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FILED

JUN - 8 2011

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-35827 LA
CHARLES MIKE DUNKELMAN,)	
Respondent.)	

ORDER SUSPENDING REAL ESTATE LICENSE

To: CHARLES MIKE DUNKELMAN
101 North Citrus, #1C
Covina, CA 91723

On February 24, 2010, the Real Estate Commissioner issued a Decision effective April 1, 2010 pursuant to a Stipulation and Agreement signed by CHARLES MIKE DUNKELMAN ("Respondent") in the Department of Real Estate Case No. H-35827 LA. The Decision suspends Respondent's real estate broker license for sixty (60) days with a possible stay, and orders Respondent must meet certain terms and conditions to avoid further suspension. These terms and conditions include, but are not limited to:

1 V. Respondent DUNKELMAN shall, within nine (9)
2 months from the effective date of this Decision,
3 present evidence satisfactory to the Commissioner that
4 Respondent has, since the most recent issuance of an
5 original or renewal real estate broker license, taken
6 and successfully completed the continuing education
7 requirements of Article 2.5 of Chapter 3 of the Real
8 Estate Law for renewal of a real estate broker license.
9 If Respondent DUNKELMAN fails to satisfy this
condition, the Commissioner may order the suspension of
the broker license of Respondent DUNKELMAN until
Respondent DUNKELMAN presents such evidence. The
Commissioner shall afford Respondent DUNKELMAN the
opportunity for a hearing pursuant to the
[Administrative Procedure Act] to present such
evidence."

10 As of January 1, 2011, Respondent has failed to
11 provide evidence that he took and successfully completed the
12 continuing education requirements.

13 NOW, THEREFORE, IT IS ORDERED under authority of
14 California Business and Professions Code Section 10156.7 that
15 Respondent's real estate broker license and the exercise of any
16 privileges thereunder are hereby suspended until Respondent
17 enters into an agreement satisfactory to the Commissioner to
18 provide such proof or a decision providing otherwise is adopted
19 following a hearing.

20 IT IS FURTHER ORDERED that all license certificates
21 and identification cards issued by the Department of Real Estate
22 which are in the possession of Respondent be immediately
23 surrendered by personal delivery or by mailing in the enclosed
24 self-addressed envelope to:

25 DEPARTMENT OF REAL ESTATE
26 Attention: Flag Section
27 P.O. Box 187000
 Sacramento, CA 95818-7000

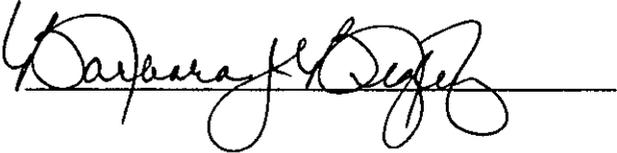
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HEARING RIGHTS: You have the right to a hearing to contest the Commissioner's determination that you are in violation of the Order issued in this matter. If you desire a hearing, you must submit a written request. The request may be in any form, as long as it is in writing and indicates that you want a hearing. Unless a written request for a hearing, signed by or on behalf of you, is delivered or mailed to the Department of Real Estate at 320 West 4th Street, Suite 350, Los Angeles, CA 90013-1105, within 20 days after the date that this Order was mailed to or served on you, the Department of Real Estate will not be obligated or required to provide you with a hearing.

This Order shall be effective immediately.

Dated: 5/17, 2011.

Real Estate Commissioner



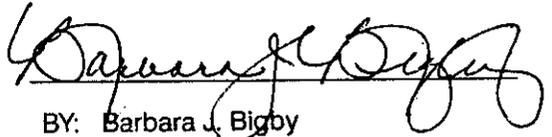
1 license(s) is accepted as of the effective date of this Order as
2 set forth below, based upon the understanding and agreement
3 expressed in Respondent's Declaration dated January 14, 2010
4 (attached as Exhibit "A" hereto). Respondent's license
5 certificate(s), pocket card(s) and any branch office license
6 certificate(s) shall be sent to the below listed address so that
7 they reach the Department on or before the effective date of this
8 Order:

9
10 DEPARTMENT OF REAL ESTATE
11 Attn: Licensing Flag Section
12 P. O. Box 187000
13 Sacramento, CA 95818-7000

14 This Order shall become effective at 12 o'clock noon
15 on MAY 17 2010, 2010.

16 DATED: 4/21, 2010

17 JEFF DAVI
18 Real Estate Commissioner

19 
20 BY: Barbara J. Bigby
21 Chief Deputy Commissioner

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Exhibit "A"

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)
)
MDHT CORPORATION, doing busi-)
ness as American Loan Help)
Center, Gold Key Funding and)
Gold Key Properties; and)
CHARLES MIKE DUNKELMAN, indi-)
vidually, and doing business)
as Gold Key Funding and Gold)
Key Properties, and as desig-)
nated officer for MDHT)
Corporation,)
Respondents.)

No. H-35827 LA
L-2009050186

In the Matter of the Desist and)
Refrain Order to:)
)
MDHT CORPORATION, doing busi-)
ness as American Loan Help)
Center, Gold Key Funding and)
Gold Key Properties; and)
CHARLES MIKE DUNKELMAN, indi-)
vidually, and doing business)
as Gold Key Funding and Gold)
Key Properties, and as desig-)
nated officer for MDHT)
Corporation.)

No. H-35885 LA
L-2009050161

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DECLARATION

My name is Charles Mike Dunkelman. MDHT CORPORATION is licensed as a real estate corporation and/or has license rights with respect to said license. I am currently an officer of MDHT CORPORATION, and am authorized and empowered to sign this declaration on behalf of MDHT CORPORATION. MDHT CORPORATION is represented in this matter by Frank Buda, Esq.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code) MDHT CORPORATION wishes to voluntarily surrender its real estate license issued by the Department of Real Estate ("Department"), pursuant to the provisions of Business and Professions Code Section 10100.2.

I understand that MDHT CORPORATION, by so voluntarily surrendering its license, can only have it reinstated in accordance with the provisions of Section 11522 of the Government Code. I also understand that by so voluntarily surrendering its license, MDHT CORPORATION agrees to the following:

1. The filing of this Declaration shall be deemed as the petition of MDHT CORPORATION for voluntary surrender.
2. It shall also be deemed to be an understanding and agreement by MDHT CORPORATION that it waives all rights it has to require the Commissioner to prove the allegations contained in the Accusation and Desist and Refrain Order filed in this matter at a hearing held in accordance with the provisions of the Administrative Procedure Act (Government Code Sections 11400 et

1 seq.), and that MDHT CORPORATION also waives other rights
2 afforded to it in connection with the hearing such as the right
3 to discovery, the right to present evidence in defense of the
4 allegations in the Accusation and the Desist and Refrain Order
5 and the right to cross-examine witnesses.

6 3. I further agree that upon acceptance by the
7 Commissioner, as evidenced by an appropriate order, all
8 affidavits and all relevant evidence obtained by the Department
9 in this matter prior to the Commissioner's acceptance, and all
10 allegations contained in the Accusation filed by the Department
11 in Case No. H-35827 LA and in the Desist and Refrain Order issued
12 by the Department, Case No. H-35885 LA, may be considered by the
13 Department to be true and correct for the purpose of deciding
14 whether to grant relicensure or reinstatement of MDHT
15 CORPORATION's license pursuant to Government Code Section 11522.

16 4. I am acting freely and voluntarily on behalf of
17 MDHT CORPORATION to surrender its license and all license rights
18 attached thereto.

19 I declare under penalty of perjury under the laws of
20 the State of California that the above is true and correct.

21
22 11/10/09 - Court
Date and Place

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Charles Mike Dunkelman

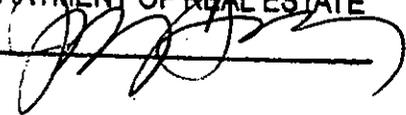
1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

FILED

MAR - 3 2010

DEPARTMENT OF REAL ESTATE

BY: 

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12
13 In the Matter of the Accusation of)
14 MDHT CORPORATION, doing busi-)
15 ness as American Loan Help)
16 Center, Gold Key Funding and)
17 Gold Key Properties; and)
18 CHARLES MIKE DUNKELMAN, indi-)
19 vidually, and doing business)
20 as Gold Key Funding and Gold)
21 Key Properties, and as desig-)
22 nated officer for MDHT)
23 Corporation,)
24 Respondents.)

No. H-35827 LA
L-2009050186

STIPULATION AND
AGREEMENT RE:
ACCUSATION AND ORDER
VACATING DESIST AND
REFRAIN ORDER

21 In the Matter of the Desist and)
22 Refrain Order to:)
23 MDHT CORPORATION, doing busi-)
24 ness as American Loan Help)
25 Center, Gold Key Funding and)
26 Gold Key Properties; and)
27 CHARLES MIKE DUNKELMAN, indi-)
vidually, and doing business)
as Gold Key Funding and Gold)
Key Properties, and as desig-)
nated officer for MDHT)
Corporation.)

No. H-35885 LA
L-2009050161

1
2 It is hereby stipulated by and between CHARLES MIKE
3 DUNKELMAN ("DUNKELMAN"), individually and as designated officer
4 for MDHT, and his attorney, Frank Buda, Esq., and the
5 Complainant, acting by and through Cheryl Keily, Counsel for the
6 Department of Real Estate ("Department"), as follows for the
7 purpose of settling and disposing of the First Amended
8 Accusation (the "Accusation") filed on July 15, 2009.
9

10 1. All issues which were to be contested and all
11 evidence which was to be presented by Complainant and DUNKELMAN
12 at a formal hearing on the Accusation, which hearing was to be
13 held in accordance with the provisions of the Administrative
14 Procedure Act ("APA"), shall instead and in place thereof be
15 submitted solely on the basis of the provisions of this
16 Stipulation and Agreement.
17

18 2. DUNKELMAN has been served with, read and
19 understands the Statement to Respondent, the Discovery
20 Provisions of the APA and the Accusation filed by the Department
21 of Real Estate in this proceeding.
22

23 3. On May 16, 2009, DUNKELMAN filed a Notice of
24 Defense pursuant to section 11505 of the Government Code for the
25 purpose of requesting a hearing on the allegations in the
26 Accusation. DUNKELMAN hereby freely and voluntarily withdraws
27 said Notice of Defense. DUNKELMAN acknowledges that he
understands that by withdrawing said Notice of Defense he will

1 thereby waive his right to require the Commissioner to prove the
2 allegations in the Accusation at a contested hearing held in
3 accordance with the provisions of the APA, and that DUNKELMAN
4 will waive other rights afforded to him in connection with the
5 hearing, such as the right to present evidence in defense of the
6 allegations in the Accusation and the right to cross-examine
7 witnesses.
8

9 4. This Stipulation and Agreement is based on the
10 factual allegations contained in Paragraphs 1 through 6, 14(a),
11 14(e), 14(f), 14(j) and 22 of the Accusation filed in this
12 proceeding. In the interest of expedience and economy DUNKELMAN
13 chooses not to contest these factual allegations, but to remain
14 silent and understands that, as a result thereof, these factual
15 statements, without being admitted or denied, will serve as a
16 prima facie basis for the disciplinary action stipulated to
17 herein.
18

19 5. This Stipulation and Agreement and DUNKELMAN's
20 decision not to contest the Accusation are hereby expressly
21 limited to this proceeding and made for the sole purpose of
22 reaching an agreed disposition of this proceeding. DUNKELMAN's
23 decision not to contest the factual allegations is made solely
24 for the purpose of effectuating this Stipulation and Agreement
25 and is intended by DUNKELMAN to be non-binding upon him in any
26 actions against him by third parties. The Real Estate
27

1 Commissioner shall not be required to provide further evidence
2 to prove such allegations.

3 6. It is understood by the parties that the Real
4 Estate Commissioner may adopt the Stipulation and Agreement as
5 his decision in this matter as set forth in the below "Order".
6 In the event that the Commissioner in his discretion does not
7 adopt the Stipulation and Agreement, it shall be void and of no
8 effect, and DUNKELMAN shall retain the right to a hearing and
9 proceeding on the Accusation under all the provisions of the
10 APA and shall not be bound by any admission or waiver made
11 herein.
12

13
14 7. The Order or any subsequent Order of the Real
15 Estate Commissioner made pursuant to this Stipulation and
16 Agreement shall not constitute an estoppel, merger or bar to any
17 further administrative or civil proceedings by the Department
18 with respect to any matters which were not alleged to be causes
19 for accusation or denial in this proceeding.

20 DETERMINATION OF ISSUES

21 By reason of the foregoing stipulations, admissions
22 and waivers, and solely for the purpose of settlement of the
23 pending Accusation without a hearing, it is stipulated and
24 agreed that the following determination of issues shall be
25 made:
26

27 The conduct, acts and/or omissions of DUNKELMAN, set
forth in the Accusation, constitute cause under Business and

1 Professions Code (the "Code") Sections 10145, 10146, 10159.5
2 10163 and 10236.4 as well as Sections 2731, 2752, 2832(a),
3 2950(d) and 2951 of Chapter 6, Title 10, California Code of
4 Regulations for suspension or revocation of DUNKELMAN's license
5 and license rights under the Real Estate Law.

7 ORDER

8 WHEREFORE, THE FOLLOWING ORDER is hereby made:

9 I. All licenses and licensing rights of DUNKELMAN
10 under the Real Estate law shall be suspended for a period of
11 sixty (60) days from the effective date of this Decision.

12 A. Provided, however, that if DUNKELMAN requests,
13 thirty (30) days of said suspension, or a portion thereof,
14 shall be stayed upon condition that:

15 1. Pursuant to Section 10175.2 of the Code at the
16 rate of \$50 for each day of the suspension for a total monetary
17 penalty of \$1,500 in total.

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

23 3. No further cause for disciplinary action against
24 the real estate license of DUNKELMAN occurs within two (2)
25 years from the effective date of the Decision in this matter.
26
27

1 4. If DUNKELMAN fails to pay the monetary penalty in
2 accordance with the terms and conditions of the Decision, the
3 Commissioner may, without a hearing, order the immediate
4 execution of all or any part of the stayed suspension in which
5 event DUNKELMAN shall not be entitled to any repayment nor
6 credit, prorated or otherwise, for money paid to the Department
7 under the terms of this Decision.
8

9 5. If DUNKELMAN pays the monetary penalty and if no
10 further cause for disciplinary action against the real estate
11 license of DUNKELMAN occurs within two (2) years from the
12 effective date of the Decision, the stay hereby granted shall
13 become permanent.
14

15 B. The remaining thirty (30) days of the sixty (60)
16 day suspension shall be stayed for two (2) years upon the
17 following terms and conditions:

18 1. DUNKELMAN shall obey all laws, rules and
19 regulations governing the rights, duties and responsibilities
20 of real estate licensees in the State of California.

21 2. That no final subsequent determination be made,
22 after hearing or upon stipulation, that cause for disciplinary
23 action occurred within two (2) years of the effective date of
24 this Decision. Should such a determination be made, the
25 Commissioner may, in his discretion, vacate and set aside the
26 stay order and reimpose all or a portion of the stayed
27

1 suspension. Should no such determination be made, the stay
2 imposed herein shall become permanent.

3 II. Pursuant to Section 10148 of the Code, DUNKELMAN
4 shall pay (a) the Commissioner's reasonable cost for the audit
5 (Audit No. LA 080215) which lead to the instant disciplinary
6 proceeding against MDHT CORPORATION, and (b) the Commissioner's
7 reasonable cost of a subsequent audit to determine if MDHT
8 CORPORATION is in compliance with the Real Estate Law. The
9 cost of the audit which lead to the instant disciplinary action
10 against MDHT CORPORATION is \$7,882.30. In calculating the
11 amount of the Commissioner's real cost, the Commissioner may
12 use the estimated average hourly salary for all persons
13 performing audits of real estate brokers, and shall include an
14 allocation for travel time to and from the auditor's place of
15 work. Said cost for the prior and subsequent audits shall not
16 exceed \$15,764.60.

17 DUNKELMAN shall pay such cost within 60 days of
18 receiving an invoice from the Commissioner detailing the
19 activities performed during the audit and the amount of time
20 spent performing the audit.

21 The Commissioner may suspend the license of DUNKELMAN
22 pending a hearing held in accordance with Section 11500, et
23 seq., of the Government Code if payment is not timely made as
24 provided for herein, or as provided for in a subsequent
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1 agreement between DUNKELMAN and the Commissioner of Real
2 Estate. The suspension shall remain in effect until payment is
3 made in full or until DUNKELMAN enters into an agreement
4 satisfactory to the Commissioner of Real Estate to provide for
5 payment, or until a decision providing otherwise is adopted
6 following a hearing held pursuant to this condition.
7

8 III. Prior to the effective date of this Decision
9 Respondent DUNKELMAN shall provide evidence that the shortage
10 determined in Audit No. LA 080215 of Respondent MDHT
11 CORPORATION in the amount of \$9,347.25 has been cured. If
12 Respondent DUNKELMAN fails to provide such evidence the
13 Commissioner may order suspension of Respondent DUNKELMAN's
14 license until Respondent DUNKELMAN presents such evidence.

15 IV. All licenses and licensing rights of Respondent
16 DUNKELMAN are indefinitely suspended unless or until Respondent
17 provides proof satisfactory to the Commissioner, of having
18 taken and successfully completed the continuing
19 education course on trust fund accounting and handling
20 specified in paragraph (3) of subdivision (a) of Section
21 10170.5 of the Code. Proof of satisfaction of this requirement
22 includes evidence that respondent has successfully completed
23 the trust fund account and handling continuing education course
24 within 120 days prior to the effective date of the Decision in
25 this matter.
26
27

1 V. Respondent DUNKELMAN shall, within nine (9)

2 months from the effective date of this Decision, present
3 evidence satisfactory to the Commissioner that Respondent
4 DUNKELMAN has, since the most recent issuance of an original or
5 renewal real estate broker license, taken and successfully
6 completed the continuing education requirements of Article 2.5
7 of Chapter 3 of the Real Estate Law for renewal of a real
8 estate broker license. If Respondent DUNKELMAN fails to
9 satisfy this condition, the Commissioner may order the
10 suspension of the broker license of Respondent DUNKELMAN until
11 Respondent DUNKELMAN presents such evidence. The Commissioner
12 shall afford Respondent DUNKELMAN the opportunity for a hearing
13 pursuant to the APA to present such evidence.
14
15

16
17 DATED: Feb. 8, 2010

Cheryl Keily

18 CHERYL KEILY, Counsel
19 DEPARTMENT OF REAL ESTATE

20 * * *

21 I have read the Stipulation and Agreement, and
22 discussed it with my counsel, and its terms are understood by
23 me and are agreeable and acceptable to me. I understand that I
24 am waiving rights given to me by the California Administrative
25 Procedure Act (including but not limited to Sections 11506,
26 11508, 11509 and 11513 of the Government Code), and I
27 willingly, intelligently and voluntarily waive those rights,

1 ORDER PURSUANT TO STIPULATION AND AGREEMENT

2 The foregoing Stipulation and Agreement is hereby
3 adopted by me as my Decision in this matter as to CHARLES MIKE
4 DUNKELMAN, and shall become effective on APR -1 2010.

5 IS IT SO ORDERED 2/24, 2010.

6
7
8 JEFF DAVIS
9 Real Estate Commissioner

10
11
12 ORDER VACATING DESIST AND REFRAIN ORDER

13 THE FOLLOWING ORDER is hereby made:

14 On April 15, 2009, the Real Estate Commissioner
15 issued to MDHT CORPORATION, doing business as American Loan
16 Help Center, Gold Key Funding and Gold Key Properties, and
17 CHARLES MIKE DUNKELMAN, individually and as designated officer
18 for MDHT Corporation an Order to Desist and Refrain from
19 performing any and all acts for which a real estate broker
20 license is required until such time as they comply with all
21 provisions of the Real Estate Law as discussed in the Order to
22 Desist and Refrain.
23

24 Good cause has been shown why the said Desist and
25 Refrain Order should be vacated.
26

27 NOW, THEREFORE, IT IS ORDERED that the Order to
Desist and Refrain issued to MDHT CORPORATION, doing business

1 as American Loan Help Center, Gold Key Funding and Gold Key
2 Properties, and CHARLES MIKE DUNKELMAN, individually and as
3 designated officer for MDHT Corporation, on April 15, 2009, is
4 hereby vacated.
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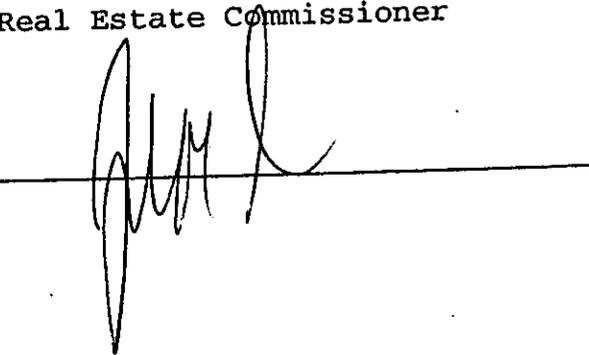
6 This Order shall be effective immediately.

7 DATED: FEB 24 2010, 2010

8
9 JEFF DAVI

10 Real Estate Commissioner

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Exhibit "A"

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)
)
MDHT CORPORATION, doing busi-)
ness as American Loan Help)
Center, Gold Key Funding and)
Gold Key Properties; and)
CHARLES MIKE DUNKELMAN, indi-)
vidually, and doing business)
as Gold Key Funding and Gold)
Key Properties, and as desig-)
nated officer for MDHT)
Corporation,)
Respondents.)

No. H-35827 LA
L-2009050186

In the Matter of the Desist and)
Refrain Order to:)
)
MDHT CORPORATION, doing busi-)
ness as American Loan Help)
Center, Gold Key Funding and)
Gold Key Properties; and)
CHARLES MIKE DUNKELMAN, indi-)
vidually, and doing business)
as Gold Key Funding and Gold)
Key Properties, and as desig-)
nated officer for MDHT)
Corporation.)

No. H-35885 LA
L-2009050161

1
2 DECLARATION

3 My name is Charles Mike Dunkelman. MDHT CORPORATION is
4 licensed as a real estate corporation and/or has license rights
5 with respect to said license. I am currently an officer of MDHT
6 CORPORATION, and am authorized and empowered to sign this
7 declaration on behalf of MDHT CORPORATION. MDHT CORPORATION is
8 represented in this matter by Frank Buda, Esq.

9 In lieu of proceeding in this matter in accordance with
10 the provisions of the Administrative Procedure Act (Sections
11 11400 et seq., of the Government Code) MDHT CORPORATION wishes to
12 voluntarily surrender its real estate license issued by the
13 Department of Real Estate ("Department"), pursuant to the
14 provisions of Business and Professions Code Section 10100.2.

15 I understand that MDHT CORPORATION, by so voluntarily
16 surrendering its license, can only have it reinstated in
17 accordance with the provisions of Section 11522 of the Government
18 Code. I also understand that by so voluntarily surrendering its
19 license, MDHT CORPORATION agrees to the following:

20 1. The filing of this Declaration shall be deemed as
21 the petition of MDHT CORPORATION for voluntary surrender.

22 2. It shall also be deemed to be an understanding and
23 agreement by MDHT CORPORATION that it waives all rights it has to
24 require the Commissioner to prove the allegations contained in
25 the Accusation and Desist and Refrain Order filed in this matter
26 at a hearing held in accordance with the provisions of the
27 Administrative Procedure Act (Government Code Sections 11400 et

1 seq.), and that MDHT CORPORATION also waives other rights
2 afforded to it in connection with the hearing such as the right
3 to discovery, the right to present evidence in defense of the
4 allegations in the Accusation and the Desist and Refrain Order
5 and the right to cross-examine witnesses.

6 3. I further agree that upon acceptance by the
7 Commissioner, as evidenced by an appropriate order, all
8 affidavits and all relevant evidence obtained by the Department
9 in this matter prior to the Commissioner's acceptance, and all
10 allegations contained in the Accusation filed by the Department
11 in Case No. H-35827 LA and in the Desist and Refrain Order issued
12 by the Department, Case No. H-35885 LA, may be considered by the
13 Department to be true and correct for the purpose of deciding
14 whether to grant relicensure or reinstatement of MDHT
15 CORPORATION's license pursuant to Government Code Section 11522.

16 4. I am acting freely and voluntarily on behalf of
17 MDHT CORPORATION to surrender its license and all license rights
18 attached thereto.

19 I declare under penalty of perjury under the laws of
20 the State of California that the above is true and correct.

21
22 11/10/09 - Court
Date and Place



Charles Mike Dunkelman

1 CHERYL D. KEILY, SNB# 94008
2 Department of Real Estate
3 320 West Fourth Street, Ste. 350
4 Los Angeles, California 90013

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-5770

FILED

JUL 15 2009

DEPARTMENT OF REAL ESTATE
BY: [Signature]

7
8
9 DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * * * *

12 In the Matter of the Accusation

No. H-35827 LA

13 MDHT CORPORATION, doing busi-)
14 ness as American Loan Help)
15 Center, Gold Key Funding and)
16 Gold Key Properties; and)
17 CHARLES MIKE DUNKELMAN, indi-)
18 vidually, and doing business)
19 as Gold Key Funding and Gold)
20 Key Properties, and as desig-)
21 nated officer for MDHT)
22 Corporation,)
23 Respondents.)
24 _____)

FIRST AMENDED
ACCUSATION

21 This First Amended Accusation amends the Accusation
22 filed on April 3, 2009.

23 The Complainant, Robin Trujillo, a Deputy Real Estate
24 Commissioner of the State of California, for cause of Accusation
25 against MDHT CORPORATION, doing business as American Loan Help
26 Center, Gold Key Funding and Gold Key Properties, and CHARLES
27

1 MIKE DUNKELMAN ("DUNKELMAN"), individually, and doing business as
2 Gold Key Funding and Gold Key Properties, and as designated
3 officer for MDHT Corporation, is informed and alleges as follows:

4 1.

5 The Complainant, Robin Trujillo, a Deputy Real Estate
6 Commissioner of the State of California, makes this Accusation in
7 her official capacity.

8 2.

9 Respondent MDHT CORPORATION is presently licensed
10 and/or has license rights under the Real Estate Law (Part 1 of
11 Division 4 of the Business and Professions Code, hereinafter
12 "Code"), as a corporate real estate broker acting by and through
13 Respondent DUNKELMAN as its designated broker-officer at all
14 times relevant herein.

15 3.

16 Respondent DUNKELMAN is presently licensed and/or has
17 license rights under the Real Estate Law as a real estate broker
18 and designated broker-officer of Respondent MDHT CORPORATION.
19

20 4.

21 At all times material herein for compensation, or in
22 expectation of compensation, Respondents engaged in the business
23 of soliciting borrowers or lenders, or negotiating loans,
24 including but not limited to loan modifications, or collecting
25 payments, or performing services for borrowers or lenders or note
26 owners in connection with loans secured directly or collaterally
27 by liens on real property on behalf of another or others within

1 the meaning of Code Section 10131(d).

2 5.

3 All further references to respondents herein include
4 Respondents MDHT CORPORATION and DUNKELMAN, and also include
5 officers, directors, employees, agents and real estate licensees
6 employed by or associated with MDHT CORPORATION and DUNKELMAN,
7 and who at all times herein mentioned were engaged in the
8 furtherance of the business or operations of Respondents MDHT
9 CORPORATION and DUNKELMAN, and who were acting within the course
10 and scope of their authority and employment.

11 6.

12 At all times relevant herein Respondent DUNKELMAN, as
13 the officer designated by Respondent MDHT CORPORATION pursuant to
14 Section 10211 of the Code, was responsible for the supervision
15 and control of the activities conducted on behalf of Respondent
16 MDHT CORPORATION by its officers and employees as necessary to
17 secure full compliance with the Real Estate Law as set forth in
18 Section 10159.2 of the Code.

19
20 FIRST CAUSE OF ACCUSATION
21 (Advance Fee Violation)

22 7.

23 At all times mentioned herein, in the State of
24 California, Respondents MDHT CORPORATION and DUNKELMAN engaged in
25 the business of claiming, demanding, charging, receiving,
26 collecting or contracting for the collection of advance fees,
27 within the meaning of Code Section 10026, including, but not

1 limited to, the following loan modification activities with
2 respect to loans which were secured by liens on real property:

3 a. On or about July 17, 2008, Respondents collected
4 an advance fee of \$995 from Candy Cook pursuant to the provisions
5 of a written agreement pertaining to loan modification services
6 to be provided by Respondents with respect to a loan secured by
7 the real property located at 16687 Las Ramblas, Unit F, Parker,
8 Colorado 80134.

9 b. On or about August 13, 2008, Respondents collected
10 an advance fee of \$500 from Normal Aleman pursuant to the
11 provisions of a written agreement pertaining to loan modification
12 services to be provided by Respondents with respect to a loan
13 secured by the real property located at 1239 Sea Reef Drive, San
14 Diego, California 92154.

15 c. On or about September 8, 2008, Respondents
16 collected an advance fee totaling \$1,418 from Kathy Stubbs
17 pursuant to the provisions of a written agreement pertaining to
18 loan modification services to be provided by Respondents with
19 respect to a loan secured by the real property located at 3003
20 Airway Street, East Wenatchee, Washington 98802.

21
22 8.

23 Respondents collected the advance fees described in
24 Paragraph 7, above, pursuant to the provisions of a document
25 which constitutes an advance fee agreement within the meaning of
26 Code Section 10085.

27 ///

9.

1 Respondents failed to submit the written agreements
2 referred to in Paragraph 7, above, to the Commissioner ten days
3 before using them in violation of Code Section 10085 and
4 Regulation 2970.
5

6 10.

7 The conduct, acts and/or omissions of Respondents MDHT
8 CORPORATION and DUNKELMAN, as set forth above, are cause for the
9 suspension or revocation of the licenses and license rights of
10 Respondent MDHT CORPORATION and Respondent DUNKELMAN pursuant to
11 Code Sections 10085, 10177(d) and/or 10177(g).

12 SECOND CAUSE OF ACCUSATION
13 (Audit Violations)

14 11.

15 Complainant hereby incorporates by reference the
16 allegations set forth in Paragraphs 1 through 10, above.

17 12.

18 On or about May 14, 2009, the Department completed an
19 audit examination of the books and records of MDHT CORPORATION
20 pertaining to the real estate activities described in Paragraphs
21 4 and 7, above, covering a period from January 1, 2008, to March
22 31, 2009.

23 13.

24 At all times mentioned herein, and in connection with
25 the activities described in Paragraphs 4 and 7, above, Respondent
26 MDHT CORPORATION accepted or received funds, including advance
27

1 (c) Permitted, allowed or caused the withdrawal or
2 disbursement of trust funds from BA #1 so that as of March 31,
3 2009, the trust account had a shortage of \$9,347.25. Respondents
4 caused, permitted and/or allowed said withdrawal or disbursement
5 of trust funds from account BA #1 so that the total of aggregate
6 funds remaining in the trust account was less than the existing
7 aggregate trust fund liability of Respondent MDHT CORPORATION to
8 every principal who was an owner of said funds without first
9 obtaining the prior written consent of the owners of said funds
10 as is required by Code Section 10145 and Sections 2832.1,
11 2950(d), 2950(g) and 2951 of the Regulations.

12 (d) Permitted two unlicensed and unbonded persons,
13 Vicky Fields and Joanne Faught, as authorized signatories on
14 account BA #1 in violation of Code Section 10145 and Section 2834
15 of the Regulations.

16 (e) Used the fictitious names "MDHT" and "Gold Key" on
17 some Mortgage Loan Disclosure Statements and Broker-Associate
18 Agreements and used the business name "1135 E. Route 66, LLC" on
19 account BA #1 without holding a license bearing said fictitious
20 business names in violation of Code Section 10159.5 and Section
21 2731 of the Regulations.

22 (f) Failed to notify the Department within five days
23 of the employment of salespersons Christine Garcia, Joe Anthony
24 Fields and Fred Robert Faught as is required by Code Section
25 10161.8 and Section 2752 of the Regulations.

26 (g) Failed to maintain the original salesperson
27 license certificate for Jimmy William Smith in violation of Code

1 section 10160 and Section 2753 of the Regulations.

2 (h) Failed to maintain an Independent Contractor
3 Agreement with Debbie Grohs and Jimmy William Smith in violation
4 of Section 2726 of the Regulations.

5 (i) Failed to disclose loan commissions and other fees
6 paid to Respondent MDHT CORPORATION on the Mortgage Loan
7 Disclosure Statement in the column designated "Paid To Broker" in
8 violation of Code Section 10240 and Section 2840 of the
9 Regulations.

10 (j) Failed to disclose the corporate real estate
11 license number of Respondent MDHT CORPORATION on the Mortgage
12 Loan Disclosure Statement in two of eight files examined by the
13 auditors in violation of Code Section 10236.4.

14 (k) Respondent DUNKELMAN failed to have a system in
15 place for regularly monitoring compliance with the Real Estate
16 Law, particularly with respect to establishing systems, policies
17 and procedures to review trust fund handling in violation of Code
18 Sections 10159.2 and 10177(h) and Section 2725 of the
19 Regulations.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

DISCIPLINE STATUTES AND REGULATIONS

15.

The conduct of Respondents MDHT CORPORATION and DUNKELMAN described in Paragraph 14, above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
14(a)	Code Section 10145, 10146 and Sections 2832(a), 2950(d) and 2951 of the Regulations
14(b)	Code Section 10146
14(c)	Code Section 10145 and Sections 2832.1, 2950(d) 2950(g) and 2951 of the Regulations
14(d)	Code Section 10145 and Section 2834 of the Regulations
14(e)	Code Section 10159.5 and Section 2731 of the Regulations
14(f)	Code Section 10161.8 and Section 2752 of the Regulations
14(g)	Code Section 10160 and Section 2753 of the Regulations
14(h)	Section 2726 of the Regulations
14(i)	Code Section 10240 and Section 2840 of the Regulations

1 14(j)

Code Section 10236.4

2 14(k)

Code Section 10159.2

3 and Section 2725 of the

4 Regulations

5
6 16.

7
8 The foregoing violations, as set forth hereinabove,
9 constitute cause for the suspension or revocation of the real
10 estate licenses and license rights of MDHT CORPORATION and
11 DUNKELMAN under the provisions of Code Sections 10177(d) for
12 violation of the Real Estate Law and/or 10177(g) for negligence
13 or incompetence.

14 THIRD CAUSE OF ACCUSATION
15 (Unlicensed Activity)

16 17.

17 Complainant hereby incorporates by reference the
18 allegations set forth in Paragraphs 1 through 16, above.

19 18.

20 The activities described in Paragraphs 4 and 7, above,
21 require a real estate license under Sections 10131(d) and 10131.2
22 of the Code.

23 19.

24 Respondents violated Section 10137 of the Code by
25 employing and/or compensating individuals who were not licensed
26

1 as a real estate salesperson or as a broker to perform activities
2 requiring a license as follows:

3 a. Respondents employed and/or compensated Bret Lyon
4 to perform some or all of the services alleged in Paragraphs 4,
5 and 7(a), above, though he was not licensed as a real estate
6 salesperson or broker.

7 b. Respondents employed and/or compensated Armando
8 Ramirez to perform some or all of the services alleged in
9 Paragraphs 4 and 7(b), above, though he was not licensed as a
10 real estate salesperson or broker.

11 c. Respondents employed and/or compensated Carl
12 Velasquez to perform some or all of the services alleged in
13 Paragraphs 4 and 7(c), above, though he was not licensed as a
14 real estate salesperson or broker.

15 20.

16
17 The conduct, acts and/or omissions of Respondents MDHT
18 CORPORATION and DUNKELMAN, as set forth in Paragraph 15, above,
19 violate Code Section 10137, and are cause for the suspension or
20 revocation of the licenses and license rights of Respondents MDHT
21 CORPORATION and DUNKELMAN pursuant to Code Sections 10177(d)
22 and/or 10177(g).

23 FOURTH CAUSE OF ACCUSATION
24 (Branch Office Violation)

25 21.

26 Complainant hereby incorporates by reference the
27 allegations set forth in Paragraphs 1 through 20, above.

22.

1 Respondents engaged in a real estate brokerage business
2 at 1135 E. Route 66, Suite 201, Glendora, California 91740, a
3 location for which Respondents failed to apply for and procure
4 from the Department an additional license for the branch office
5 being maintained by them, in violation of Section 10163 of the
6 Code.
7

8 23.

9 The conduct, acts and/or omissions of Respondents, as
10 set forth in Paragraph 22, above, violate Code Section 10163 and
11 are cause for the suspension or revocation of the licenses and
12 license rights of Respondent pursuant to Code Sections 10165,
13 10177(d) and/or 10177(g).
14

15 FIFTH CAUSE OF ACCUSATION
16 (Failure to Supervise)

17 24.

18 Complainant incorporates by reference the allegations
19 contained in Paragraphs 1 through 23, above.
20

21 25.

22 Respondent DUNKELMAN ordered, caused, authorized or
23 participated in the conduct of Respondent MDHT CORPORATION, as is
24 alleged in this Accusation.
25

26 26.

27 The conduct, acts and/or omissions, of Respondent
DUNKELMAN, in allowing Respondent MDHT CORPORATION to violate the
Real Estate Law, as set forth above, constitutes a failure by

1 DUNKELMAN, as the officer designated by a corporate broker
2 licensee, to exercise the supervision and control over the
3 activities of MDHT CORPORATION, as required by Code Section
4 10159.2, and is cause to suspend or revoke the real estate
5 licenses and license rights of DUNKELMAN under Code Sections
6 10177(d), 10177(g) and/or 10177(h).

7 WHEREFORE, Complainant prays that a hearing be
8 conducted on the allegations of this Accusation and that upon
9 proof thereof, a decision be rendered imposing disciplinary
10 action against all the licenses and license rights of Respondent
11 MDHT CORPORATION, and Respondent CHARLES MIKE DUNKELMAN,
12 individually, and as designated broker-officer of Respondent MDHT
13 Corporation, under the Real Estate Law (Part 1 of Division 4 of
14 the Business and Professions Code), and for such other and
15 further relief as may be proper under other applicable provisions
16 of law.

17 Dated at Los Angeles, California

18 this 15 day of July, 2009.

19
20 
21 _____
22 Robin Trujillo
23 Deputy Real Estate Commissioner

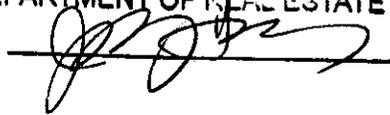
24
25
26 cc: MDHT CORPORATION
27 CHARLES MIKE DUNKELMAN
Robin Trujillo
Sacto.
Frank M. Buda, esq.
OAH

1 CHERYL D. KEILY, SNB# 94008
2 Department of Real Estate
3 320 West Fourth Street, Ste. 350
4 Los Angeles, California 90013

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-5770

FILED

APR - 3 2009

DEPARTMENT OF REAL ESTATE
BY: 

9 DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * * * *

12 In the Matter of the Accusation

No. H-35827 LA

13 MDHT CORPORATION, doing busi-)
14 ness as American Loan Help)
15 Center, Gold Key Funding and)
16 Gold Key Properties; and)
17 CHARLES MIKE DUNKELMAN, indi-)
18 vidualy, and doing business)
19 as Gold Key Funding and Gold)
20 Key Properties, and as desig-)
21 nated officer for MDHT)
22 Corporation,)
23 Respondents.)

A C C U S A T I O N

21 The Complainant, Robin Trujillo, a Deputy Real Estate
22 Commissioner of the State of California, for cause of Accusation
23 against MDHT CORPORATION, doing business as American Loan Help
24 Center, Gold Key Funding and Gold Key Properties, and CHARLES
25 MIKE DUNKELMAN ("DUNKELMAN"), individually, and doing business as
26 Gold Key Funding and Gold Key Properties, and as designated
27

officer for MDHT Corporation, is informed and alleges as follows:

1
2 1.

3 The Complainant, Robin Trujillo, a Deputy Real Estate
4 Commissioner of the State of California, makes this Accusation in
5 her official capacity.

6 2.

7 Respondent MDHT CORPORATION is presently licensed
8 and/or has license rights under the Real Estate Law (Part 1 of
9 Division 4 of the Business and Professions Code, hereinafter
10 "Code"), as a corporate real estate broker acting by and through
11 Respondent DUNKELMAN as its designated broker-officer at all
12 times relevant herein.

13 3.

14 Respondent DUNKELMAN is presently licensed and/or has
15 license rights under the Real Estate Law as a real estate broker
16 and designated broker-officer of Respondent MDHT CORPORATION.
17

18 4.

19 All further references to respondents herein include
20 Respondents MDHT CORPORATION and DUNKELMAN, and also include
21 officers, directors, employees, agents and real estate licensees
22 employed by or associated with MDHT CORPORATION and DUNKELMAN,
23 and who at all times herein mentioned were engaged in the
24 furtherance of the business or operations of Respondents MDHT
25 CORPORATION and DUNKELMAN, and who were acting within the course
26 and scope of their authority and employment.

27 ///

5.

1 At all times relevant herein Respondent DUNKELMAN, as
2 the officer designated by Respondent MDHT CORPORATION pursuant to
3 Section 10211 of the Code, was responsible for the supervision
4 and control of the activities conducted on behalf of Respondent
5 MDHT CORPORATION by its officers and employees as necessary to
6 secure full compliance with the Real Estate Law as set forth in
7 Section 10159.2 of the Code.
8

9 FIRST CAUSE OF ACCUSATION
10 (Advance Fee Violation)

11 6.

12 At all times mentioned herein, in the State of
13 California, Respondents MDHT CORPORATION and DUNKELMAN engaged in
14 the business of claiming, demanding, charging, receiving,
15 collecting or contracting for the collection of advance fees,
16 within the meaning of Code Section 10026, including, but not
17 limited to, the following loan modification activities with
18 respect to loans which were secured by liens on real property:

19 a. On or about July 17, 2008, Respondents collected
20 an advance fee of \$995 from Candy Cook pursuant to the provisions
21 of a written agreement pertaining to loan modification services
22 to be provided by Respondents with respect to a loan secured by
23 the real property located at 16687 Las Ramblas, Unit F, Parker,
24 Colorado 80134.

25 b. On or about August 13, 2008, Respondents collected
26 an advance fee of \$500 from Norma Aleman pursuant to the
27 provisions of a written agreement pertaining to loan modification

1 services to be provided by Respondents with respect to a loan
2 secured by the real property located at 1239 Sea Reef Drive, San
3 Diego, California 92154.

4 c. On or about September 8, 2008, Respondents
5 collected an advance fee totaling \$1,418 from Kathy Stubbs
6 pursuant to the provisions of a written agreement pertaining to
7 loan modification services to be provided by Respondents with
8 respect to a loan secured by the real property located at 3003
9 Airway Street, East Wenatchee, Washington 98802.

10 7.

11 Respondents collected the advance fees described in
12 Paragraph 6, above, pursuant to the provisions of a document
13 entitled Loss Mitigation Submission Fee Agreement, which document
14 constitutes an advance fee agreement within the meaning of Code
15 Section 10085.

16 8.

17 Respondents failed to submit the written agreements
18 referred to in Paragraph 6, above, to the Commissioner ten days
19 before using them in violation of Code Section 10085 and
20 Regulation 2970.

21 9.

22 The conduct, acts and/or omissions of Respondents MDHT
23 CORPORATION and DUNKELMAN, as set forth above, are cause for the
24 suspension or revocation of the licenses and license rights of
25 Respondent MDHT CORPORATION and Respondent DUNKELMAN pursuant to
26 Code Sections 10085, 10177(d) and/or 10177(g).
27

15.

1 Respondents violated Section 10137 of the Code by
2 employing and/or compensating individuals who were not licensed
3 as a real estate salesperson or as a broker to perform activities
4 requiring a license as follows:

5
6 a. Respondents employed and/or compensated Joe Fields
7 and Bret Lyon to perform some or all of the services alleged in
8 Paragraph 6, subsection (a), above, though neither was licensed
9 as a real estate salesperson or broker.

10 b. Respondents employed and/or compensated Armando
11 Ramirez to perform some or all of the services alleged in
12 Paragraph 6, subsection (b), above, though he was not licensed as
13 a real estate salesperson or broker.

14 c. Respondents employed and/or compensated Carl
15 Velasquez to perform some or all of the services alleged in
16 Paragraph 6, subsection (c), above, though he was not licensed as
17 a real estate salesperson or broker.

18
19 16.

20 The conduct, acts and/or omissions of Respondents MDHT
21 CORPORATION and DUNKELMAN, as set forth in Paragraph 15, above,
22 violate Code Section 10137, and are cause for the suspension or
23 revocation of the licenses and license rights of Respondents MDHT
24 CORPORATION and DUNKELMAN pursuant to Code Sections 10177(d)
25 and/or 10177(g).

26 ///

27 ///

FOURTH CAUSE OF ACCUSATION
(Use of Unauthorized Fictitious Business Name)

17.

Complainant hereby incorporates by reference the allegations set forth in Paragraphs 1 through 16, above.

18.

On or about November 17, 2008, Respondent MDHT CORPORATION filed an application for and was authorized by the Department of Real Estate ("Department") to use the fictitious business name "American Loan Help Center."

19.

At a time prior to November 17, 2008, Respondents acted without Department authorization in using the fictitious business name "American Loan Help Center" to engage in activities requiring the issuance of a real estate license in violation of the provisions of Section 10159.5 of the Code and Section 2731, Title 10, Chapter 6, Code of Regulations ("Regulations").

20.

The conduct, acts and/or omissions of Respondents, as set forth in Paragraph 19, above, violate Code Section 10159.5 and Section 2731 of the Regulations and are cause for the suspension or revocation of the licenses and license rights of Respondent pursuant to Code Section 10177(d) and/or 10177(g).

///

///

///

FIFTH CAUSE OF ACCUSATION
(Branch Office Violation)

21.

Complainant hereby incorporates by reference the allegations set forth in Paragraphs 1 through 20, above.

22.

Respondents engaged in a real estate brokerage business at 1135 E. Route 66, Suite 201, Glendora, California 91740, a location for which Respondents failed to apply for and procure from the Department an additional license for the branch office being maintained by them, in violation of Section 10163 of the Code.

23.

The conduct, acts and/or omissions of Respondents, as set forth in Paragraph 22, above, violate Code Section 10163 and are cause for the suspension or revocation of the licenses and license rights of Respondent pursuant to Code Section 10177(d) and/or 10177(g).

SIXTH CAUSE OF ACCUSATION
(Failure to Supervise)

24.

Respondent DUNKELMAN ordered, caused, authorized or participated in the conduct of Respondent MDHT CORPORATION, as is alleged in this Accusation.

25.

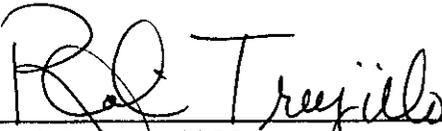
The conduct, acts and/or omissions, of Respondent DUNKELMAN, in allowing Respondent MDHT CORPORATION to violate the

1 Real Estate Law, as set forth above, constitutes a failure by
2 DUNKELMAN, as the officer designated by a corporate broker
3 licensee, to exercise the supervision and control over the
4 activities of MDHT CORPORATION, as required by Code Section
5 10159.2, and is cause to suspend or revoke the real estate
6 licenses and license rights of DUNKELMAN under Code Sections
7 10177(d), 10177(g) and/or 10177(h).

8 WHEREFORE, Complainant prays that a hearing be
9 conducted on the allegations of this Accusation and that upon
10 proof thereof, a decision be rendered imposing disciplinary
11 action against all the licenses and license rights of Respondent
12 MDHT CORPORATION, and Respondent CHARLES MIKE DUNKELMAN,
13 individually, and as designated broker-officer of Respondent MDHT
14 Corporation, under the Real Estate Law (Part 1 of Division 4 of
15 the Business and Professions Code), and for such other and
16 further relief as may be proper under other applicable provisions
17 of law.

18 Dated at Los Angeles, California

19 this 1 day of April, 2009.

20
21
22 
23 _____
24 Robin Trujillo
25 Deputy Real Estate Commissioner

26 cc: MDHT CORPORATION
27 CHARLES MIKE DUNKELMAN
Robin Trujillo
Sacto.