provided by
10 respondents with respect to a loan secured by the real property
11 at 28387 Crosby Street, Murrieta, California 92563.

12 7.

13 Respondents collected the advance fees described in
14 Paragraph 6, above, pursuant to the provisions of a written
15 agreement which constitutes an advance fee agreement within the
16 meaning of Code Section 10085.

17 8.

18 Respondent WALDROFF failed to submit the written
19 agreement referred to in Paragraph 6, above, to the Commissioner
20 ten days before using it in violation of Code Section 10085 and
21 Section 2970, Title 10, Chapter 6, Code of Regulations
22 ("Regulations").

23 9.

24 The conduct, acts and/or omissions of WALDROFF, as set
25 forth above, are cause for the suspension or revocation of the
26
27

1 licenses and license rights of said respondent pursuant to Code
2 Sections 10085, 10177(d) and/or 10177(g).

3
4 SECOND CAUSE OF ACCUSATION

5 (Unlicensed Activity by Respondent BARKER)

6 10.

7 Complainant hereby incorporates by reference the
8 allegations set forth in Paragraphs 1 through 9, above.

9 11.

10 On the occasion set forth in Paragraph 6(a), above,
11 Respondent BARKER engaged in the business of negotiating, or
12 offering to negotiate, loan modifications in connection with
13 loans secured directly or collaterally by liens on real property
14 for compensation or in expectation of compensation.

15 12.

16 Based on the information contained in Paragraphs 3, 4,
17 5 and 6, above, BARKER performed and/or participated in loan
18 solicitation, negotiation, and modification activities which
19 require a real estate broker license under the provisions of
20 Code Sections 10131(d) during a period of time when Respondent
21 was not licensed by the Department as a real estate broker nor
22 employed as a real estate salesperson by a broker on whose
23 behalf the activities were performed.

24 13.

25 The conduct, acts and/or omissions of Respondent BARKER
26 violate Code Section 10130, and is cause for the suspension or
27

1 revocation of the licenses and license rights of Respondent
2 BARKER pursuant to Code Sections 10177(d) and/or 10177(g) and/or
3 10177(j).

4 WHEREFORE, Complainant prays that a hearing be
5 conducted on the allegations of this Accusation and that upon
6 proof thereof, a decision be rendered imposing disciplinary
7 action against all the licenses and license rights of Respondent
8 STEVEN CARL WALDROFF and Respondent JAIME DAN BARKER under the
9 Real Estate Law, and for such other and further relief as may be
10 proper under other applicable provisions of law.

11 Dated at Los Angeles, California

12 this 16 day of November, 2011.

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15 Robin Trujillo
16 Deputy Real Estate Commissioner
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25 cc: STEVEN CARL WALDROFF
26 JAIME DAN BARKER
27 Robin Trujillo
Sacramento