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FILED

NOV - 4 2013

BUREAU OF REAL ESTATE

By *[Signature]*

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-37605 LA
)	
<u>FRANK H. WHITEHEAD III</u> , and)	
EVELYN VELASQUEZ ,)	
)	
Respondent(s).)	
)	

ORDER SUSPENDING REAL ESTATE LICENSE

TO: FRANK H. WHITEHEAD III, Respondent
4685 Tumbleweed Drive
Brighton, Colorado 80601

On or about August 15, 2012, your real estate broker license was suspended by the Bureau for a period of ninety (90) days with the entire period stayed for two (2) years on the terms, conditions and restrictions set forth in the Real Estate Commissioner's Order made pursuant to the Stipulation and Agreement in Case No. H-37605 LA. Among those terms, conditions

1 and restrictions, you were required to make restitution within
2 one year of the effective date of the Decision to those persons
3 who allegedly suffered monetary loss as a result of the
4 allegations set forth in the Accusation filed in this case as
5 follows:

6 1. Respondent shall provide proof of restitution
7 satisfactory to the Real Estate Commissioner of restitution to
8 the following individuals and in the amounts specified:

- 9 a. Josefina Cortes in the amount of \$2,770;
- 10 b. Raul Lopez Silva in the amount of \$1,995;
- 11 c. Paulo Azevedo in the amount of \$1,000;
- 12 d. Evaristo Figueroa in the amount of \$3,000; and
- 13 e. Rafael Rodriguez in the amount of \$7,500.

14 2. All proof of payment of restitution shall be
15 submitted to Bureau Counsel Cheryl Keily, Attention: Legal
16 Section, Bureau of Real Estate, 320 W. Fourth St., Suite 350,
17 Los Angeles, California 90013-1105, on or before the time set
18 for performance.

19 3. If Respondent fails to satisfy these conditions,
20 the Real Estate Commissioner may order suspension of
21 Respondent's license until Respondent provides proof of
22 restitution satisfactory to the Commissioner.

23 The Commissioner has determined that as of October 21,
24 2013, you have failed to satisfy this condition.

25 ///

26 ///

27 ///

1 NOW, THEREFORE, IT IS ORDERED under authority of the
2 Order issued in this matter that the real estate broker license
3 heretofore issued to you and the exercise of any privileges
4 thereunder is hereby suspended until such time as you provide
5 proof satisfactory to the Bureau of compliance with the
6 "condition" referred to above, or pending final determination
7 after hearing (see "Hearing Rights" set forth below).

8 IT IS FURTHER ORDERED that all license certificates
9 and identification cards issued by the Bureau of Real Estate
10 which are in your possession be immediately surrendered by
11 personal delivery or by mailing in the enclosed self-addressed
12 envelope to:

13 Bureau of Real Estate
14 Attn: Flag Section
15 P.O. Box 137013
16 Sacramento, California 95813-7013

17 HEARING RIGHTS: You have the right to a hearing to
18 contest the Commissioner's determination that you are in
19 violation of the Order issued in this matter. If you desire a
20 hearing, you must submit a written request. The request may be
21 in any form, as long as it is in writing and indicates that you
22 want a hearing. Unless a written request for a hearing, signed
23 by or on behalf of you, is delivered or mailed to the Bureau at
24 320 W. Fourth St., Room 350, Los Angeles, CA. 90013, within 20
25 days after the date that this Order was mailed to or served on
26 you, the Bureau will not be required to furnish you a hearing.
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This Order shall be effective immediately.

DATED: OCT 30 2013,

Real Estate Commissioner

A handwritten signature in black ink, appearing to be 'Jeffrey Mason', is written over a horizontal line. The signature is somewhat stylized and overlaps the line.

By: JEFFREY MASON
Chief Deputy Commissioner

PLAG

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FILED

FEB 15 2013

DEPARTMENT OF REAL ESTATE

BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation

No. H-37605 LA

FRANK H. WHITEHEAD III, and)
EVELYN VELASQUEZ,)
)
)
 Respondents.)
_____)

ORDER EXTENDING TIME

On July 13, 2012, a Decision was made suspending the real estate broker license of Respondent FRANK H. WHITEHEAD III for a period of ninety days from the effective date of the Decision, August 15, 2012. The entire period of the suspension was stayed on certain terms and conditions. The Decision obligated Respondent to take and pass the Professional Responsibility Examination within six months of the effective date of the Decision.

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Good cause having been shown, the time during which Respondent must complete the condition described above is hereby extended to April 15, 2013.

This Order shall be effective immediately.

DATED: February 15, 2013

REAL ESTATE COMMISSIONER


Wayne Bell

FILED

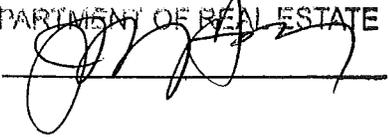
BEFORE THE DEPARTMENT OF REAL ESTATE

JUL 26 2012

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

* * * *

BY: 

In the Matter of the Accusation of)
) No. H-37605 LA
 FRANK H. WHITEHEAD III, and)
)
EVELYN VELASQUEZ,)
)
)
 Respondents.)
)

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 June 14, 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.

This Decision suspends or revokes one or more real estate licenses on the ground of the violation of the Real Estate Law (commencing with Section 10000 of the Business and Professions Code (Code)) or Chapter 1 (commencing with Section 11000 of the Code) of Part 2 or the rules and regulations of the commissioner for the administration and enforcement of the Real Estate Law and Chapter 1 (commencing with Section 11000 of the Code) of Part 2.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondents.

FINDINGS OF FACT

I

On May 31, 2012, Howard Alston made the Second Amended Accusation ("Accusation") in his official capacity as a Deputy Real Estate Commissioner of the State of California. The

Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondent's last known mailing address on file with the Department on May 31, 2012.

Respondent failed to file a Notice of Defense within the time required by Section 11506 of the Government Code. Respondent's default was entered herein on June 14, 2012.

II

Respondent EVELYN VELASQUEZ is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code") as a real estate salesperson. Prior to November 17, 2009, Respondent was not licensed by the Department in any capacity. At no time was Respondent employed by a licensed broker.

III

The evidence established that Respondent engaged in the business of, acted in the capacity of, or advertised a loan modification service and advance fee brokerage offering to perform and performing loan modification services with respect to loans which were secured by liens on real property for compensation or in expectation of compensation and for fees often collected in advance as well as at the conclusion of the transaction on behalf of broker Frank H. Whitehead III, doing business under the authorized fictitious business name "Blue Light Investments." Respondent's activities include but are not limited to the following instances:

a. On or about April 17, 2009, as a result of being solicited by Ruiz, Raul Lopez S. ("Raul") paid a series of advance fees to Ruiz and Respondent VELASQUEZ on behalf of Blue Light Investments. At the direction of Ruiz on or about April 17, 2009, Raul gave Ruiz an advance fee in the amount of \$1,995 by a check made payable to "C & L Financial." Ruiz represented to Raul that the foregoing check was being collected on behalf of Blue Light Investments. Additionally, Raul gave VELASQUEZ and Ruiz personal money orders in the amounts of \$1,000 and \$800 which were made payable to Blue Light Investments. The foregoing advance fees were collected pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by Blue Light Investments, Ruiz and VELASQUEZ with respect to a loan secured by real property.

b. On or about December 21, 2009, Evaristo F. paid an advance fee of \$3,000 to VELASQUEZ on behalf of Blue Light Investments. The advance fee was collected pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by VELASQUEZ and Blue Light Investments with respect to a loan secured by real property located at 702 E. 84th Place, Los Angeles, California.

c. On or about the following dates Rafael R. paid advance fees in the specified amounts to VELASQUEZ on behalf of Blue Light Investments: \$1,000 was paid on March 19, 2009; \$1,000 was paid on April 17, 2009; two payments of \$3,000 each were paid on December 18, 2009; and \$500 was paid on January 22, 2010. The advance fees were collected pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by VELASQUEZ and Blue Light Investments with respect to loans secured by real properties located at 2051 E. 76th Place, Los Angeles, California 90001 and 4723 E. Compton Boulevard, Compton, California 90221.

d. On or about January 27, 2009, Josefina C. paid a \$1,000 advance fee to VELASQUEZ on behalf of Blue Light Investments. The advance fee was collected pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by VELASQUEZ and Blue Light Investments with respect to a loan secured by the real property located at 10239 Bartee Avenue, Arleta, California 91331.

DETERMINATION OF ISSUES

I

Based on the information contained in Paragraph III, above, Respondent performed and/or participated in activities which require a real estate broker license under the provisions of Code Sections 10131(d) and 10131.2 during a period of time when Respondent was not licensed by the Department as a real estate broker, nor employed as a real estate salesperson by a broker on whose behalf the activities were performed, in violation of Code Section 10130 which is cause to suspend or revoke the license and license rights of Respondent pursuant to Code Sections 10177(d), 10177(g) and 10177(j).

II

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

ORDER

The licenses and license rights of Respondent EVELYN VELASQUEZ 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 AUG 15 2012.

DATED: 7/17/12.

REAL ESTATE COMMISSIONER

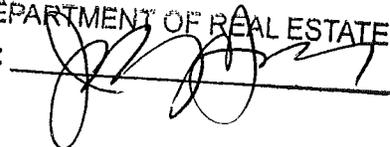


By WAYNE S. BELL
Chief Counsel

1 Department of Real Estate
2 320 West Fourth Street, Suite 350
3 Los Angeles, California 90013-1105
4 (213) 576-6982

FILED

JUN 14 2012

DEPARTMENT OF REAL ESTATE
BY: 

7 BEFORE THE DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

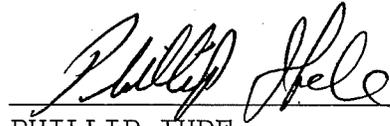
9 * * * *

10
11 In the Matter of the Accusation of)
12) NO. H-37605 LA
13 FRANK H. WHITEHEAD III, and)
14 EVELYN VELASQUEZ,) DEFAULT ORDER
15)
16 Respondent(s).)
17)

18 Respondent, EVELYN VELASQUEZ, having failed to file a
19 Notice of Defense within the time required by Section 11506 of
20 the Government Code, is now in default. It is, therefore,
21 ordered that a default be entered on the record in this matter.

22 IT IS SO ORDERED June 14, 2012.

23 Real Estate Commissioner

24 
25 By: PHILLIP IHDE
26 Regional Manager
27

7256

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone: (213) 576-6982

FILED

JUL 26 2012

DEPARTMENT OF REAL ESTATE
BY: [Signature]

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12	In the Matter of the Accusation of)	NO. H-37605 LA
13)	
14	<u>FRANK H. WHITEHEAD III, and</u>)	L-2011110969
15	<u>EVELYN VELASQUEZ,</u>)	
16)	<u>STIPULATION AND AGREEMENT</u>
17)	
18	Respondents.)	

19 It is hereby stipulated by and between FRANK H.
20 WHITEHEAD III (sometimes referred to as "Respondent"), and the
21 Complainant, acting by and through Cheryl Keily, Counsel for
22 the Department of Real Estate, as follows for the purpose of
23 settling and disposing of the Second Amended Accusation
24 ("Accusation") filed on May 31, 2012, in this matter.

26 1. All issues which were to be contested and all
27 evidence which was to be presented by Complainant and Respondent
at a formal hearing on the Accusation, which hearing was to be

1 held in accordance with the provisions of the Administrative
2 Procedure Act (APA), shall instead and in place thereof be
3 submitted solely on the basis of the provisions of this
4 Stipulation and Agreement.

5
6 2. Respondent has received, read and understands the
7 Statement to Respondent, the Discovery Provisions of the APA and
8 the Accusation filed by the Department of Real Estate
9 ("Department") in this proceeding.

10 3. On November 16, 2011, Respondent filed a Notice of
11 Defense, pursuant to Section 11506 of the Government Code for
12 the purpose of requesting a hearing on the allegations in the
13 Accusation. Respondent hereby freely and voluntarily withdraws
14 said Notice of Defense. Respondent acknowledges that he
15 understands that by withdrawing said Notice of Defense he will
16 thereby waive his right to require the Commissioner to prove the
17 allegations in the Accusation at a contested hearing held in
18 accordance with the provisions of the APA and that he will waive
19 other rights afforded to him in connection with the hearing,
20 such as the right to present evidence in defense of the
21 allegations in the Accusation and the right to cross-examine
22 witnesses.
23
24

25 4. It is understood by the parties that the Real
26 Estate Commissioner may adopt the Stipulation and Agreement as
27 his decision in this matter, thereby imposing the penalty and

1 sanctions on Respondent's real estate licenses and license
2 rights as set forth in the below "Order". In the event that
3 the Commissioner in his discretion does not adopt the
4 Stipulation and Agreement, it shall be void and of no effect,
5 and Respondent shall retain the right to a hearing and
6 proceeding on the Accusation under all the provisions of the
7 APA and shall not be bound by any admission or waiver made
8 herein.
9

10 5. This Stipulation is based on the factual
11 allegations contained in the Accusation. In the interest of
12 expedience and economy, Respondent chooses not to contest these
13 allegations, but to remain silent and understand that, as a
14 result thereof, these factual allegations, without being
15 admitted or denied, will serve as a prima facie basis for the
16 disciplinary action stipulated to herein. The Real Estate
17 Commissioner shall not be required to provide further evidence
18 to prove said factual allegations.
19

20 6. This Stipulation and Respondents' decision not to
21 contest the Accusation are made for the purpose of reaching an
22 agreed disposition of this proceeding, and are expressly
23 limited to this proceeding and any other proceeding or case in
24 which the Department of Real Estate, or another licensing
25 agency of this state, another state or the federal government
26 is involved and otherwise shall not be admissible in any other
27

1 Decision; provided, however, that the entire period of said
2 suspension shall be stayed for two (2) years upon the following
3 terms and conditions;

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

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

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

22 III. Within one year of the effective date of the
23 Decision, Respondent shall make restitution to those persons
24 who allegedly suffered monetary loss as a result of the
25
26
27

1 allegations set forth in the Accusation filed in this case as
2 follows:

3 1. Respondent shall provide proof of restitution
4 satisfactory to the Real Estate Commissioner of restitution to
5 the following individuals and in the amounts specified:

6 a. Josefina Cortes in the amount of \$2,770;

7 b. Raul Lopez Silva in the amount of \$1,995;

8 c. Paulo Azevedo in the amount of \$1,000;

9 d. Evaristo Figueroa in the amount of \$3,000; and

10 e. Rafael Rodriguez in the amount of \$7,500.

11 2. All proof of payment of restitution shall be
12 submitted to Department Counsel Cheryl Keily, Attention: Legal
13 Section, Department of Real Estate, 320 W. Fourth St., Suite
14 350, Los Angeles, California 90013-1105, on or before the time
15 set for performance.

16 3. If Respondent fails to satisfy these conditions,
17 the Real Estate Commissioner may order suspension of
18 Respondent's license until Respondent provides proof of
19 restitution satisfactory to the Commissioner.

20
21 DATED: 6/7/12

22 Cheryl D. Keily
23 CHERYL D. KEILY, Counsel
24 DEPARTMENT OF REAL ESTATE

25 * * *

26 I have read the Stipulation and Agreement, and its
27 terms are understood by me and are agreeable and acceptable to
me. I understand that I am waiving rights given to me by the

1 California Administrative Procedure Act (including but not
2 limited to Sections 11506, 11508, 11509 and 11513 of the
3 Government Code), and I willingly, intelligently and
4 voluntarily waive those rights, including the right of
5 requiring the Commissioner to prove the allegations in the
6 Accusation at a hearing at which I would have the right to
7 cross-examine witnesses against me and to present evidence in
8 defense and mitigation of the charges.

10 Respondent can signify acceptance and approval of the
11 terms and conditions of this Stipulation and Agreement by
12 faxing a copy of its signature page, as actually signed by
13 Respondent, to the Department at the following telephone/fax
14 number (213) 576-6917. Respondent agrees, acknowledges, and
15 understands that by electronically sending to the Department a
16 fax copy of his actual signature as it appears on the
17 Stipulation and Agreement, that receipt of the faxed copy by
18 the Department shall be as binding on Respondent as if the
19 Department had received the original signed Stipulation and
20 Agreement.

23 DATED: _____

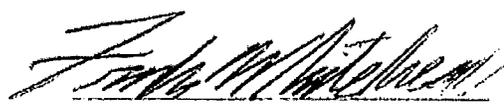
FRANK H. WHITEHEAD III,
Respondent

25 ///
26 ///
27 ///

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.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of its signature page, as actually signed by Respondent, to the Department at the following telephone/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 and Agreement, 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: 6-7-12


FRANK H. WHITEHEAD III,
Respondent

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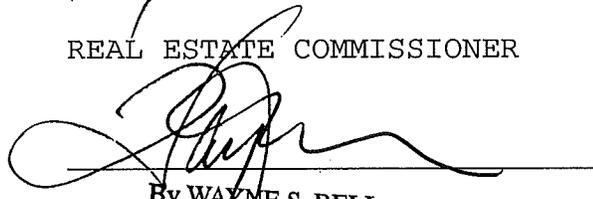
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* * *

The foregoing Stipulation and Agreement is hereby
adopted as my Decision in this matter and shall become
effective at 12 o'clock noon on AUG 15 2012, 2012.

IT IS SO ORDERED 7/13/2012

REAL ESTATE COMMISSIONER



By WAYNE S. BELL
Chief Counsel

✓
12-11-11

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

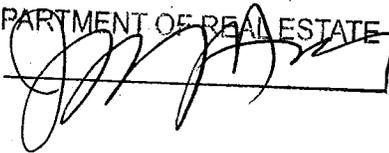
5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6905

FILED

MAY 31 2012

DEPARTMENT OF REAL ESTATE

BY:



9 DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * * * *

12 In the Matter of the Accusation

No. H-37605 LA

13 FRANK H. WHITEHEAD III, and)
14 EVELYN VELASQUEZ,)
15)
16 Respondents.)
_____)

SECOND AMENDED
ACCUSATION

17
18 This Second Amended Accusation amends the First Amended
19 Accusation filed on January 25, 2012.

20 The Complainant, Howard Alston, a Deputy Real Estate
21 Commissioner of the State of California, for cause of Accusation
22 against FRANK H. WHITEHEAD ("WHITEHEAD"), individually, and doing
23 business as Blue Light Investments ("BLUE LIGHT"); and EVELYN
24 VELASQUEZ ("VELASQUEZ") alleges as follows:

25 1.

26 The Complainant, Howard Alston, a Deputy Real Estate
27 Commissioner of the State of California, makes this Accusation in

1 his official capacity.

2 2.

3 WHITEHEAD is presently licensed and/or has license
4 rights under the Real Estate Law as real estate broker.

5 3.

6 At all times relevant herein WHITEHEAD was authorized
7 to utilize the fictitious business name BLUE LIGHT for
8 activities requiring the issuance of a real estate license.

9 4.

10 Since on or about November 17, 2009, VELASQUEZ has
11 been licensed and/or has license rights under the Real Estate
12 Law as a real estate salesperson. Prior to November 17, 2009,
13 VELASQUEZ was not licensed by the Department in any capacity. At
14 no time mentioned herein was VELASQUEZ employed by a licensed
15 broker, including WHITEHEAD.

16 5.

17 At no time herein mentioned has Gustavo Ruiz ("Ruiz")
18 been licensed by the Department in any capacity.

19 6.

20 Whenever acts referred to below are attributed to BLUE
21 LIGHT, those acts are alleged to have been done by WHITEHEAD,
22 acting by himself, or by and/or through one or more agents,
23 associates, affiliates, and/or co-conspirators, including but not
24 limited to each of those named herein, and using the name BLUE
25 LIGHT or "C & L Financial", or any fictitious name unknown at
26 this time.
27

FIRST CAUSE OF ACCUSATION
(Advance Fee Violation)

7.

At all times mentioned herein, WHITEHEAD engaged in the business of a real estate broker in the State of California within the meaning of Code Sections 10131(d) and 10131.2 including brokering mortgage loans and performing loan modification activities and claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee, within the meaning of Code Section 10026, including, but not limited to, the following loan modification activities with respect to loans which were secured by liens on real property:

a. On or about November 22, 2008, Paul A. paid an advance fee of \$1,000 to BLUE LIGHT. The advance fee was collected pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by BLUE LIGHT with respect to a loan secured by the real property at 805 Kerr Avenue, Modesto, California.

b. On or about April 17, 2009, as a result of being solicited by Ruiz, Raul Lopez S. ("Raul") paid a series of advance fees to Ruiz and VELASQUEZ on behalf of BLUE LIGHT. At the direction of Ruiz on or about April 17, 2009, Raul gave Ruiz an advance fee in the amount of \$1,995 by a check made payable to "C & L Financial." Ruiz represented to Raul that the foregoing check was being collected on behalf of BLUE LIGHT.

1 Additionally, Raul gave VELASQUEZ and Ruiz personal money orders
2 in the amounts of \$1,000 and \$800 which were made payable to
3 BLUE LIGHT. The foregoing advance fees were collected pursuant
4 to the provisions of an agreement pertaining to loan
5 solicitation, negotiation, and modification services to be
6 provided by BLUE LIGHT, Ruiz and VELASQUEZ with respect to a
7 loan secured by real property.

8 c. On or about December 21, 2009, Evaristo F. paid
9 an advance fee of \$3,000 to VELASQUEZ on behalf of BLUE LIGHT.
10 The advance fee was collected pursuant to the provisions of an
11 agreement pertaining to loan solicitation, negotiation, and
12 modification services to be provided by VELASQUEZ and BLUE LIGHT
13 with respect to a loan secured by real property located at 702
14 E. 84th Place, Los Angeles, California.

15 d. On or about the following dates Rafael R. paid
16 advance fees in the specified amounts to VELASQUEZ on behalf of
17 BLUE LIGHT: \$1,000 was paid on March 19, 2009; \$1,000 was paid
18 on April 17, 2009; two payments of \$3,000 each were paid on
19 December 18, 2009; and \$500 was paid on January 22, 2010. The
20 advance fees were collected pursuant to the provisions of an
21 agreement pertaining to loan solicitation, negotiation, and
22 modification services to be provided by VELASQUEZ and BLUE LIGHT
23 with respect to loans secured by real properties located at 2051
24 E. 76th Place, Los Angeles, California 90001 and 4723 E. Compton
25 Boulevard, Compton, California 90221.
26

27 ///

1 e. On or about January 27, 2009, Josefina C. paid a
2 \$1,000 advance fee to VELASQUEZ on behalf of BLUE LIGHT. The
3 advance fee was collected pursuant to the provisions of an
4 agreement pertaining to loan solicitation, negotiation, and
5 modification services to be provided by VELASQUEZ and BLUE LIGHT
6 with respect to a loan secured by the real property located at
7 10239 Bartee Avenue, Arleta, California 91331.

8 8.

9 WHITEHEAD collected the advance fees described in
10 Paragraph 7, above, pursuant to the provisions of a written
11 agreement which constitutes an advance fee agreement within the
12 meaning of Code Section 10085.

13 9.

14 WHITEHEAD failed to submit the written agreement
15 referred to in Paragraphs 7 and 8, above, to the Commissioner ten
16 days before using it in violation of Code Section 10085 and
17 Section 2970, Title 10, Chapter 6, Code of Regulations
18 ("Regulations").
19

20 10.

21 The conduct, acts and/or omissions of WHITEHEAD, as set
22 forth above, are cause for the suspension or revocation of the
23 licenses and license rights of respondent pursuant to Code
24 Sections 10085, 10177(d) and/or 10177(g).

25 ///

26 ///

27 ///

SECOND CAUSE OF ACCUSATION

(Unlicensed Activity by Respondent VELAZQUEZ)

11.

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

12.

On the occasions set forth in Paragraphs 7(b), 7(c), 7(d) and 7(e), above, Respondent VELAZQUEZ engaged in the business of negotiating, or offering to negotiate, loan modifications in connection with loans secured directly or collaterally by liens on real property for compensation or in expectation of compensation from someone other than a broker who then employed her.

13.

Based on the information contained in Paragraphs 4, 7 and 12, above, Respondent VELAZQUEZ performed and/or participated in loan solicitation, negotiation, and modification activities which require a real estate broker license under the provisions of Code Sections 10131(d) during a period of time when Respondent was not licensed by the Department as a real estate broker nor employed as a real estate salesperson by a broker on whose behalf the activities were performed.

14.

The conduct, acts and/or omissions of Respondent VELAZQUEZ violate Code Section 10130, and is cause for the suspension or revocation of the licenses and license rights of

1 Respondent VELAZQUEZ pursuant to Code Sections 10177(d) and/or
2 10177(g) and/or 10177(j).

3 THIRD CAUSE OF ACCUSATION

4 (Violation of Code Section 10137 by Respondent WHITEHEAD in
5 Employing and/or Compensating Unlicensed Individuals)

6 15.

7 Complainant hereby incorporates by reference the
8 allegations set forth in Paragraphs 1 through 14, above.

9 16.

10 The activities described in Paragraph 7, above, require
11 a real estate license under Sections 10131(d) and 10131.2 of the
12 Code. WHITEHEAD violated Section 10137 of the Code by employing
13 and/or compensating individuals who were not licensed as a real
14 estate salesperson or as a broker to perform activities requiring
15 a license as follows:

16 a. WHITEHEAD employed and/or compensated Respondent
17 VELAZQUEZ to perform some or all of the services alleged in
18 Paragraph 7, subsections (b), (c), (d), and (e), above, though
19 she was not employed by WHITEHEAD or working under the license of
20 any other broker.

21 b. WHITEHEAD employed and/or compensated Ruiz to
22 perform some or all of the services alleged in Paragraph 7,
23 subsection (a), above, though he was not licensed as a real
24 estate salesperson or broker.
25

26 ///

27 ///

1 years including loan modification files for WHITEHEAD's real
2 estate clients including listings, real estate contracts,
3 canceled checks, escrow and trust records, and specifically
4 including documentation pertaining to the activities alleged in
5 Paragraph 7, above, as required by Code Section 10148.

6 20.

7 The foregoing violations constitute cause for the
8 suspension or revocation of the real estate license and license
9 rights of WHITEHEAD under the provisions of Code Sections
10 10177(d) for violation of the Real Estate Law and/or 10177(g) for
11 negligence or incompetence.

12 FIFTH CAUSE OF ACCUSATION
13 (Violation of Code Section 10085.6)

14 21.

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

17 22.

18 On October 11, 2009, Code Section 10085.6 went into
19 effect. By its terms Section 10085.6 prohibits any real estate
20 licensee who negotiates, attempts to negotiate, arranges,
21 attempts to arrange, or otherwise offers to perform a loan
22 modification with respect to residential property to "claim,
23 demand, charge, collect, or receive any compensation until after
24 the licensee has fully performed each and every service the
25 licensee contracted to perform or represented that he, she, or it
26

would perform."

23.

By virtue of the application of newly enacted Code Section 10085.6 to the advance fee transactions described in Paragraph 7(c) and Paragraph 7(d), above, WHITEHEAD violated the provisions of that section when, as is alleged in Paragraph 7(c), WHITEHEAD accepted an advance fee on or about December 21, 2009, and, as is alleged in Paragraph 7(d), WHITEHEAD accepted advance fees on December 18, 2009, and January 22, 2010.

24.

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

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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all the licenses and license rights of Respondent
5 FRANK H. WHITEHEAD III and Respondent EVELYN VELASQUEZ under the
6 Real Estate Law (Part 1 of Division 4 of the Business and
7 Professions Code), and for such other and further relief as may
8 be proper under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this 31st day of May, 2012.

11
12 

13 Howard Alston
14 Deputy Real Estate Commissioner

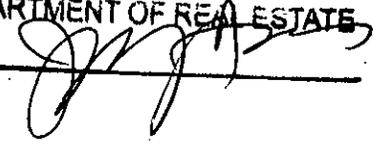
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25 cc: FRANK H. WHITEHEAD III
26 EVELYN VELASQUEZ
27 Howard Alston
Sacto.

PLAD

1 CHERYL D. KEILY, SBN# 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) 576-6905

FILED

JAN 25 2012

DEPARTMENT OF REAL ESTATE
BY: 

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

12 In the Matter of the Accusation No. H-37605 LA.

13 FRANK H. WHITEHEAD III, and) FIRST AMENDED
14 EVELYN VELASQUEZ,) ACCUSATION
15)
16 Respondents.)
_____)

17
18 This First Amended Accusation amends the Accusation
19 filed on October 19, 2011.

20 The Complainant, Robin Trujillo, a Deputy Real Estate
21 Commissioner of the State of California, for cause of Accusation
22 against FRANK H. WHITEHEAD ("WHITEHEAD"), individually, and doing
23 business as Blue Light Investments ("BLUE LIGHT"); and EVELYN
24 VELASQUEZ ("VELASQUEZ") alleges as follows:

25 1.

26 The Complainant, Robin Trujillo, a Deputy Real Estate
27 Commissioner of the State of California, makes this Accusation in

her official capacity.

2.

WHITEHEAD is presently licensed and/or has license rights under the Real Estate Law as real estate broker.

3.

At all times relevant herein WHITEHEAD was authorized to utilize the fictitious business name BLUE LIGHT for activities requiring the issuance of a real estate license.

4.

Since on or about November 17, 2009, VELASQUEZ has been licensed and/or has license rights under the Real Estate Law as a real estate salesperson. Prior to November 17, 2009, VELASQUEZ was not licensed by the Department in any capacity. At no time mentioned herein was VELASQUEZ employed by a licensed broker, including WHITEHEAD.

5.

At no time herein mentioned has Gustavo Ruiz ("Ruiz") been licensed by the Department in any capacity.

6.

Whenever acts referred to below are attributed to BLUE LIGHT, those acts are alleged to have been done by WHITEHEAD, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including but not limited to each of those named herein, and using the name BLUE LIGHT or "C & L Financial", or any fictitious name unknown at this time.

FIRST CAUSE OF ACCUSATION
(Advance Fee Violation)

7.

At all times mentioned herein, WHITEHEAD engaged in the business of a real estate broker in the State of California within the meaning of Code Sections 10131(d) and 10131.2 including brokering mortgage loans and performing loan modification activities and claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee, within the meaning of Code Section 10026, including, but not limited to, the following loan modification activities with respect to loans which were secured by liens on real property:

a. On or about November 22, 2008, Paul A. paid an advance fee of \$1,000 to BLUE LIGHT. The advance fee was collected pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by BLUE LIGHT with respect to a loan secured by the real property at 805 Kerr Avenue, Modesto, California.

b. On or about April 17, 2009, as a result of being solicited by Ruiz, Raul Lopez S. ("Raul") paid a series of advance fees to Ruiz and VELASQUEZ on behalf of BLUE LIGHT. At the direction of Ruiz on or about April 17, 2009, Raul gave Ruiz an advance fee in the amount of \$1,995 by a check made payable to "C & L Financial." Ruiz represented to Raul that the foregoing check was being collected on behalf of BLUE LIGHT.

1 Additionally, Raul gave VELASQUEZ and Ruiz personal money orders
2 in the amounts of \$1,000 and \$800 which were made payable to
3 BLUE LIGHT. The foregoing advance fees were collected pursuant
4 to the provisions of an agreement pertaining to loan
5 solicitation, negotiation, and modification services to be
6 provided by BLUE LIGHT, Ruiz and VELASQUEZ with respect to a
7 loan secured by real property.

8 c. On or about December 21, 2009, Evaristo F. paid
9 an advance fee of \$3,000 to VELASQUEZ on behalf of BLUE LIGHT.
10 The advance fee was collected pursuant to the provisions of an
11 agreement pertaining to loan solicitation, negotiation, and
12 modification services to be provided by VELASQUEZ and BLUE LIGHT
13 with respect to a loan secured by real property located at 702
14 E. 84th Place, Los Angeles, California.

15 d. On or about the following dates Rafael R. paid
16 advance fees in the specified amounts to VELASQUEZ on behalf of
17 BLUE LIGHT: \$1,000 was paid on March 19, 2009; \$1,000 was paid
18 on April 17, 2009; two payments of \$3,000 each were paid on
19 December 18, 2009; and \$500 was paid on January 22, 2010. The
20 advance fees were collected pursuant to the provisions of an
21 agreement pertaining to loan solicitation, negotiation, and
22 modification services to be provided by VELASQUEZ and BLUE LIGHT
23 with respect to loans secured by real properties located at 2051
24 E. 76th Place, Los Angeles, California 90001 and 4723 E. Compton
25 Boulevard, Compton, California 90221.
26

27 ///

1 e. On or about January 27, 2009, Josefina C. paid a
2 \$1,000 advance fee to VELASQUEZ on behalf of BLUE LIGHT. The
3 advance fee was collected pursuant to the provisions of an
4 agreement pertaining to loan solicitation, negotiation, and
5 modification services to be provided by VELASQUEZ and BLUE LIGHT
6 with respect to a loan secured by the real property located at
7 10239 Bartee Avenue, Arleta, California 91331.

8 8.

9 WHITEHEAD collected the advance fees described in
10 Paragraph 7, above, pursuant to the provisions of a written
11 agreement which constitutes an advance fee agreement within the
12 meaning of Code Section 10085.

13 9.

14 WHITEHEAD failed to submit the written agreement
15 referred to in Paragraphs 7 and 8, above, to the Commissioner ten
16 days before using it in violation of Code Section 10085 and
17 Section 2970, Title 10, Chapter 6, Code of Regulations
18 ("Regulations").
19

20 10.

21 The conduct, acts and/or omissions of WHITEHEAD, as set
22 forth above, are cause for the suspension or revocation of the
23 licenses and license rights of respondent pursuant to Code
24 Sections 10085, 10177(d) and/or 10177(g).

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SECOND CAUSE OF ACCUSATION

(Unlicensed Activity by Respondent VELAZQUEZ)

11.

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

12.

On the occasions set forth in Paragraphs 7(b), 7(c), 7(d) and 7(e), above, Respondent VELAZQUEZ engaged in the business of negotiating, or offering to negotiate, loan modifications in connection with loans secured directly or collaterally by liens on real property for compensation or in expectation of compensation from someone other than a broker who then employed her.

13.

Based on the information contained in Paragraphs 4, 7 and 12, above, Respondent VELAZQUEZ performed and/or participated in loan solicitation, negotiation, and modification activities which require a real estate broker license under the provisions of Code Sections 10131(d) during a period of time when Respondent was not licensed by the Department as a real estate broker nor employed as a real estate salesperson by a broker on whose behalf the activities were performed.

14.

The conduct, acts and/or omissions of Respondent VELAZQUEZ violate Code Section 10130, and is cause for the suspension or revocation of the licenses and license rights of

1 Respondent VELAZQUEZ pursuant to Code Sections 10177(d) and/or
2 10177(g) and/or 10177(j).

3 THIRD CAUSE OF ACCUSATION

4 (Violation of Code Section 10137 by Respondent WHITEHEAD in
5 Employing and/or Compensating Unlicensed Individuals)

6 15.

7 Complainant hereby incorporates by reference the
8 allegations set forth in Paragraphs 1 through 14, above.

9 16.

10 The activities described in Paragraph 7, above, require
11 a real estate license under Sections 10131(d) and 10131.2 of the
12 Code. WHITEHEAD violated Section 10137 of the Code by employing
13 and/or compensating individuals who were not licensed as a real
14 estate salesperson or as a broker to perform activities requiring
15 a license as follows:

16 a. WHITEHEAD employed and/or compensated Respondent
17 VELAZQUEZ to perform some or all of the services alleged in
18 Paragraph 7, subsections (b), (c), (d), and (e), above, though
19 she was not employed by WHITEHEAD or working under the license of
20 any other broker.

21 b. WHITEHEAD employed and/or compensated Ruiz to
22 perform some or all of the services alleged in Paragraph 7,
23 subsection (a), above, though he was not licensed as a real
24 estate salesperson or broker.

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17.

1 The conduct, acts and/or omissions of WHITEHEAD, as set
2 forth in Paragraph 16, above, violates Code Section 10137, and is
3 cause for the suspension or revocation of the licenses and
4 license rights of WHITEHEAD pursuant to Code Sections 10137,
5 10177(d) and/or 10177(g).

7 FOURTH CAUSE OF ACCUSATION

8 (Record Retention Violation Against Respondent WHITEHEAD)

9 18.

10 Complainant incorporates by this reference the
11 allegations set forth in Paragraphs 1 through 17, above.

12 19.

13 On or about May 17, 2010, the Department completed an
14 audit examination of the books and records of WHITEHEAD, doing
15 business under the authorized fictitious business names Blue
16 Light Investment and Blue Light Investments, pertaining to the
17 real estate activities described in Paragraph 7, above, covering
18 a period from August 1, 2008, to January 31, 2010. The audit
19 examination revealed violations of the Code, as set forth in the
20 following paragraphs, and more fully discussed in Audit Report
21 No. LA 090106 along with the exhibits and work papers attached to
22 the audit report:

23 In the course of the real estate activities undertaken
24 by WHITEHEAD, including those described in Paragraph 7, above,
25 WHITEHEAD failed to retain all records of his activities
26 requiring a real estate broker license for a period of three
27

1 years including loan modification files for WHITEHEAD's real
2 estate clients including listings, real estate contracts,
3 canceled checks, escrow and trust records, and specifically
4 including documentation pertaining to the activities alleged in
5 Paragraph 7, above, as required by Code Section 10148.

6 20.

7 The foregoing violations constitute cause for the
8 suspension or revocation of the real estate license and license
9 rights of WHITEHEAD under the provisions of Code Sections
10 10177(d) for violation of the Real Estate Law and/or 10177(g) for
11 negligence or incompetence.

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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all the licenses and license rights of Respondent
5 FRANK H. WHITEHEAD III and Respondent EVELYN VELASQUEZ under the
6 Real Estate Law (Part 1 of Division 4 of the Business and
7 Professions Code), and for such other and further relief as may
8 be proper under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this 24 day of January, 2012.

11 
12 _____
13 Robin Trujillo
14 Deputy Real Estate Commissioner
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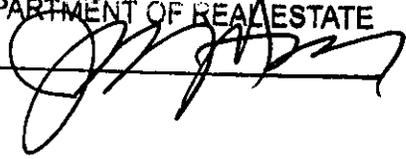
25 cc: FRANK H. WHITEHEAD III
26 EVELYN VELASQUEZ
27 Robin Trujillo
Sacto.

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

FILED

OCT 19 2011

5 Telephone: (213) 576-6982
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DEPARTMENT OF REAL ESTATE
BY: 

9 DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * * * *

12 In the Matter of the Accusation

No. H- 37605 LA

13 FRANK H. WHITEHEAD III; and)
14 EVELYN VELASQUEZ,)
15)
16 Respondents.)
_____)

ACCUSATION

17
18 The Complainant, Robin Trujillo, a Deputy Real Estate
19 Commissioner of the State of California, for cause of Accusation
20 against FRANK H. WHITEHEAD ("WHITEHEAD"), individually, and doing
21 business as Blue Light Investments ("BLUE LIGHT"); and EVELYN
22 VELASQUEZ ("VELASQUEZ") alleges as follows:

23 1.

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

27 ///

2.

1 WHITEHEAD is presently licensed and/or has license
2 rights under the Real Estate Law as real estate broker.
3

3.

4
5 At all times relevant herein WHITEHEAD was authorized
6 to utilize the fictitious business name BLUE LIGHT for
7 activities requiring the issuance of a real estate license.

4.

8
9 Since on or about November 17, 2009, VELASQUEZ has
10 been licensed and/or has license rights under the Real Estate
11 Law as a real estate salesperson. Prior to November 17, 2009,
12 VELASQUEZ was not licensed by the Department in any capacity. At
13 no time mentioned herein was VELASQUEZ employed by a licensed
14 broker, including WHITEHEAD.
15

5.

16
17 At no time herein mentioned has Gustavo Ruiz ("Ruiz")
18 been licensed by the Department in any capacity.

6.

19
20 Whenever acts referred to below are attributed to BLUE
21 LIGHT, those acts are alleged to have been done by WHITEHEAD,
22 acting by himself, or by and/or through one or more agents,
23 associates, affiliates, and/or co-conspirators, including but not
24 limited to each of those named herein, and using the name BLUE
25 LIGHT or "C & L Financial", or any fictitious name unknown at
26 this time.

27 ///

FIRST CAUSE OF ACCUSATION
(Advance Fee Violation)

7.

At all times mentioned herein, WHITEHEAD engaged in the business of a real estate broker in the State of California within the meaning of Code Sections 10131(d) and 10131.2 including brokering mortgage loans and performing loan modification activities and claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee, within the meaning of Code Section 10026, including, but not limited to, the following loan modification activities with respect to loans which were secured by liens on real property:

a. On or about November 22, 2008, Paul A. paid an advance fee of \$1,000 to BLUE LIGHT. The advance fee was collected pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by BLUE LIGHT with respect to a loan secured by the real property at 805 Kerr Avenue, Modesto, California.

b. On or about April 17, 2009, as a result of being solicited by Ruiz, Raul Lopez S. ("Raul") paid a series of advance fees to Ruiz and VELASQUEZ on behalf of BLUE LIGHT. At the direction of Ruiz on or about April 17, 2009, Raul gave Ruiz an advance fee in the amount of \$1,995 by a check made payable to "C & L Financial." Ruiz represented to Raul that the foregoing check was being collected on behalf of BLUE LIGHT.

1 Additionally, Raul gave VELASQUEZ and Ruiz personal money orders
2 in the amounts of \$1,000 and \$800 which were made payable to
3 BLUE LIGHT. The foregoing advance fees were collected pursuant
4 to the provisions of an agreement pertaining to loan
5 solicitation, negotiation, and modification services to be
6 provided by BLUE LIGHT, Ruiz and VELASQUEZ with respect to a
7 loan secured by real property.

8 c. On or about December 21, 2009, Evaristo F. paid
9 an advance fee of \$3,000 to VELASQUEZ on behalf of BLUE LIGHT.
10 The advance fee was collected pursuant to the provisions of an
11 agreement pertaining to loan solicitation, negotiation, and
12 modification services to be provided by VELASQUEZ and BLUE LIGHT
13 with respect to a loan secured by real property located at 702
14 E. 84th Place, Los Angeles, California.

15 8.

16 WHITEHEAD collected the advance fees described in
17 Paragraph 7, above, pursuant to the provisions of a written
18 agreement which constitutes an advance fee agreement within the
19 meaning of Code Section 10085.
20

21 9.

22 WHITEHEAD failed to submit the written agreement
23 referred to in Paragraphs 7 and 8, above, to the Commissioner ten
24 days before using it in violation of Code Section 10085 and
25 Section 2970, Title 10, Chapter 6, Code of Regulations
26 ("Regulations").

27 ///

10.

1 The conduct, acts and/or omissions of WHITEHEAD, as set
2 forth above, are cause for the suspension or revocation of the
3 licenses and license rights of respondent pursuant to Code
4 Sections 10085, 10177(d) and/or 10177(g).
5

6 SECOND CAUSE OF ACCUSATION

7 (Unlicensed Activity by Respondent VELAZQUEZ)

8 11.

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

11 12.

12 On the occasions set forth in Paragraphs 7(b) and
13 7(c), above, Respondent VELAZQUEZ engaged in the business of
14 negotiating, or offering to negotiate, loan modifications in
15 connection with loans secured directly or collaterally by liens
16 on real property for compensation or in expectation of
17 compensation from someone other than a broker who then employed
18 her.
19

20 13.

21 Based on the information contained in Paragraphs 4, 7
22 and 12, above, Respondent VELAZQUEZ performed and/or
23 participated in loan solicitation, negotiation, and modification
24 activities which require a real estate broker license under the
25 provisions of Code Sections 10131(d) during a period of time
26 when Respondent was not licensed by the Department as a real
27 estate broker nor employed as a real estate salesperson by a

1 broker on whose behalf the activities were performed.

2 14.

3 The conduct, acts and/or omissions of Respondent
4 VELAZQUEZ violate Code Section 10130, and is cause for the
5 suspension or revocation of the licenses and license rights of
6 Respondent VELAZQUEZ pursuant to Code Sections 10177(d) and/or
7 10177(g) and/or 10177(j).

8 THIRD CAUSE OF ACCUSATION

9 (Violation of Code Section 10137 by Respondent WHITEHEAD in
10 Employing and/or Compensating Unlicensed Individuals)

11 15.

12 Complainant hereby incorporates by reference the
13 allegations set forth in Paragraphs 1 through 14, above.

14 16.

15 The activities described in Paragraph 7, above, require
16 a real estate license under Sections 10131(d) and 10131.2 of the
17 Code. WHITEHEAD violated Section 10137 of the Code by employing
18 and/or compensating individuals who were not licensed as a real
19 estate salesperson or as a broker to perform activities requiring
20 a license as follows:

21 a. WHITEHEAD employed and/or compensated Respondent
22 VELAZQUEZ to perform some or all of the services alleged in
23 Paragraph 7, subsections (b) and (c), above, though she was not
24 employed by WHITEHEAD or working under the license of any other
25 broker.
26
27

1 In the course of the real estate activities undertaken
2 by WHITEHEAD, including those described in Paragraph 7, above,
3 WHITEHEAD failed to retain all records of his activities
4 requiring a real estate broker license for a period of three
5 years including loan modification files for WHITEHEAD's real
6 estate clients including listings, real estate contracts,
7 canceled checks, escrow and trust records, and specifically
8 including documentation pertaining to the activities alleged in
9 Paragraph 7, above, as required by Code Section 10148.

10 20.

11 The foregoing violations constitute cause for the
12 suspension or revocation of the real estate license and license
13 rights of WHITEHEAD under the provisions of Code Sections
14 10177(d) for violation of the Real Estate Law and/or 10177(g) for
15 negligence or incompetence.

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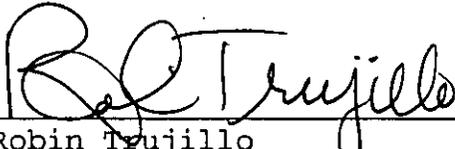
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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all the licenses and license rights of Respondent
5 FRANK H. WHITEHEAD III and Respondent EVELYN VELASQUEZ under the
6 Real Estate Law (Part 1 of Division 4 of the Business and
7 Professions Code), and for such other and further relief as may
8 be proper under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this 17 day of October, 2011.

11
12 
13 _____
14 Robin Trujillo
15 Deputy Real Estate Commissioner
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22
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24

25 cc: FRANK H. WHITEHEAD III
26 EVELYN VELASQUEZ
27 Robin Trujillo
Sacto.