

1 DEPARTMENT OF REAL ESTATE
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3 Sacramento, CA 95818-7000
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FILED
OCT 14 2003

DEPARTMENT OF REAL ESTATE

By Laurie J. Jiri

8 DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 NATIONAL HOMEBUYERS ALLIANCE,) NO. H-3880 SAC
13 a California Corporation, and) STIPULATION AND WAIVER
14 LESLIE GAIL BELLAMY,)
15 Respondents.)

16 It is hereby stipulated by and between NATIONAL
17 HOMEBUYERS ALLIANCE (hereinafter "Respondent NHA") and LESLIE
18 GAIL BELLAMY (hereinafter "Respondent BELLAMY") and the
19 Complainant, acting by and through James L. Beaver, Counsel for
20 the Department of Real Estate, as follows for the purpose of
21 settling and disposing of the Statement of Issues filed
22 September 23, 2003 in this matter.

23 A. Respondents NHA and BELLAMY acknowledge that they
24 have received and read the Statement of Issues and the Statement
25 to Respondent filed by the Department of Real Estate in
26 connection with this application for a corporate real estate

27 DRE Hearing No. H-3880 SAC

NATIONAL HOMEBUYERS ALLIANCE, and
LESLIE GAIL BELLAMY

1 Respondents NHA and BELLAMY are true and correct and requests
2 that the Real Estate Commissioner in her discretion issue a
3 restricted broker corporation license to Respondent NHA and a
4 restricted designated broker-officer license to Respondent
5 BELLAMY under the authority of Section 10156.5 of the Business
6 and Professions Code.

7 C. Respondents NHA and BELLAMY are aware that by
8 signing this Stipulation and Waiver, Respondents NHA and BELLAMY
9 are waiving Respondents' right to a hearing and the opportunity
10 to present evidence at the hearing to establish Respondents'
11 rehabilitation in order to obtain unrestricted real estate
12 broker licenses if this Stipulation and Waiver is accepted by
13 the Real Estate Commissioner. However, in the event that this
14 Stipulation and Waiver is not accepted by the Commissioner, this
15 Stipulation shall be cancelled and shall not be binding upon
16 Respondents NHA and BELLAMY for any purpose whatsoever, and
17 there shall be no waiver by Respondents NHA and BELLAMY of their
18 right to a hearing and to further proceedings to obtain a
19 restricted or unrestricted license.

20 D. Respondents NHA and BELLAMY further understand
21 that the following conditions, limitations, and restrictions
22 will attach to any restricted licenses issued by the Department
23 of real estate pursuant hereto:

24 1. The licenses shall not confer any property
25 right in the privileges to be exercised including the right of
26 renewal, and the Real Estate Commissioner may by appropriate

27 DRE Hearing No. H-3880 SAC

NATIONAL HOMEBUYERS ALLIANCE, and
LESLIE GAIL BELLAMY

1 order suspend the right to exercise any privileges granted under
2 these restricted licenses in the event of:


3 (a) The conviction of Respondent NHA and/or Respondent
4 BELLAMY (including a plea of nolo contendere) to a crime which
5 bears a substantial relationship to Respondents' fitness or
6 capacity as real estate licensees; or

7 (b) The receipt of evidence that Respondent NHA and/or
8 Respondent BELLAMY has/have violated provisions of the California
9 Real Estate Law, the Subdivided Lands Law, Regulations of the
10 Real Estate Commissioner, or conditions attaching to this
11 restricted licenses.

12 2. Respondents NHA and BELLAMY shall not be eligible
13 to apply for the issuance of an unrestricted real estate license
14 nor the removal of any of the conditions, limitations or
15 restrictions attaching to the restricted license until two years
16 have elapsed from the date of issuance of the restricted licenses
17 to Respondents NHA and BELLAMY.

18
19 Oct. 2, 2003

20 DATED

21 
22 JAMES L. BEAVER, COUNSEL
23 DEPARTMENT OF REAL ESTATE

24 * * *

25 I have read the Stipulation and Waiver and its terms
26 are understood by me and are agreeable and acceptable to me. I
27 understand that I am waiving rights given to me by the
California Administrative Procedure Act (including but not

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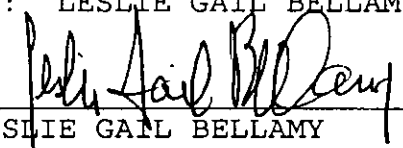
NATIONAL HOMEBUYERS ALLIANCE, and
LESLIE GAIL BELLAMY

1 limited to Sections 11506, 11508, 11509, and 11513 of the
2 Government Code), and I willingly, intelligently, and
3 voluntarily waive those rights, including the right of a
4 hearing on the Statement of Issues at which I would have the
5 right to cross-examine witnesses against me and to present
6 evidence in defense and mitigation of the charges.

7
8 DATED

NATIONAL HOMEBUYERS ALLIANCE
Respondent
By: LESLIE GAIL BELLAMY

9
10 10-1-03
11 DATED


12 LESLIE GAIL BELLAMY
Respondent

13 * * *

14 I have read the Statement of Issues filed herein and
15 the foregoing Stipulation and Waiver signed by Respondent. I am
16 satisfied that the hearing for the purpose of requiring further
17 proof as to the honesty and truthfulness of Respondent need
18 not be called and that it will not be inimical to the public
19 interest to issue a restricted real estate broker corporation
20 license to Respondent NHA and a restricted designated broker-
21 officer license to Respondent BELLAMY.

22 Therefore, IT IS HEREBY ORDERED that a restricted real
23 estate broker license be issued to Respondent NHA and a
24 restricted designated broker-officer license be issued to
25 Respondent BELLAMY, if Respondents have otherwise fulfilled all
26 of the statutory requirements for licensure. The restricted

27 DRE Hearing No. H-3880 SAC

NATIONAL HOMEBUYERS ALLIANCE, and
LESLIE GAIL BELLAMY

1 limited to Sections 11506, 11508, 11509, and 11513 of the
 2 Government Code), and I willingly, intelligently, and
 3 voluntarily waive those rights, including the right of a
 4 hearing on the Statement of Issues at which I would have the
 5 right to cross-examine witnesses against me and to present
 6 evidence in defense and mitigation of the charges.

10-2-03

DATED

Leslie Gail Bellamy
 NATIONAL HOMEBUYERS ALLIANCE
 Respondent

By: LESLIE GAIL BELLAMY

10-1-03

DATED

Leslie Gail Bellamy
 LESLIE GAIL BELLAMY
 Respondent

* * *

13 I have read the Statement of Issues filed herein and
 14 the foregoing Stipulation and Waiver signed by Respondent. I am
 15 satisfied that the hearing for the purpose of requiring further
 16 proof as to the honesty and truthfulness of Respondent need
 17 not be called and that it will not be inimical to the public
 18 interest to issue a restricted real estate broker corporation
 19 license to Respondent NHA and a restricted designated broker-
 20 officer license to Respondent BELLAMY.

21 Therefore, IT IS HEREBY ORDERED that a restricted real
 22 estate broker license be issued to Respondent NHA and a
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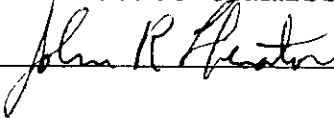
NATIONAL HOMEBUYERS ALLIANCE, and
LESLIE GAIL BELLAMY

1 licenses shall be limited, conditioned, and restricted as
2 specified in the foregoing Stipulation and Waiver.

3 This Order is effective immediately.

4 IT IS SO ORDERED October 7, 2003.

5 PAULA REDDISH ZINNEBANN
6 Real Estate Commissioner

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NATIONAL HOMEBUYERS ALLIANCE, and
LESLIE GAIL BELLAMY

1 JAMES L. BEAVER, Counsel (SBN 60543)
2 Department of Real Estate
3 P. O. Box 187000
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789
6 -or- (916) 227-0788 (Direct)

FILED
SEP 23 2003

DEPARTMENT OF REAL ESTATE

By Laurie A. Zin

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11	In the Matter of the Application of)	
12	NATIONAL HOMEBUYERS ALLIANCE,)	No. H-3880 SAC
13	a California Corporation, and)	
14	LESLIE GAIL BELLAMY,)	<u>STATEMENT OF ISSUES</u>
15	Respondents.)	

16 The Complainant, Charles W. Koenig, a Deputy Real
17 Estate Commissioner of the State of California, for Statement of
18 Issues against NATIONAL HOMEBUYERS ALLIANCE and LESLIE GAIL
19 BELLAMY (hereinafter "Respondents"), alleges as follows:

20 I

21 Complainant, Charles W. Koenig, a Deputy Real Estate
22 Commissioner of the State of California, makes this Statement of
23 Issues in his official capacity.

24 II

25 At all times herein mentioned, LESLIE GAIL BELLAMY
26 (herein "BELLAMY") was and now is licensed and/or has license
27 rights under the Real Estate Law, Part 1 of Division 4 of the

1 Business and Professions Code (herein "Code") as a real estate
2 broker.

3 III

4 At all times mentioned herein from and after
5 April 26, 2002, Respondent NATIONAL HOMEBUYERS ALLIANCE
6 (hereinafter "NHA") was and now is a corporation organized and
7 existing under the laws of the State of California, and BELLAMY
8 was and now is an officer, director, and/or person owning or
9 controlling 10 percent or more of the stock of said Respondent
10 corporation.

11 IV

12 On or about May 27, 2003, Respondent NHA, and
13 Respondent BELLAMY to qualify Respondent NHA as its designated
14 officer - broker and to act for said corporation as a real
15 estate broker, made application (herein "the Application") to
16 the Department of Real Estate of the State of California (herein
17 "the Department") for the issuance to Respondent NHA of a
18 corporate real estate broker license and for the issuance to
19 BELLAMY of a real estate broker license as an officer of NHA.

20 V

21 On or about January 23, 2003, in the Superior Court of
22 the State of California, County of Los Angeles, BELLAMY was
23 convicted of the crime of Driving Under The Influence Of Alcohol
24 in violation of Vehicle Code Section 23152(a), a misdemeanor and
25 a crime involving moral turpitude which bears a substantial
26 relationship under Section 2910 of Chapter 6, Title 10,
27 California Code of Regulations (herein "the Regulations"), to

1 the qualifications, functions or duties of a real estate
2 licensee.

3 VI

4 On or about January 13, 1998, in the Superior Court of
5 the State of California, County of Los Angeles, BELLAMY was
6 convicted of the crime of Driving Under The Influence Of Alcohol
7 in violation of Vehicle Code Section 23152(a), a misdemeanor and
8 a crime involving moral turpitude which bears a substantial
9 relationship under Section 2910 of the Regulations to the
10 qualifications, functions or duties of a real estate licensee.

11 VII

12 During the three year period next preceding June 13,
13 1995, while acting as the broker responsible pursuant to Section
14 10159.2 of the Code for the supervision of the activities of the
15 officers, agents, real estate licensees and employees of Excel
16 Mortgage Corporation, a corporate real estate, and while acting
17 for Excel Mortgage Corporation as a real estate broker within
18 the meaning of Section 10131(d) of the Code, Respondent BELLAMY
19 violated and/or willfully disregarded the provisions of Sections
20 2725, 2741, 2831, 2831.2 and 2832 of the Regulations.

21 VIII

22 Effective November 20, 1995, in case No. H-26202 LA
23 before the Department of Real Estate of the State of California,
24 BELLAMY caused, suffered and permitted all BELLAMY's licenses
25 and license rights as a real estate broker to be subjected, by
26 order of the Real Estate Commissioner, to a ninety (90) day
27 suspension pursuant to the provisions of Section 10177(d) of the

1 Code in conjunction with Sections 2725, 2741, 2831, 2831.2 and
2 2832 of the Regulations.

3 IX

4 The criminal convictions described in Paragraphs V and
5 VI, above, constitute cause as to Respondents NHA and BELLAMY to
6 deny the Application pursuant to the provisions of Sections
7 480(a) and 10177(b) of the Code.

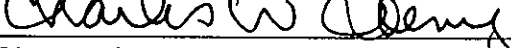
8 X

9 The acts and omissions described in Paragraph VII,
10 above, constitute cause as to Respondents NHA and BELLAMY to
11 deny the Application pursuant to the provisions of Section
12 10177(d) of the Code.

13 XI

14 The events described in Paragraph VIII, above,
15 constitute cause as to Respondents NHA and BELLAMY to deny the
16 Application pursuant to the provisions of Section 10177(f) of
17 the Code.

18 WHEREFORE, Complainant prays that the above-entitled
19 matter be set for hearing and, upon proof of the charges
20 contained herein, that the Commissioner refuse to authorize the
21 issuance of, and deny the issuance of a real estate broker
22 license to Respondents, and for such other and further relief as
23 may be proper in the premises.

24 
25 CHARLES W. KOENIG
26 Deputy Real Estate Commissioner

26 Dated at Sacramento, California,
27 this 19th day of September, 2003.