

FILED

AUG 11 2004

DEPARTMENT OF REAL ESTATE

Laurie G. Z...

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

No. H-3939 SAC

G. DAVE TEJA,

OAH No. N-2004020022

Respondent.

ORDER DENYING RECONSIDERATION

On June 2, 2004, a Decision was rendered in the above-entitled matter. The Decision is to become effective August 11, 2004.

On July 12, 2004, Respondent petitioned for reconsideration of the Decision of June 2, 2004.

I have given due consideration to the petition of Respondent. I find no good cause to reconsider the Decision of June 2, 2004, and reconsideration is hereby denied.

IT IS HEREBY ORDERED Aug. 11, 2004.

JOHN R. LIBERATOR
Acting Real Estate Commissioner

John R. Liberator

FILED

JUL 12 2004

DEPARTMENT OF REAL ESTATE

By Lauriel J. Z...

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

G. DAVE TEJA,

Respondent.

No. H-3939 SAC

OAH No. N-2004020022

ORDER STAYING EFFECTIVE DATE

On June 2, 2004, a Decision was rendered in the above-entitled matter to become effective July 12, 2004.

IT IS HEREBY ORDERED that the effective date of the Decision of the Real Estate Commissioner of June 2, 2004, is stayed for a period of thirty (30) days.

The Decision of the Real Estate Commissioner of June 2, 2004, shall become effective at 12 o'clock noon on August 11, 2004.

DATED: July 12, 2004

JOHN R. LIBERATOR
Acting Real Estate Commissioner

John R. Liberator

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187000
3 Sacramento, CA 95818-7000
4 Telephone: (916) 227-0789

FILED
JUN 22 2004

DEPARTMENT OF REAL ESTATE

By *Lisa Frost*

5
6
7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) DRE No. H-3939 SAC
12)
13 TRUST HOME LOANS, INC. a) OAH No. N-2004020022
14 California Corporation, and)
15 G. DAVE TEJA,)
16 Respondents.) STIPULATION AND AGREEMENT

17 It is hereby stipulated by and between Respondent G.
18 DAVE TEJA (herein "Respondent") and the Complainant, acting by
19 and through James L. Beaver, Counsel for the Department of Real
20 Estate (herein "the Department"), as follows for the purpose of
21 settling and disposing of the Accusation filed on December 31,
22 2003 in this matter (herein "the Accusation"):

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

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

4 3. On January 14, 2004, Respondent filed a Notice of
5 Defense pursuant to Section 11505 of the Government Code for the
6 purpose of requesting a hearing on the allegations in the
7 Accusation. Respondent hereby freely and voluntarily withdraws
8 said Notice of Defense. Respondent acknowledges that Respondent
9 understands that by withdrawing said Notice of Defense Respondent
10 will thereby waive Respondent's right to require the Real Estate
11 Commissioner (herein "the Commissioner") to prove the allegations
12 in the Accusation at a contested hearing held in accordance with
13 the provisions of the APA and that Respondent will waive other
14 rights afforded to Respondent in connection with the hearing such
15 as the right to present evidence in defense of the allegations in
16 the Accusation and the right to cross-examine witnesses.

17 4. Respondent, pursuant to the limitations set forth
18 below, hereby admits that the factual allegations as to
19 Respondent in the Accusation are true and correct and the Real
20 Estate Commissioner shall not be required to provide further
21 evidence of such allegations.
22

23 5. It is understood by the parties that the
24 Commissioner may adopt the Stipulation and Agreement as his
25 decision in this matter, thereby imposing the penalty and
26 sanctions on Respondent's real estate license and license rights
27 as set forth in the "Order" below. In the event that the
28

1 Commissioner in his discretion does not adopt the Stipulation and
2 Agreement, it shall be void and of no effect, and Respondent
3 shall retain the right to a hearing and proceeding on the
4 Accusation under all the provisions of the APA and shall not be
5 bound by any admission or waiver made herein.

6 6. This Stipulation and Agreement shall not
7 constitute an estoppel, merger or bar to any further
8 administrative or civil proceedings by the Department with
9 respect to any matters which were not specifically alleged to be
10 causes for accusation in this proceeding.

11 DETERMINATION OF ISSUES

12
13 By reason of the foregoing stipulations, admissions and
14 waivers and solely for the purpose of settlement of the pending
15 Accusation without hearing, it is stipulated and agreed that the
16 following Determination of Issues shall be made:

17 I

18 The acts and omissions of Respondent G. DAVE TEJA as
19 described in Paragraphs XI and XIII of the Accusation are grounds
20 for the suspension or revocation of the licenses and license
21 rights of Respondent G. DAVE TEJA under Sections 10177(g) and
22 10177(h) of the California Business and Professions Code (herein
23 "the Code") and Section 10159.2 of the Code in conjunction with
24 Section 10177(d) of the Code.

25
26 ///

27 ORDER

28 I

1 A. All licenses and licensing rights of Respondent G.
2 DAVE TEJA under the Real Estate Law are indefinitely suspended
3 from the effective date of the Decision herein until such time as
4 Respondent G. DAVE TEJA submits proof satisfactory to the
5 Commissioner that Respondent TRUST HOME LOANS, INC. has filed
6 with the Department all the reports required by Sections
7 10232.2(a) and 10232.25(a) of the Code that first became due
8 prior to May 1, 2004. Upon satisfaction of this condition, the
9 indefinite suspension provided in this paragraph shall be stayed.

11 B. All licenses and licensing rights of Respondent G.
12 DAVE TEJA under the Real Estate Law are suspended for a period of
13 fifty (50) days from the effective date of the Decision herein;
14 provided, however:

15 1. If Respondent petitions, twenty-five (25) days of
16 said fifty (50) day suspension (or a portion thereof) shall be
17 stayed upon condition that:

18 (a) Respondent pays a monetary penalty pursuant to
19 Section 10175.2 of the Code at the rate of \$200.00 for each day
20 of the suspension for a total monetary penalty of \$5,000.00.

21 (b) Said payment shall be in the form of a cashier's
22 check or certified check made payable to the Recovery Account of
23 the Real Estate Fund. Said check must be received by the
24 Department prior to the effective date of the Decision in this
25 matter.

26 (c) If Respondent fails to pay the monetary penalty in
27 accordance with the terms and conditions of the Decision, the
28

1 Commissioner may, without a hearing, vacate and set aside the
2 stay order, and order the immediate execution of all or any part
3 of the stayed suspension.

4 (d) No final subsequent determination be made, after
5 hearing or upon stipulation, that cause for disciplinary action
6 against Respondent occurred within two (2) years of the effective
7 date of the Decision herein. Should such a determination be made,
8 the Commissioner may, in his or her discretion, vacate and set
9 aside the stay order, and order the execution of all or any part
10 of the stayed suspension, in which event the Respondent shall not
11 be entitled to any repayment nor credit, prorated or otherwise,
12 for money paid to the Department under the terms of this
13 Decision.
14

15 (e) If Respondent pays the monetary penalty and if no
16 further cause for disciplinary action against the real estate
17 license of Respondent occurs within two (2) years from the
18 effective date of the Decision herein, then the stay hereby
19 granted shall become permanent.

20 2. Twenty-five (25) days of said fifty (50) day
21 suspension shall be stayed upon condition that:

22 (a) No final subsequent determination be made, after
23 hearing or upon stipulation, that cause for disciplinary action
24 against Respondent occurred within two (2) years of the
25 effective date of the Decision herein.

26 (b) Should such a determination be made, the
27 Commissioner may, in his or her discretion, vacate and set
28

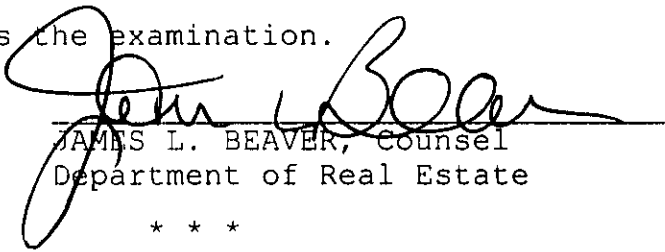
1 aside the stay order, and order the execution of all or any
2 part of the stayed suspension, in which event the Respondent
3 shall not be entitled to any repayment nor credit, prorated or
4 otherwise, for money paid to the Department under the terms of
5 this Decision.

6 (c) If no order vacating the stay is issued, and if
7 no further cause for disciplinary action against the real
8 estate license of Respondent occurs within two (2) years from
9 the effective date of the Decision, then the stay hereby
10 granted shall become permanent.

11 C. Respondent shall, within six (6) months from the
12 effective date of the Decision herein, take and pass the
13 Professional Responsibility Examination administered by the
14 Department, including the payment of the appropriate examination
15 fee. If Respondent fails to satisfy this condition, the
16 Commissioner may order the suspension of the restricted license
17 until Respondent passes the examination.

18
19 May 26, 2004

20 DATED

21 
22 JAMES L. BEAVER, Counsel
23 Department of Real Estate

24 * * *

25 I have read the Stipulation and Agreement 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
28 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

1 rights, including the right of requiring the Commissioner to
2 prove the allegations in the Accusation at a hearing at which I
3 would have the right to cross-examine witnesses against me and to
4 present evidence in defense and mitigation of the charges.

5 May 18, 2004
6 DATED

G. Dave Teja
7 G. DAVE TEJA
Respondent

8 * * *

9 The foregoing Stipulation and Agreement is hereby
10 adopted by me as my Decision in this matter as to Respondent G.
11 DAVE TEJA and shall become effective at 12 o'clock noon on
12 July 12, 2004.

13 IT IS SO ORDERED

14 John R. Liberator June 2, 2004.
15 JOHN R. LIBERATOR
Acting Real Estate Commissioner

DEPARTMENT OF REAL ESTATE
P. O. Box 187000
Sacramento, CA 95818-7000

Telephone: (916) 227-0789

FILED
JUN 22 2004

DEPARTMENT OF REAL ESTATE

By *Lisa Frost*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	DRE No. H-3939 SAC
TRUST HOME LOANS, INC. a)	
California Corporation,)	OAH No. N-2004020022
Respondents.)	<u>STIPULATION AND AGREEMENT</u>
)	

It is hereby stipulated by and between Respondent TRUST HOME LOANS, INC. (herein "Respondent"), individually and by and through Douglas S. Wander, Esq. and the Complainant, acting by and through James L. Beaver, Counsel for the Department of Real Estate (herein "the Department"), as follows for the purpose of settling and disposing of the Accusation filed on December 31, 2003 in this matter (herein "the Accusation"):

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 in this proceeding.

3. On January 14, 2004, Respondent filed a Notice of Defense pursuant to Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that Respondent understands that by withdrawing said Notice of Defense Respondent will thereby waive Respondent's right to require the Real Estate Commissioner (herein "the Commissioner") to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that Respondent will waive other rights afforded to Respondent 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, hereby admits that the factual allegations as to Respondent in the Accusation are true and correct 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 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 "Order" below. 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 admission or waiver made herein.

6. This Stipulation and Agreement shall not constitute an estoppel, merger or bar to any further administrative or civil proceedings by the Department with respect to any matters which were not specifically alleged to be causes for accusation in this proceeding.

DETERMINATION OF ISSUES

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

I

The acts and omissions of Respondent TRUST HOME LOANS, INC. as described in Paragraphs XI and XII of the Accusation are

grounds for the suspension or revocation of the licenses and license rights of Respondent TRUST HOME LOANS, INC. under Sections 10232.2(a) and 10232.25(a) of the California Business and Professions Code (herein "the Code") in conjunction with Section 10177(d) of the Code and Sections 2842(c) and 2846.5(a) of Chapter 6, Title 10, California Code of Regulations.

ORDER

I

All licenses and licensing rights of Respondent TRUST HOME LOANS, INC. under the Real Estate Law are revoked; provided, however, a restricted corporate real estate broker license shall be issued to such Respondent pursuant to Section 10156.5 of the Code if, within 90 days from the effective date of the Decision entered pursuant to this Order, such Respondent:

(a) submits proof satisfactory to the Commissioner that Respondent TRUST HOME LOANS, INC. has filed with the Department all the reports required by Sections 10232.2(a) and 10232.25(a) of the Code that first became due prior to May 1, 2004, and

(b) makes application for the restricted license and pays to the Department the appropriate fee therefor.

The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions and restrictions

imposed under authority of Section 10156.6 of the Code:

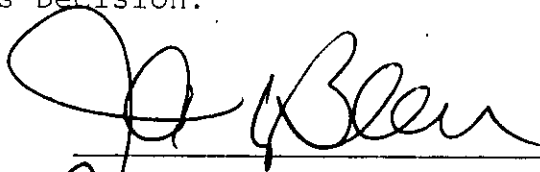
1. Any restricted license issued to Respondent
pursuant to this Decision may be suspended prior to hearing by
Order of the Commissioner in the event of Respondent's conviction
or plea of nolo contendere to a crime which is substantially
related to Respondent's fitness or capacity as a real estate
licensee.

2. Any restricted license issued to Respondent
pursuant to this Decision may be suspended prior to hearing by
Order of the 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 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 (2) years has elapsed from the
effective date of this Decision.

May 28, 2001

DATED _____



JAMES L. BEAVER, Counsel
Department of Real Estate

* * *

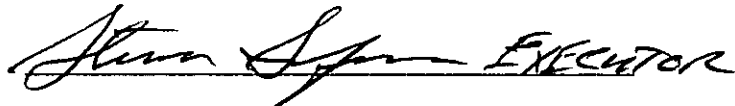
I have read the Stipulation and Agreement and have discussed its terms with my attorney and its terms are understood, by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 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.

5-22-04

DATED

TRUST HOME LOANS, INC.

Respondent

 EXECUTOR

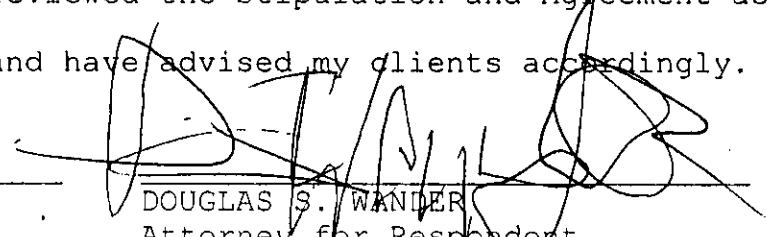
STEVEN SEFERS, acting as Executor of
Estate of Phillip Sefers

* * *

I have reviewed the Stipulation and Agreement as to
form and content and have advised my clients accordingly.

5-22-04

DATED

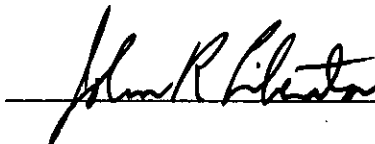

DOUGLAS S. WANGER
Attorney for Respondent
Trust Home Loans, Inc.

* * *

The foregoing Stipulation and Agreement is hereby
adopted by me as my Decision in this matter as to Respondent
TRUST HOME LOANS, INC. and shall become effective at 12 o'clock
noon on July 12, 2004.

IT IS SO ORDERED June 3, 2004.

JOHN R. LIBERATOR
Acting Real Estate Commissioner



**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

FILED

MAR - 3 2004

DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

TRUST HOME LOANS, INC., a
California Corporation, and
G. DAVE TEJA,

Case No. H-3939 SAC

OAH No. N-2004020022

Respondents

NOTICE OF HEARING ON ACCUSATION

To the above named respondents:

You are hereby notified that a hearing will be held before the Department of Real Estate at **THE OFFICE OF ADMINISTRATIVE HEARINGS, 560 J STREET, SUITE 340/360, SACRAMENTO, CA 95814** on **WEDNESDAY, MAY 26, 2004**, at the hour of **9:00 A.M.**, or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: MARCH 3, 2004

By

James L. Beaver
JAMES L. BEAVER, Counsel

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
DEC 31 2003

DEPARTMENT OF REAL ESTATE

By Laurie A. Zain

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

12 TRUST HOME LOANS, INC., a)
13 California Corporation, and)
14 G. DAVE TEJA)

15 Respondents.)

No. H-3939 SAC

ACCUSATION

16 The Complainant, Charles W. Koenig, a Deputy Real
17 Estate Commissioner of the State of California, as and for an
18 Accusation herein against Respondents TRUST HOME LOANS, INC.,
19 INC., a California corporation, and G. DAVE TEJA (herein
20 "Respondents"), is informed and alleges as follows:

21 I

22 Respondents are presently licensed and/or have license
23 rights under the Real Estate Law, Part 1 of Division 4 of the
24 Business and Professions Code (hereinafter "Code").

25 ///

26 ///

27 ///

1 II

2 The Complainant, Charles W. Koenig, a Deputy Real
3 Estate Commissioner of the State of California, makes this
4 Accusation against Respondents in his official capacity.

5 III

6 At all times herein mentioned, Respondent TRUST HOME
7 LOANS, INC. (herein "THL") was and now is licensed by the
8 Department of Real Estate of the State of California (herein
9 "the Department") pursuant to the provisions of Section 10211 of
10 the Code as a corporate real estate broker by and through
11 Respondent G. DAVE TEJA (herein "TEJA") as designated officer-
12 broker of THL to qualify said corporation and to act for said
13 corporation as a real estate broker.

14 IV

15 At all times herein mentioned, Respondent TEJA was and
16 now is licensed by the Department as a real estate broker,
17 individually and as designated officer-broker of Respondent THL.
18 As said designated officer-broker, Respondent TEJA was and now
19 is responsible pursuant to Section 10159.2 of the Code for the
20 supervision of the activities of the officers, agents, real
21 estate licensees and employees of Respondent THL for which a
22 license is required.

23 V

24 Whenever reference is made in an allegation in this
25 Accusation to an act or omission of Respondent THL, such
26 allegation shall be deemed to mean that the officers, directors,
27 employees, agents and real estate licensees employed by or

1 associated with Respondent THL committed such act or omission
2 while engaged in the furtherance of the business or operations
3 of such corporate Respondent and while acting within the course
4 and scope of their corporate authority and employment.

5 VI

6 At all times herein mentioned, Respondents engaged in
7 the business of, acted in the capacity of, advertised, or
8 assumed to act as real estate brokers within the State of
9 California within the meaning of Sections 10131(d) and 10131(e)
10 of the Code, including the operation and conduct of a mortgage
11 loan brokerage with the public wherein, on behalf of others, for
12 compensation or in expectation of compensation, Respondents
13 solicited lenders and borrowers for loans secured directly or
14 collaterally by liens on real property, wherein Respondents
15 arranged, negotiated, processed, and consummated such loans,
16 wherein Respondents serviced and collected payments on such
17 loans.

18 VII

19 In so acting as real estate brokers, as described in
20 Paragraph VI, above, Respondents accepted or received funds in
21 trust (herein "trust funds") from or on behalf of lenders,
22 investors, borrowers and others in connection with the mortgage
23 loan brokerage activities described in Paragraph VI, above, and
24 thereafter from time to time made disbursements of said trust
25 funds.

26 ///

27 ///

VIII

Between on or about January 1, 2001 and on or about December 31, 2001, in course of the mortgage loan and trust fund handling activities described in Paragraphs VI and VII, above, Respondent THL arranged, negotiated, processed, and consummated approximately 12 loans secured directly or collaterally by liens on real property in the aggregate sum of approximately \$409,819.00, and Respondent THL serviced and collected payments on such loans.

IX

Between on or about January 1, 2002 and on or about December 31, 2002, in course of the mortgage loan and trust fund handling activities described in Paragraphs VI and VII, above, Respondent THL arranged, negotiated, processed, and consummated approximately 15 loans secured directly or collaterally by liens on real property in the aggregate sum of approximately \$600,345.30, and Respondent THL serviced and collected payments on such loans.

X

At all times mentioned herein since on or about July 3, 1995, the corporate powers, rights and privileges of Respondent THL have been and now remain suspended pursuant to the provisions of Section 23302 of the Revenue and Taxation Code, reinstatement never having been effected.

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1 XI

2 In acting as described above, Respondent THL violated,
3 and Respondent TEJA willfully caused, suffered and permitted
4 Respondent THL to violate, Section 2842(c) of Chapter 6, Title
5 10, California Code of Regulations ("herein "the Regulations").

6 XII

7 At all times mentioned herein Respondent THL was and
8 now is a real estate broker meeting the "threshold" criteria of
9 subdivisions (a) and (b) of Section 10232 with a fiscal year
10 ending the last day of December each year, but has entirely
11 failed to file or cause to be filed with the Department:

12 (a) The annual report required by Section 10232.2(a)
13 of the Code and Section 2846.5(a) of the Regulations of a review
14 of Respondent's trust fund financial statements by an
15 independent public accountant for the year ending December 31,
16 2002; and

17 (b) The quarterly trust fund status report required
18 by Section 10232.25(a) of the Code for the calendar quarter
19 ending June 30, 2003.

20 XIII

21 At all times mentioned herein, Respondent TEJA failed
22 to exercise reasonable supervision over the acts of Respondent
23 THL and its agents and employees in such a manner as to allow
24 the acts and omissions on the part of THL, described above, to
25 occur.

26 ///

27 ///

XIV

The facts alleged above are grounds for the suspension or revocation of the licenses and license rights of Respondents under the following provisions of the Code and/or Regulations:

(a) As to Respondents THL and TEJA and Paragraph XI, under Section 2742(a) the Regulations in conjunction with Section 10177(d) of the Code;

(b) As to Respondent THL and Paragraph XII(a), under Section 10232.2(a) of the Code and Section 2846.5(a) of the Regulations in conjunction with Section 10177(d) of the Code;

(c) As to Respondents THL and Paragraph XII(b), under Section 10232.25(a) of the Code in conjunction with Section 10177(d) of the Code; and

(d) As to Respondent TEJA and Paragraph XIII, under Section 10177(g) and/or Section 10177(h) of the Code and Section 10159.2 of the Code in conjunction with Section 10177(d) of the Code.

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