FILED

JUL -2 2012

DEPARTMENT OF REAL ESTATE
BY: C2

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of AFFORDABLE HOME ASSISTANCE.COM a corporate real estate broker; THOMAS AARON SIGNORELLI, individually, and as former designated officer of Affordable Home Assistance.com; ALI SHAH and BRITTANY WILSON, Respondents.	)	No. H-37361 LA DEFAULT DECISION

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on May 2, 2012, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

Default

1. On June 27, 2011, Robin Trujillo made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the Department of Real Estate, State of California ("Department").

(a) On June 28, 2011, the Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent AFFORDABLE HOME ASSISTANCE.COM at its main office and mailing address on record with the Department at 3158 Red Hill Ave., Ste. 200B, Costa Mesa, CA 92626. This mailing was returned by the post office marked, "Attempted not known."

(b) On June 28, 2011, the Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent ALI SHAH at his main office and mailing address of record with the Department at 3158 Red Hill Ave., Ste. 200B, Costa Mesa, CA 92626. This mailing was returned by the post office marked, "Attempted not known."

(c) On November 10, 2011, the First Supplemental Accusation was mailed by certified mail, return receipt requested, to Respondent ALI SHAH at his address of record with the Department, 3158 Red Hill Ave., Suite 200, Costa Mesa, CA 92626. This mailing was returned marked by the post office marked "Attempted not know, unable to forward."

(d) On November 10, 2011, the First Supplemental Accusation was mailed to Respondent AFFORDABLE HOME ASSISTANCE.COM at its main office address and mailing address on record with the Department, at 3158 Red Hill Ave., Suite 200, Costa Mesa, CA 92626. This mailing was returned by the post office marked "Attempted not known, unable to forward.

(e) On November 23, 2011, the Accusation, First Supplemental Accusation, Statement to Respondent, Notice of Defense and Provisions of APA were mailed certified mail, return receipt requested, and by regular mail, to Respondent ALI SHAH at 5445 E. Big Sky Lane, Anaheim, CA 92807. No return receipt card has been received and the mailing was not otherwise returned by the post office as undeliverable.

(f) No Notice of Defense was received from either Respondent.

(g) No Notice of Defense having been received, Respondent AFFORDABLE HOME ASSISTANCE.COM's default was entered herein on May 2, 2012.

(h) No Notice of Defense having been received, Respondent ALI SHAH's default was entered herein on May 2, 2012.

Parties and Entities

2. Respondent AFFORDABLE HOME ASSISTANCE.COM ("AHA") is licensed and/or has license rights as a corporate real estate broker under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code ("the Code"). AHA was originally licensed by the Department of Real Estate of the State of California ("Department") on or about August 28, 2008.

3. Respondent AHA is a California corporation, incorporated on or about July 7, 2008. At all times relevant herein, Respondent ALI SHAH was a 75% owner of AHA, and Christopher J. Howder was the president, CEO and 25% owner of AHA. At all times, AHA's address of record with the Department and with the Secretary of State was, and now is, 3158 Redhill Ave., Suite 200, Costa Mesa, CA 92626. The corporate rights and privileges of AHA were suspended on or about April 1, 2011, and it has not been a corporation in good standing in this state since that time.

4. Respondent ALI SHAH, formerly known as Ali Shahvelayati ("SHAH"), is licensed by the Department as a real estate salesperson. At all times, SHAH's address of record with the Department is and was 3158 Red Hill Ave., Suite 200, Costa Mesa, CA 92626. SHAH's real estate license expired, but he retains renewal rights.

(a) Respondent SHAH was first licensed by the Department on or about December 12, 2002, in the employ of Sadak Inc.

(b) From June 22, 2005 to December 16, 2008, SHAH was employed as a salesperson by Flex Pay Home Loans Inc., a corporate real estate broker. SHAH was an officer with an ownership interest in Flex Pay Home Loans Inc.

(c) SHAH is not currently employed by a supervising broker.

5. Christopher J. Howder ("Howder") is not now and has never been licensed by the Department in any capacity. At times relevant herein, Howder was a 25% owner and manager of AHA.

6. Beginning on or before July 7, 2008, and continuing through on or after January 31, 2009, Respondents AHA and SHAH, along with unlicensed co-owner and manager Howder, engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers within the meaning of Sections 10131(d) and 10131.2 of the Code, for or in expectation of compensation. Respondents offered to provide borrowers with loan modification services in exchange for payment of advance fees within the meaning of Code Sections l0026 and 10085.

Desist and Refrain Order (H-35619 LA)

7. On or about January 15, 2009, in Department of Real Estate Case No.H-35619 LA, the Commissioner issued a Desist and Refrain Order against Respondent AHA ordering it to desist and refrain from collecting advance fees, unless and until it did so pursuant to written agreements that comply with Code Section 10085 and Regulation 2970.

Unlicensed Loan Modification Activities and Advance Fee Violations

8. Beginning on or before July 7, 2008, and continuing through on or after January 31, 2009, Respondent AHA engaged in the business of representing borrowers in negotiating and modifying terms of loans and in obtaining mortgage loans. Respondents also collected advance fees within the meaning of Code Sections l0026 and l0l31.2, pursuant to written agreements which constituted advance fee agreements within the meaning of Code Section 10085.

9. Respondent AHA did not, at any time prior to collecting advance fees from clients, submit an advance fee agreement to the Commissioner for review, and have never received a "no objection" letter from the Department regarding the use of such an agreement.

10. Between on or before July 7, 2008 and January 31, 2009, Respondent AHA collected in excess of $46,511.00 in advance fees from clients. These funds were not placed into a trust account, and trust accounting records were not maintained properly as required under the Real Estate Law. In many cases, Respondent AHA did not perform services as promised and refused to refund advance fees collected.

11. Examples of borrowers from whom AHA collected advance fees for loan modification services pursuant to agreements which were not submitted to the Department for review include, but are not limited to:

Borrower	Agreement Date	Date Fee Received	Amount
Diane B.	9/23/08	9/23/08	$2,000.00
Francisco G.	9/8/08	9/9/08	$2,495.00
Ana V.	7/10/08	7/14-8/15/08	$3,500.00
Nickolas A.	6/30/08	6/30/08	$1995.00
Willie D.	8/2/08	8/2/08	$1996.00
Peter & Maura L.	9/4/08	9/4/08	$1000.00
Chris S.	8/13/08	8/13/08	$1995.00
Bruce B.	10/24/08	11/22/08	$3,000.00
Joan W.	9/30/08	9/30/08	$ 995.00
Deborah M.	12/3/08	12/3/08-1/20/09	$2,500.00
Beverly C.	11/6/08	11/5/08	$1,200.00
Douglas & Carol P.	11/23/08	12/01/08	$2,000.00

12. Respondent AHA was not licensed by the Department in any capacity prior to August 28, 2008. Respondent AHA engaged in activities requiring a real estate license prior to August 28, 2008. Examples include, but are not limited to, collecting advance fees for loan modification services from Willie D. on or about August 2, 2008, and collecting advance fees for loan modification services from Chris S. on or about August 13, 2008, as set forth in Finding No. 11 above.

13. Beginning on or about August 28, 2008, Respondent AHA, acting by and through Respondent SHAH and Howder as managers and owners, employed individuals to perform activities requiring a real estate license when those individuals were not licensed by the Department in any capacity, and/or were salespersons employed by brokers other than AHA. Specifically, Respondent AHA employed Alex Sadak, Amin Anotio Arhami, and Dave Lewis, to solicit borrowers and collect advance fees for loan modification services, activities requiring a real estate license, when none of these individuals were ever licensed by the Department in any capacity. Respondents AHA and SHAH compensated Christopher J. Howder to manage the office and real estate activities of the corporation, when Christopher J. Howder was never licensed by the Department in any capacity. Respondents also employed Brittany Wilson to conduct activities requiring a real estate license prior to her being licensed by the Department.

Dishonest Dealing

14. Beginning at a time no later than June 30, 2008, and continuing through on or after January 31, 2009, Respondent SHAH, along with unlicensed associate Christopher Howder, conspired in a scheme to defraud distressed homeowners seeking loan modification and related loan services.

15. On or about July 7, 2008, Respondent SHAH, along with unlicensed associate Christopher Howder, formed AHA. Articles of Incorporation were filed with the Secretary of State. SHAH and Howder applied to the Department for a real estate broker license for AHA on or about August 11, 2008, and a corporate real estate license was issued for AHA on or about August 28, 2008. According to the license application, the designated broker-officer of another company owned by SHAH, which was also SHAH's "supervising employing broker" of record at the time, Thomas Signorelli, was listed as the broker to be responsible for supervising the activities of the AHA as a corporate broker.[1]

16. On or about September 9, 2008, Respondent SHAH and unlicensed associate Christopher Howder entered into an agreement pursuant to which Howder purchased a 25% interest in AHA from SHAH, who retained the remaining 75% interest in the company. Pursuant to the agreement, Howder agreed to pay SHAH $94,000.00, in installments of $10,000.00 per month beginning on October 1, 2008, through May 2009.

17. Between September 9, 2008 and on or about January 31, 2009, Howder deposited money collected from loan modification clients of AHA into one of three general bank accounts, held in the name of AHA and himself. This money collected from AHA's loan modification clients included advance fees for loan services, and included, in some cases, fees for services which were never in fact rendered. Pursuant to his agreement with SHAH, Howder made disbursements from AHA's bank accounts to pay SHAH.

18. Respondent SHAH and Howder, in concert with other unlicensed individuals, operated AHA as a loan modification business without proper licensure and/or supervision.

19. Respondent SHAH failed to maintain a current mailing address on record with the Department. SHAH has avoided contact with the Department and with his business associates since the Department's audit in 2009.

Audit Violations (DRE Audit No. LA 080156)

20. After receiving complaints from several members of the public, the Department performed an audit examination of Respondent AHA's books and records pertaining to the mortgage lending activities described above. The audit covered a period from approximately June 1, 2008 to January 31, 2009, and was completed on or about February 19, 2009.

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[1] Signorelli subsequently denied authorizing AHA to list him as its designated broker-officer. The Department resolved its accusation against Signorelli and Brittany Wilson pursuant to separate Stipulated Decisions.

21. Thomas Signorelli attended the audit, and asserted that he had not authorized the use of his name in association with AHA, and was not acting as designated broker-officer for the corporation.

22. Christopher Howder also attended the audit, and made written and verbal statements describing his arrangement with Respondent SHAH and the operation of AHA's loan modification business, which he acknowledged managing. Howder provided the Department's representatives with the documentation from which the audit findings were gleaned.

23. During the examination period, Respondent AHA did not maintain a trust account. Rather, funds, including trust funds, were deposited into and/or disbursed from one of the following three general business accounts:

a. "General Account 1 (G/A 1)": This business checking account, account number XXX-X917-3, was named, "Christopher J. Howder," and was maintained at the Bank of America, South Coast Center Dr., P.O. Box 37176, San Francisco, CA 94137-0001. Advance fees for loan modification services were deposited into this account. Disbursements were made for general business and personal expenses of the account holder. Christopher J. Howder was a signatory on this account.

b. "General Account 2 (G/A 2)": This account, account number XXX-XXX925-9, was named "Affordable Home Assistance.com" and was maintained at Washington Mutual, P.O. Box 660022, Dallas, Texas. Advance fees for loan modification services were deposited into this account. Disbursements were made for general business and personal expenses of the account holder. Christopher J. Howder was a signatory on this account.

c. "General Account 3 (G/A 3)": This account, account number XXX-XXX924-1, was named, "Affordable Home Assistance.com.," and was maintained at Washington Mutual Bank, P.O. Box 660022, Dallas, Texas. Advanced fees for loan modification services were deposited into this account. Disbursements were made for general business and personal expenses of the account holder. Christopher J. Howder was a signatory on this account.

24. The audit of AHA's books and records pertaining to its loan modification activities during late June of 2008 through the end of January of 2009 revealed that Respondent AHA acted in violation of the Code and provisions of Title 10, Chapter 6 of the California Code of Regulations ("Regulations") as follows:

(a) AHA collected up front, advance fees from borrowers for loan modification services. During the audit period, AHA collected advance fees ranging from approximately $2,490.00 to $5,370.00 per transaction, with more than $46,511.00 collected from over ninety-three borrowers. Respondents failed to provide borrowers (beneficiaries) with accountings for the advance fees collected (trust funds). The advance fees were deposited into AHA's general business accounts, which were not set up as trust accounts. AHA's handling of the advance fees

collected, placing them into general accounts without providing accountings to the borrowers, was in violation of Code Section 10146 and Regulation 2972.

(b) The advance fee agreement used by AHA in connection with its loan modification activity during the audit period was not submitted to the Department for approval prior to collecting advance fees, in violation of Code Sections 10026 and 10085 and Regulations 2970.

(c) By placing advance fees into general accounts, Respondent AHA commingled trust funds, in violation of Code Sections 10145 and 10176(e), and Regulation 2832.

(d) AHA did not maintain a control record for the advance fees collected, in violation of Code Section 10145 and Regulation 2831.

(e) AHA did not maintain a separate record for each beneficiary of trust funds collected (advance fees), in violation of Code Section 10145 and Regulation 2831.1.

(f) AHA did not maintain the monthly reconciliation of the separate records to the control record of all trust funds received and disbursed during the audit period, in violation of Code Section 10145 and Regulation 2831.2.

(g) AHA allowed Christopher Howder, who was unlicensed, to be a signatory on the general accounts into which trust funds were placed without fidelity bond coverage, in violation of Code Section 10145 and Regulation 2834.

(h) AHA did not retain and make all books and records used for the handling of advance fees during the audit period available for the audit, in violation of Code Section 10148.

(j) AHA was engaged in activities requiring a real estate license prior to being licensed in August of 2008, in violation of Code Section 10130. In addition, no broker-officer was in fact supervising the activities of the corporation.

DETERMINATION OF ISSUES

1. Evidence considered in this matter included the sworn statements and complaints of consumers; written statements of witnesses; public records pertaining to the corporate status of AHA, as well as licensing records from the Department; the audit report; bank records; and loan modification records provided to the Department during the course of the audit.

2. The standard of proof applied was clear and convincing proof to a reasonable certainty.

AFFORDABLE HOME ASSISTANCE.COM

3. Grounds exist to revoke or suspend the corporate real estate broker license and license rights of Respondent AFFORDABLE HOME ASSISTANCE.COM pursuant to Code Sections 10177(d) and 10176(i) for collecting advance fees from prospective borrowers pursuant to a written fee agreement, which agreement was not submitted to the Department for review prior to use, in violation of Code Section 10085 and Regulation 2970.

4. Grounds exist to revoke or suspend the corporate real estate broker license and license rights of Respondent AFFORDABLE HOME ASSISTANCE.COM pursuant to Code Sections 10137, 10177(d) and 10176(i) for employing and compensating unlicensed individuals to perform acts requiring a real estate license.

5. Grounds exist to revoke or suspend the corporate real estate broker license and license rights of Respondent AFFORDABLE HOME ASSISTANCE.COM pursuant to Code Sections 10130 and 10137 for engaging in activities requiring a real estate broker license when it was not licensed as a real estate broker, and when it was not operating through a broker-officer designated pursuant to Code Section 10159.2 to be responsible for supervising the activities of the corporations employees and agents to ensure compliance with the Real Estate Law.

6. Grounds exist to revoke or suspend the corporate real estate broker license and license rights of Respondent AFFORDABLE HOME ASSISTANCE.COM pursuant to Code Sections 10177(d), 10176(e), 10176(i), 10177(j), 10137 and 10085 for violating Code Sections 10145, 10146, 10130 and 10148, and Regulations 2972, 2970, 2832, 2831, 2831.1, 2831.2, and 2834.

ALI SHAH

7. Grounds exist to revoke or suspend the real estate salesperson license of Respondent ALI SHAH pursuant to Code Sections 10137 and 10177(d) for employing and/or compensating unlicensed individuals, including but not limited to Christopher Howder, Brittany Wilson, Alex Sadak, Amin Antonio Arhami, and Dave Lewis, to solicit borrowers and collect up front fees for loan modification services.

8. Grounds exist to revoke or suspend the real estate salesperson license of Respondent ALI SHAH pursuant to Code Sections 10177(j) for engaging in dishonest dealing and fraud.

9. Grounds exist to revoke or suspend the real estate salesperson license of Respondent ALI SHAH pursuant to Code Section 10177(d) for failing to maintain his current mailing address on file with the Department, in violation of Regulation 2715.

ORDER

All licenses and license rights of Respondent AFFORDABLE HOME ASSISTANCE.COM and Respondent ALI SHAH under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on July 23, 2012.

DATED: June 8, 2012

Real Estate Commissioner

By WAYNE S. BELL
Chief Counsel

Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, California 90013-1105

FILED
MAY -2 2012
DEPARTMENT OF REAL ESTATE
BY:

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of AFFORDABLE HOME ASSISTANCE.COM, a corporate real estate broker; THOMAS AARON SIGNORELLI, individually and as former designated officer of Affordable Home Assistance.com; ALI SHAH; and BRITTANY WILSON, Respondents.	NO. H-37361 LA DEFAULT ORDER

Respondents, AFFORDABLE HOME ASSISTANCE.COM and ALI SHAH, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, are now in default. It is, therefore, ordered that a default be entered on the record in this matter as to AFFORDABLE HOME ASSISTANCE.COM and ALI SHAH.

IT IS SO ORDERED May 2, 2012.

Real Estate Commissioner

Dolores Weeks

By: DOLORES WEEKS
Regional Manager

Department of Real Estate
320 West Fourth Street, #350
Los Angeles, California 90013

FILED

MAR 30 2012

DEPARTMENT OF REAL ESTATE
BY: ca

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of AFFORDABLE HOME ASSISTANCE.COM a corporate real estate broker; THOMAS AARON SIGNORELLI, individually and as former designated officer of Affordable Home Assistance.com; ALI SHAH; and BRITTANY LEANNA WILSON; Respondents.	DRE Case No. H-37361 LA OAH Case No. L-2011090545 STIPULATION AND AGREEMENT

It is hereby stipulated by and between BRITTANY LEANNA WILSON (sometimes referred to herein as "Respondent"), represented in this matter by Joseph Balzer, Attorney at Law, and the Complainant, acting by and through Martha J. Rosett, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on June 28, 2011 in this matter:

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

2. Respondent has received, read and understands the Statement to Respondent, the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate in this proceeding.

3. On August 31, 2011, Respondent filed a Notice of Defense pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. In order to effectuate this settlement, Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that she understands that by withdrawing said Notice of Defense, she will thereby waive her right to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that she will waive other rights afforded to her in connection with the hearing such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

4. Respondent, pursuant to the limitations set forth below, although not admitting or denying the truth of the allegations, will not contest the factual allegations contained in the Accusation filed in this proceeding and the Real Estate Commissioner shall not be required to provide further evidence of such allegations.

5. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation and Agreement as his Decision in this matter, thereby imposing the penalty and sanctions on Respondent's real estate license and license rights as set forth in the below "Order". In the event that the Commissioner in his discretion does not adopt the Stipulation and Agreement, it shall be void and of no effect, and Respondent shall retain the right to a hearing and proceeding on the Accusation under all the provisions of the APA and shall not be bound by any stipulation or waiver made herein.

6. The Order or any subsequent Order of the Real Estate Commissioner made pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to any further administrative proceedings by the Department of Real Estate with respect to any matters which were not specifically alleged to be causes for accusation in this proceeding.

7. This Stipulation and Respondent's decision not to contest the Accusation are made for the purpose of reaching an agreed disposition of this proceeding, and are expressly limited to this proceeding and any other proceeding or case in which the Department of Real Estate ("Department"), or another licensing agency of this state, another state, or of the federal government is involved, and otherwise shall not be admissible in any other criminal or civil proceedings.

DETERMINATION OF ISSUES

By reason of the foregoing stipulations and waivers and solely for the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that the following Determination of Issues shall be made:

The conduct, acts or omissions of Respondent BRITTANY LEANNA WILSON, as set forth in the Accusation pertaining to Business and Professions Code Section 10130, constitute cause to suspend or revoke the real estate license and licensing rights of Respondent BRITTANY LEANNA WILSON under the provisions of that section.

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

All licenses and licensing rights of Respondent BRITTANY LEANNA WILSON under the Real Estate Law are revoked as of the effective date of this Decisiont; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code if Respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:

1.. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or plea of

nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee.

2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.

3. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor for the removal of any of the conditions, limitations or restrictions of a restricted license until two years have elapsed from the effective date of this Decision.

4. Respondent shall submit with any application for license under an employing broker, or any application for transfer to a new employing broker, a statement signed by the prospective employing real estate broker on a form approved by the Department of Real Estate which shall certify:

a. That the employing broker has read the Decision of the Commissioner which granted the right to a restricted license; and

b. That the employing broker will exercise close supervision over the performance by the restricted licensee relating to activities for which a real estate license is required.

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

6. Respondent shall, within six months from the effective date of this Decision, take and pass the Professional Responsibility Examination administered by the Department including the payment of the appropriate examination fee. If Respondent fails to satisfy this condition, the Commissioner may order suspension of Respondent's license until Respondent passes the examination.

DATED: 4/20/12

MARTHA J. ROSETT
Counsel for Complainant

* * *

I have read the Stipulation and Agreement, have discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

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Respondent may signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by Respondent, to the Department at the following fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: 1/19/2012

BRITTANY LEANNA WILSON
Respondent

DATED: 1/19/2012

JOSEPH BALZER, Attorney at Law
Counsel for Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on _____.

IT IS SO ORDERED _____.

BARBARA BIGBY
Acting Real Estate Commissioner

_____

Respondent may signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by Respondent, to the Department at the following fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: _____

_____
BRITTANY LEANNA WILSON
Respondent

DATED: _____

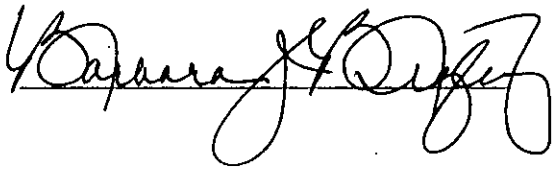
_____
JOSEPH BALZER, Attorney at Law
Counsel for Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on April 19, 2012.

IT IS SO ORDERED 3/12/12.

BARBARA BIGBY
Acting Real Estate Commissioner



SAC.

Department of Real Estate
320 West Fourth Street, #350
Los Angeles, California 90013

FILED
DEC 27 2011
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 AFFORDABLE HOME ASSISTANCE.COM a corporate real estate broker; THOMAS AARON SIGNORELLI, individually and as former designated officer of Affordable Home Assistance.com; ALI SHAH; and BRITTANY WILSON; Respondents.	DRE Case No. H-37361 LA OAH Case No. L-2011090545 STIPULATION AND AGREEMENT

It is hereby stipulated by and between THOMAS AARON SIGNORELLI (sometimes referred to herein as "Respondent"), represented by Steven L. Simas, Attorney at Law, in this matter, and the Complainant, acting by and through Martha J. Rosett, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on June 28, 2011 in this matter:

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing was to be held in accordance with the provisions of the Administrative Procedure Act

(APA), shall instead and in place thereof be submitted solely on the basis of the provisions of this Stipulation and Agreement.

2. Respondent has received, read and understands the Statement to Respondent, the Discovery Provisions of the APA, the Accusation and the Supplemental Accusation filed by the Department of Real Estate in this proceeding.

3. On August 9, 2011, Respondent filed a Special Notice of Defense pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. In order to effectuate this settlement, Respondent hereby freely and voluntarily withdraws said Special Notice of Defense. Respondent acknowledges that he understands that by withdrawing said Notice of Defense, he will thereby waive his right to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that he will waive other rights afforded to him in connection with the hearing such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

4. Respondent, pursuant to the limitations set forth below, although not admitting or denying the truth of the allegations, will not contest the factual allegations contained in the First Supplemental Accusation and Fourth cause for discipline filed in this proceeding and the Real Estate Commissioner shall not be required to provide further evidence of such allegations.

5. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation and Agreement as his Decision in this matter, thereby imposing the penalty and sanctions on Respondent's real estate license and license rights as set forth in the below "Order". In the event that the Commissioner in his discretion does not adopt the Stipulation and Agreement, it shall be void and of no effect, and Respondent shall retain the right to a hearing and proceeding on the Accusation under all the provisions of the APA and shall not be bound by any stipulation or waiver made herein.

6. The Order or any subsequent Order of the Real Estate Commissioner made pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to any further administrative proceedings by the Department of Real Estate with respect to any matters which were not specifically alleged to be causes for accusation in this proceeding.

7. This Stipulation and Respondent's decision not to contest the Accusation are made for the purpose of reaching an agreed disposition of this proceeding, and are expressly limited to this proceeding and any other proceeding or case in which the Department of Real Estate ("Department"), or another licensing agency of this state, another state, or of the federal government is involved, and otherwise shall not be admissible in any other criminal or civil proceedings.

DETERMINATION OF ISSUES

By reason of the foregoing stipulations and waivers and solely for the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that the following Determination of Issues shall be made:

The conduct, acts or omissions of Respondent THOMAS AARON SIGNORELLI, as set forth in the First Supplemental Accusation, constitute cause to suspend or revoke the real estate license and licensing rights of Respondent THOMAS AARON SIGNORELLI under the provisions of Business and Professions Code ("Code") Section 10178, 10177(g), 10177(d), and 10162.

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

A. All licenses and licensing rights of Respondent THOMAS AARON SIGNORELLI under the Real Estate Law are suspended for a period of ninety (90) days from the effective date of this Decision; provided, however, that sixty (60) days of said suspension shall be stayed for two (2) years upon the following terms and conditions:

1. Respondent pays a monetary penalty pursuant to Section 10175.2 of the Business and Professions Code at the rate of $100 per day for each day of the suspension, for a total monetary penalty of $6,000.00.

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

3. No further cause for disciplinary action against the real estate license of Respondent occurs within two years from the effective date of the Decision in this matter.

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

B. As to the remaining thirty (30) days of the ninety (90) day suspension, said thirty (30) days shall be stayed for two (2) years upon the following terms and conditions:

1. Respondent shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California; and

2. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred within two (2) years of the effective date of this Decision. Should such a determination be made, the Commissioner may, in his discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed suspension. Should no such determination be made, the stay imposed herein shall become permanent.

C. Respondent shall, within six months from the effective date of this Decision, take and pass the Professional Responsibility Examination administered by the Department including the payment of the appropriate examination fee. If Respondent fails to satisfy this

condition, the Commissioner may order suspension of Respondent's license until Respondent passes the examination.

D. All licenses and license rights of Respondent SIGNORELLI are indefinitely suspended unless or until Respondent provides proof satisfactory to the Commissioner, of having taken and successfully completed the continuing education course on trust fund accounting and handling specified in paragraph (3) of subdivision (a) of Section 10170.5 of the Business and Professions Code. Proof of satisfaction of this requirement includes evidence that Respondent has successfully completed the trust fund account and handling continuing education course within 120 days prior to the effective date of the Decision in this matter.

DATED: 11/4/11

MARTHA J. ROSETT
Counsel for Complainant

* * *

I have read the Stipulation and Agreement, have discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

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Respondent may signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by Respondent, to the Department at the following fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: Nov. 4 2011

THOMAS AARON SIGNORELLI
Respondent

DATED: Nov 4, 2011

STEVEN L. SIMAS
Attorney for Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on January 17, 2012.

IT IS SO ORDERED 12/16/11.

BARBARA BIGBY
Acting Real Estate Commissioner

SAC.

MARTHA J. ROSETT, Counsel (SBN 142072)
Department of Real Estate
320 West Fourth St. #350
Los Angeles, CA 90013

(213) 576-6982
(213) 620-6430

FILED

NOV 04 2011

DEPARTMENT OF REAL ESTATE
BY: _____

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of AFFORDABLE HOME ASSISTANCE.COM a corporate real estate broker; THOMAS AARON SIGNORELLI, individually and as former designated officer of Affordable Home Assistance.com; ALI SHAH; and BRITTANY WILSON; Respondents.	DRE Case No. H-37361 LA OAH Case No. L-2011090545 FIRST SUPPLEMENTAL ACCUSATION

The Complainant, Robin Trujillo, hereby supplements and amends the Accusation filed herein on June 27, 2011, as follows:

A Fourth Cause of Accusation, is hereby added to read:

44.

There is hereby incorporated in this Fourth, separate and distinct cause of Accusation, all of the allegations contained in the preamble and the First, Second and Third Causes of Accusation.

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45.

As set forth above, Respondent SIGNROELLI is licensed by the Department as a real estate broker. He has been licensed by the Department as a broker since April 4, 2004.

46.

Flex Pay Home Loans Inc. ("Flex Pay") is a California Corporation. Between on or about June 21, 2005 and June 20, 2009, Flex Pay was licensed by the Department as a corporate real estate broker. Respondent SIGNORELLI was the broker-officer for Flex Pay designated pursuant to Code Section 10159.2 to be responsible for supervising the employees and agents of Flex Pay to ensure compliance with the real estate laws.

47.

Respondent SHAH was an officer of Flex Pay. Beginning on or about June 22, 2005 and continuing through on or about December 17, 2008, Flex Pay was Respondent SHAH's employing broker of record. As the designated broker-officer of Flex Pay, Respondent SIGNORELLI was responsible for supervising Respondent SHAH's real estate salesperson activities.

48.

On or before October 1, 2008, Respondent SIGNORELLI discovered that his name was listed in public real estate licensing records as the designated broker-officer for Respondent AHA. SIGNORELLI discussed the matter with SHAH and told SHAH to discontinue using SIGNORELLI's name in association with AHA. At a time prior to December 17, 2008, Respondent SIGNORELLI learned that the Department was investigating the real estate activities of AHA. On December 17, 2008, SIGNORELLI submitted a Salesperson Change Application to the Department notifying the Department that Flex Pay's employment of

Respondent SHAH was discontinued as of that date. Respondent SIGNORELLI did not notify the Department, pursuant to a certified statement of facts, of the reasons for SHAH's termination from Flex Pay. Nor did Respondent SIGNORELLI submit a certified statement of facts to the Department detailing the circumstances pursuant to which he believed his name had been fraudulently associated with AHA.

49.

As designated broker-officer of Flex Pay, Respondent SIGNORELLI was responsible for employing salespersons, maintaining proper broker-salesperson agreements with them, and providing the Department with records of employment. SIGNORELLI was required to notify the Department on appropriate forms upon hiring new salespersons, and upon termination of salespersons from employment. In addition, pursuant to Code Section 10178, SIGNORELLI was required to notify the Department in writing of the details anytime a licensed salesperson was terminated for misconduct.

50.

On or about April 1, 2011, representatives of the Department went to the location listed as Respondent SIGNORELLI's main office address of record, 383 Diablo Rd. #100, Danville, CA 94562. The representatives discovered that Respondent's office was no longer located at that address. As of the date of filing this Supplemental Accusation, Respondent has not updated his licensing records with the Department, and has not provided the Department with the location and address of his main office out of which he conducts real estate business in this State.

51.

The conduct, acts, and/or omissions of Respondent SIGNORELLI, in failing to

notify the Department in a certified, written statement of facts, the circumstances under which SHAH was terminated from the employ of Flex Pay, as set forth above, constitutes grounds to revoke or suspend the real estate license and license rights of Respondent SIGNORELLI pursuant to Code Sections 10178, 10177(d) and/or 10177(g).

52.

The conduct, acts and/or omissions of Respondent SIGNORELLI, in failing to notify the Department of the definite place of business where his license is displayed for conducting real estate transactions constitutes grounds to revoke or suspend the real estate license of Respondent SIGNORELLI pursuant to Regulation 2715, and Code Sections 10162, 10165, 10177(d) and/or 10177(g).

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and/or license rights of Respondents AFFORDABLE HOME ASSISTANCE.COM, THOMAS AARON SIGNORELLI, ALI SHAH and BRITTANY WILSON under the Real Estate Law and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 4 day of November, 2011.

Robin Trujillo
Deputy Real Estate Commissioner

cc: Affordable Home Assistance.com
Thomas Aaron Signorelli
Ali Shah
Brittany Wilson
Robin Trujillo
Sacto.
Audits

MARTHA J. ROSETT, Counsel (SBN 142072)
Department of Real Estate
320 West Fourth St. #350
Los Angeles, CA 90013-1105
(213) 576-6982
(213) 620-6430

FILED
JUN 28 2011
DEPARTMENT OF REAL ESTATE
By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of AFFORDABLE HOME ASSISTANCE.COM, a corporate real estate broker; THOMAS AARON SIGNORELLI, individually and as former designated officer of Affordable Home Assistance.com; ALI SHAH; and BRITTANY LEANNA WILSON, Respondents.	No. H-37361 LA ACCUSATION

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against AFFORDABLE HOME ASSISTANCE.COM; THOMAS AARON SIGNORELLI, individually and as former designated officer of Affordable Home Assistance.com; ALI SHAH, and BRITTANY LEANNA WILSON (also collectively referred to herein as "Respondents"), is informed and alleges as follows:

1.

Complainant makes this Accusation in her official capacity.

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2.

Respondent AFFORDABLE HOME ASSISTANCE.COM ("AHA") is licensed and/or has license rights as a corporate real estate broker under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code (hereinafter "the Code"). AHA was originally licensed by the Department of Real Estate of the State of California ("Department") on or about August 28, 2008. Respondent THOMAS AARON SIGNORELLI is the broker-officer designated pursuant to Code Section 10159.2 to be responsible for ensuring AHA's compliance with the Real Estate Law.

3.

Respondent AHA is a California corporation, incorporated on or about July 7, 2008. At all times relevant herein, Respondent ALI SHAH was a 75% owner of AHA, Respondent BRITTANY LEANNA WILSON was treasurer, and Chris Howder was the president, CEO and 25% owner of AHA. At all times, AHA's address of record with the Department and with the Secretary of State was, and now is, 3158 Redhill Ave., Suite 200B, Costa Mesa, CA 92626.

4.

Respondent THOMAS AARON SIGNORELLI ("SIGNORELLI") was and now is licensed by the Department as a real estate broker. Respondent SIGNORELLI was first licensed as a broker on or about April 27, 2004. Respondent SIGNORELLI is, and at all times relevant, was the designated broker of record for Respondent AHA, as well as of several other real estate corporations, including Flex Pay Home Loans Inc.

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5.

Respondent ALI SHAH, formerly known as Ali Shahvelayati ("SHAH") was licensed by the Department as a real estate salesperson. SHAH's license expired on December 11, 2010. The Department retains jurisdiction pursuant to Code Section 10103. At all times, SHAH's address of record with the Department is and was 3158 Red Hill Ave., Suite 200, Costa Mesa, CA 92626.

a. Respondent SHAH was first licensed by the Department on or about December 12, 2002, in the employ of Sadak Inc.

b. From June 22, 2005 to December 16, 2008, SHAH was employed as a salesperson by Flex Pay Home Loans Inc., a corporate real estate broker. SHAH was an officer with an ownership interest in Flex Pay Home Loans Inc. During this same period of time, SIGNORELLI was the designated broker-officer of Flex Pay Home Loans Inc.

c. SHAH is not currently employed by a supervising broker.

6.

BRITTANY LEANNA WILSON ("WILSON") is licensed by the Department as a real estate salesperson. WILSON was first licensed by the Department as a real estate salesperson on or about October 20, 2008.

7.

Christopher Howder ("Howder") is not now and has never been licensed by the Department in any capacity. At times relevant herein, Howder was a 25% owner and manager of AHA.

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8.

Whenever reference is made in an allegation in this Accusation to an act or omission of one or more of the individuals or entities listed in Paragraphs 1 through 6 above, such allegation includes the officers, directors, employees, agents and real estate licensees employed by or associated with those individuals or entities while acting within the course and scope of their employment.

9.

At all times mentioned herein, Respondents engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers within the meaning of Sections 10131(d) and 10131.2 of the Code, for or in expectation of compensation. Respondents offered to provide borrowers with loan modification services in exchange for payment of advance fees within the meaning of Code Sections 10026 and 10085.

Desist and Refrain Order (H-35619 LA)

10.

On or about January 15, 2009, in Department of Real Estate Case No. H-35619 LA, the Commissioner issued a Desist and Refrain Order against Respondents AHA and SIGNORELLI, ordering them to desist and refrain from collecting advance fees unless and until they do so pursuant to written agreements that comply with Code Section 10085 and Regulation 2970. In addition, Mark B. Russell and Alex Sadak, unlicensed agents of AHA, were ordered to desist and refrain from engaging in activities requiring a real estate broker license unless and until they obtained real estate broker licenses, or were licensed as salespersons and employed by a supervising real estate broker.

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FIRST CAUSE OF ACCUSATION
(Unlicensed Loan Modification Activities and Advance Fee Violations)

11.

Beginning on or before July 7, 2008, and continuing through on or after January 31, 2009, Respondents engaged in the business of representing borrowers in negotiating and modifying terms of loans and in obtaining mortgage loans. Respondents also collected advance fees within the meaning of Code Sections 10026 and 10131.2, pursuant to written agreements which constituted advance fee agreements within the meaning of Code Section 10085.

12.

Respondents did not, at any time prior to collecting advance fees from clients, submit an advance fee agreement to the Commissioner for review, and have never received a "no objection" letter from the Department regarding the use of such an agreement.

13.

Between on or before July 7, 2008 and January 31, 2009, Respondents collected in excess of $46,511.00 in advance fees from clients. These funds were not placed into a trust account, and trust accounting records were not maintained properly as required under the Real Estate Law. In many cases, Respondents did not perform services as promised and refused to refund advance fees collected.

Diane B.

14.

In September, 2008, Respondents solicited consumer Diane B. ("Borrower DB") through advertising on the internet, and offered to provide loan modification services in exchange for the payment of an up front fee. On or about September 21, 2008, Mark B. Russell,

acting as an agent of AHA, solicited an advance fee of $1,995.00 from Borrower DB, which she paid. Borrower DB subsequently received loan modification documents, including an agreement that set forth terms of loan modification services to be provided by AHA, including payment of additional monthly fees. The agreement identified Respondent WILSON as AHA's representative.

15.

On or about September 23, 2008, Borrower DB contacted Respondents by phone and by fax notifying them that she wished to cancel that transaction, and requesting a refund of the money paid. Borrower DB subsequently spoke several times to representatives of AHA, including to an agent who identified himself as Alex Sadak. Respondents never performed any services for Borrower DB and never refunded or accounted for any of the money paid.

16.

Alex Sadak was not, and has never been, licensed by the Department in any capacity. In September, 2008, Mark B. Russell was licensed as a real estate salesperson, and his employing broker of record was 20th Century Real Estate Inc. Russell was, therefore, not licensed to conduct activities requiring a real estate license under the employ of AHA or SIGNORELLI. Respondent WILSON was not licensed as a salesperson or broker in September, 2008.

17.

The written agreement between Respondents and Borrower DB was not submitted to or reviewed by the Department prior to use, and did not set forth a specific date for full performance of the services promised.

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Francisco G.

18.

In September, 2008, Respondents, through AHA unlicensed agent Alex Sadak, solicited borrower Francisco G. ("Borrower FG"), and offered to assist him in modifying the terms of existing mortgage loan debt. On or about September 8, 2008, Borrower FG paid Respondents an advance fee of $2,495.00. Respondents emailed Borrower FG a contract, which contained a signature line for Respondent WILSON as representative of AHA.

19.

On September 11, 2008, Borrower FG faxed Respondents a signed cancellation form. Respondents acknowledged receipt of the cancellation form, but did not perform any services for Borrower FG, and did not refund or account for the advance fee paid.

20.

At the time he handled Borrower FG's loan modification transaction, Alex Sadak was not, and has never been, licensed by the Department in any capacity. In September, 2008, Respondent WILSON was not licensed by the Department in any capacity. The written agreement between Respondents and Borrower FG was not submitted to or reviewed by the Department prior to use, and did not set forth a specific date for full performance of the services promised under the agreement.

21.

Additional examples of borrowers from whom Respondents collected advance fees for loan modification services pursuant to agreements which were not submitted to the Department for review include:

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Borrower	Agreement Date	Date Fee Received	Amount
Diane B.	9/23/08	9/23/08	$2,000.00
Francisco G.	9/8/08	9/9/08	$2,495.00
Ana V.	7/10/08	7/14-8/15/08	$3,500.00
Nickolas A.	6/30/08	6/30/08	$1,995.00
Willie D.	8/2/08	8/2/08	$1,996.00
Peter & Maura L.	9/4/08	9/4/08	$1,000.00
Chris S.	8/13/08	8/13/08	$1,995.00
Bruce B.	10/24/08	11/22/08	$3,000.00
Joan W.	9/30/08	9/30/08	$ 995.00
Deborah M.	12/3/08	12/3/08-1/20/09	$2,500.00
Beverly C.	11/6/08	11/5/08	$1,200.00
Douglas & Carol P.	11/23/08	12/01/08	$2,000.00

22.

Respondent AHA was not licensed by the Department in any capacity prior to August 28, 2008. In relation to its loan modification business, Respondent AHA engaged in activities requiring a real estate license prior to August 28, 2008. Examples include, but are not limited to, collecting advance fees for loan modification services from Nickolas A. on or about June 30, 2008, collecting advance fees for loan modification services from Willie D. on or about August 2, 2008, and collecting advance fees for loan modification services from Chris S. on or about August 13, 2008.

23.

Beginning on or about August 28, 2008, Respondents AHA, acting by and through SIGNORELLI as designated broker officer, employed individuals to perform activities

requiring a real estate license when those individuals were not licensed by the Department in any capacity, and/or were salespersons employed by brokers other than AHA or SIGNORELLI. Specifically, Respondents employed Alex Sadak, Amin Anotio Arhami, and Dave Lewis, to conduct activities requiring a real estate license when none of these individuals have ever been licensed by the Department in any capacity. Respondents compensated Christopher Howder to manage the office and real estate activities of the corporation, when Christopher Howder has never been licensed by the Department in any capacity. Respondents employed Respondent WILSON to conduct activities requiring a real estate license prior to her licensure as a real estate salesperson on October 28, 2008.

24.

The conduct, acts and/or omissions of Respondents AHA and SIGNORELLI, as set forth in Paragraphs 11 through 23, above, in collecting advance fees from prospective borrowers pursuant to a written fee agreement, which agreement was not submitted to the Department for review prior to use, was in violation of Code Section 10085 and Regulation 2970, and constitutes grounds to discipline the licenses and license rights of Respondents AHA and SIGNORELLI pursuant to Code Sections 10177(d), 10176(i), 10177(j) and/or 10177(g).

25.

The conduct, acts and/or omissions of Respondents AHA and SIGNORELLI, in employing and compensating unlicensed individuals to perform acts requiring a real estate license constitutes grounds to discipline the licenses and license rights of Respondents AHA and SIGNORELLI pursuant to Code Sections 10137, 10177(d), 10176(i), 10177(j) and/or 10177(g).

26.

The conduct, acts and/or omissions of Respondent AHA in engaging in activities requiring a real estate broker license when it was not licensed as a real estate broker constitutes

grounds to discipline the license and license rights of Respondent AHA pursuant to Code Sections 10130 and 10137.

27.

The conduct, acts and/or omissions of Respondent WILSON in engaging in activities requiring a real estate broker license when she was not licensed as a real estate broker or as a salesperson acting under the supervision of her employing broker constitutes grounds to discipline the license and license rights of Respondent WILSON pursuant to Code Sections 10130, 10137 and 10177(d).

28.

The conduct, acts and/or omissions of Respondent SIGNORELLI, in failing to exercise reasonable supervision over the activities of the agents and employees of AHA for which a real estate license is required, was in violation of Code Section 10159.2 and constitutes grounds to discipline the license and license rights of Respondent SIGNORELLI pursuant to Code Sections 10177(h), 10177(d), 10176 (i) and/or 10177(g).

SECOND CAUSE OF ACCUSATION
(Audit Violations-LA 080156)

29.

There is hereby incorporated in this Second, separate and distinct Cause of Accusation, all of the allegations contained in Paragraphs 1 through 23 above, inclusive, with the same force and effect as if herein fully set forth.

30.

On or about February 19, 2009, the Department completed its examination of Respondent AHA's books and records pertaining to the mortgage lending activities described in Paragraph 9 above, covering a period from approximately June 1, 2008 to January 31, 2009. The

primary purpose of the examination was to determine Respondent's compliance with the Real Estate Law. The examination, Audit No. LA 080156, revealed violations of the Code and Title 10, Chapter 6 of the California Code of Regulations ("Regulations"), as set forth below, and as more specifically set forth in the Audit Report and Exhibits attached thereto.

31.

During the examination period, Respondent AHA, and supervising broker SIGNORELLI, did not maintain a trust account. Rather, funds, including trust funds, were deposited into and/or disbursed from one of the following three general business accounts:

a. "General Account 1 (G/A 1)": This business checking account, account number xxxxxxx9173, was named, "Christopher J. Howder," and was maintained at the Bank of America, South Coast Center Br., P.O. Box 37176, San Francisco, CA 94137-0001. Advance fees for loan modification services were deposited into this account. Disbursements were made for general business and personal expenses of the account holder.

b. "General Account 2 (G/A 2)": This account, account number xxxxxxx925-9, was named "Affordable Home Assistance.com" and was maintained at Washington Mutual, P.O. Box 660022, Dallas, Texas. Advance fees for loan modification services were deposited into this account. Disbursements were made for general business and personal expenses of the account holder.

c. "General Account 3 (G/A 3)": This account, account number xxxxxxx924-1, was named, "Affordable Home Assistance.com.," and was maintained at Washington Mutual Bank, P.O. Box 660022, Dallas, Texas. Advanced fees for loan modification services were deposited into this account. Disbursements were made for general business and personal expenses of the

account holder.

32.

In the course of activities described in Paragraphs 9 and 31 above, and during the examination period described in Paragraph 29, Respondents acted in violation of the Code and the Regulations in that:

a) AHA collected up front, advance fees from borrowers for loan modification services. During the audit period, AHA collected advance fees ranging from approximately $2,490.00 to $5,370.00 per transaction, with more than $46,511.00 collected from over ninety-three borrowers. Respondents failed to provide borrowers (beneficiaries) with accountings for the advance fees collected (trust funds). The advance fees were deposited into AHA's general business accounts, which were not set up as trust accounts. AHA's handling of the advance fees collected, placing them into general accounts without providing accountings to the borrowers, was in violation of Code Section 10146 and Regulation 2972.

b) The advance fee agreement used by AHA in connection with its loan modification activity during the audit period was not submitted to the Department for approval prior to collecting advance fees, in violation of Code Sections 10026 and 10085 and Regulation 2970.

c) By placing advance fees into general accounts, Respondent AHA commingled trust funds, in violation of Code Sections 10145 and 10176(e), and Regulation 2832.

d) AHA did not maintain a control record for the advance fees collected, in violation of Code Section 10145 and Regulation 2831.

e) AHA did not maintain a separate record for each beneficiary of trust funds collected (advance fees), in violation of Code Section 10145 and Regulation 2831.1.

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f) AHA did not maintain the monthly reconciliation of the separate records to the control record of all trust funds received and disbursed during the audit period, in violation of Code Section 10145 and Regulation 2831.2.

g) AHA and SIGNORELLI allowed Christopher Howder, who was unlicensed, to be a signatory on the general accounts into which trust funds were placed without fidelity bond coverage. SIGNORELLI was not a signer on the accounts. These were violations of Code Section 10145 and Regulation 2834.

h) AHA did not retain and make all books and records used for the handling of advance fees during the audit period available for the audit, in violation of Code Section 10148.

i) SIGNORELLI did not exercise adequate supervision over the activities of AHA to ensure compliance with the Real Estate Law, in violation of Code Sections 10159.2 and 10177(h), and Regulation 2725.

j) AHA was engaged in activities requiring a real estate license prior to being licensed in August, 2008, in violation of Code Section 10130.

33.

The conduct, acts and/or omissions of Respondents AHA and SIGNORELLI, as described in Paragraph 32, above, violated the Code and Regulations in the following ways:

PARAGRAPH	PROVISIONS VIOLATED
32(a)	Code Section 10146 and 2972
32(b)	Code Sections 10026 and 10085, and Regulation 2970
32(c)	Code Sections 10145 and 10176(e) and Regulation 2832
32(d)	Code Section 10145 and Regulation 2831
32(e)	Code Section 10145 and Regulation 2831.1

32(f)	Code Section 10145 and Regulation 2831.2
32(g)	10145 and Regulation 2834
32(h)	Code Section 10148
32(i)	10159.2 and 10177(h) and Regulation 2725 (SIGNORELLI)
32(j)	Code Section 10130

The foregoing violations constitute cause for the suspension or revocation of the real estate licenses and license rights of Respondents AHA and SIGNORELLI under the provisions of Code Sections 10177(d), 10176(e), 10176(i), 10177(g), 10177(j), 10165, 10137, and/or 10085.

34.

The violations set forth above constitute cause for the suspension or revocation of Respondent SIGNORELLI's real estate license and/or license rights, as the broker-officer of Respondent AHA, for failing to supervise the activities of the corporation, in violation of Code Sections 10159.2, in conjunction with 10177(h) and 10177(d).

THIRD CAUSE OF ACCUSATION
(Dishonest Dealing)

35.

There is hereby incorporated in this Third, separate and distinct Cause of Accusation, all of the allegations contained in Paragraphs 1 through 23, and Paragraphs 29 through 32, above, inclusive, with the same force and effect as if herein fully set forth.

36.

Beginning at a time no later than July 7, 2008, and continuing through on or after January 31, 2009, Respondents SHAH and WILSON, along with unlicensed associate

Christopher Howder, conspired in a scheme to defraud distressed homeowners seeking loan modification and related loan services.

37.

On or about July 7, 2008, Respondents SHAH and WILSON, along with unlicensed associate Christopher Howder, formed AHA. Articles of Incorporation were filed with the Secretary of State. Respondents applied to the Department for a real estate broker license for AHA on or about August 11, 2008, and a corporate real estate license was issued for AHA on or about August 28, 2008. According to the license application, SIGNORELLI was listed as the broker to be responsible for supervising the activities of the corporate broker.

38.

On or about September 9, 2008, Respondent SHAH and unlicensed associate Christopher Howder entered into an agreement pursuant to which Howder purchased a 25% interest in AHA from SHAH, who retained the remaining 75% interest in the company. Pursuant to the agreement, Howder agreed to pay SHAH $94,000.00, in installments of $10,000.00 per month beginning on October 1, 2008, through May 2009.

39.

Between September 9, 2008 and on or about January 31, 2009, Howder deposited money collected from loan modification clients of AHA into one of three general bank accounts, held in the name of AHA. As set forth in the First and Second Cause of Accusation, above, money collected from AHA's loan modification clients included advance fees for loan services, and included, in some cases, fees for services which were never in fact rendered. Pursuant to his agreement with SHAH, Howder made disbursements from AHA's bank accounts to pay SHAH for Howder's interest in AHA.

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40.

Respondents SHAH and WILSON operated a loan modification business without proper licensure and/or supervision, in concert with other unlicensed individuals. Respondent SIGNORELLI failed to supervise the activities of SHAH, who was an owner and licensed salesperson employee of Flex Pay, another corporation with a real estate broker license for which SIGNORELLI was licensed as the designated broker-officer. Respondent WILSON was not licensed in any capacity to conduct real estate activities during the time period in question, but nonetheless engaged in the loan modification business, through AHA.

41.

Respondent SHAH failed to maintain a current mailing address on record with the Department and SHAH has avoided contact with the Department and with his business associates since the Department's audit in 2009.

42.

The conduct, acts, and/or omissions of Respondents SHAH, WILSON and SIGNORELLI, as set forth above, constitutes dishonest dealing and/or fraud, and is grounds to revoke or suspend the real estate licenses and license rights or Respondent SHAH, WILSON and SIGNORELLI pursuant to Code Sections 10176(i) and/or 10177(j).

43.

The conduct, acts and/or omissions of Respondent SHAH in failing to maintain on file with the Department his current mailing address, is in violation of Regulation 2715 and is grounds to revoke or suspend Respondent SHAH's real estate license pursuant to Code Section 10177(d).

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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and/or license rights of Respondents AFFORDABLE HOME ASSISTANCE.COM, THOMAS AARON SIGNORELLI, ALI SHAH and BRITTANY LEANNA WILSON under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 27 day of June, 2011.

ROBIN TRUJILLO
Deputy Real Estate Commissioner

cc: Affordable Home Assistance.com
Thomas Aaron Signorelli
Ali Shah
Brittany Leanna Wilson
Robin Trujillo
Sacto.
Audits