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FILED

DEC 22 2016

BUREAU OF REAL ESTATE

By 

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of)	No. H-04861 SD
)	
JASON SCOTT STRODER,)	<u>STATEMENT OF ISSUES</u>
)	
Respondent.)	Mortgage Loan Originator
)	License Endorsement
)	

The Complainant, Chika Sunquist, a Supervising Special Investigator of the State of California, for cause of Statement of Issues against JASON SCOTT STRODER ("Respondent"), alleges as follows:

1.

The Complainant, Chika Sunquist, Supervising Special Investigator of the State of California, makes this Statement of Issues against Respondent in her official capacity.

2.

Respondent presently has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real estate broker (license number 01718060). Respondent's license expires on August 3, 2017, unless renewed.

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STATEMENT OF ISSUES – JASON SCOTT STRODER

3.

On or about September 17, 2015, Respondent made application to the Bureau of Real Estate ("Bureau") of the State of California for an individual mortgage loan originator ("MLO") license endorsement.

GROUND FOR DENIAL OF MLO LICENSE ENDORSEMENT

4.

Section 10166.05(c) of the Code provides, in pertinent part, that the Commissioner shall not issue a MLO license endorsement to an applicant unless said applicant has demonstrated such financial responsibility, character, and general fitness as to command the confidence of the community and warrant a determination that the mortgage loan originator will operate honestly, fairly, and efficiently within the purposes of the article.

5.

Section 10166.051(b) of the Code provides that the Commissioner may deny, suspend, revoke, condition, or decline to renew a mortgage loan originator license endorsement, if an applicant or endorsement holder fails at any time to meet the requirements of Section 10166.05 or 10166.09, or withholds information or makes a material misstatement in an application for a license endorsement or license endorsement renewal.

6.

Section 2945.2(b) of Title 10, Chapter 6, California Code of Regulations ("Regulations") provides that where a real estate licensee subject to a real estate license discipline action filed by the Bureau on January 1, 2010, or later, resulting in a revocation, a suspension, a voluntary surrender of a real estate license, a public reproof, and/or bar order, such discipline alone may be cause for denial of a subsequent mortgage loan originator license endorsement.

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PRIOR LICENSE DISCIPLINARY ACTION

7.

On October 11, 2012, the Bureau filed an Order to Desist and Refrain in Bureau Case No. H-4417 SD, against MJB Communications and Respondent, individually and as designated broker/officer of MJB Communications. Respondent and MJB Communications solicited advanced fees and provided loan modification services during a period of time they were not properly licensed by the Bureau nor in compliance with the Real Estate Law.

8.

On October 11, 2012, the Bureau filed an Accusation against Respondent in Case No. H-4416 SD. On February 28, 2013, a First Amended Accusation was filed against Respondent. On February 4, 2014, Respondent and the Bureau entered into a Stipulation and Agreement in Case No. H-4416 SD, effective March 13, 2014, where Respondent stipulated to the acts and omissions in the Accusation as grounds for disciplinary action in that he violated Sections 10085 (advance fee agreements), 10085.5 (collection of advance fees), 10145 (trust fund handling), 10146 (deposit of advance fees into trust account), and 10159.2 (broker supervision) of the Code; Sections 2944.7 (prohibition of advance fees) and/or 2945.4 (prohibited acts) of the California Civil Code; and Sections 2725 (broker supervision), 2831 (trust fund records), 2831.1 (maintenance of separate records for each beneficiary/transactions), 2835 (commingling), 2970 (advance fee materials), and 2972 (accounting content) of the Regulations, which constituted cause for discipline of Respondent's broker license pursuant to Sections 10176(e) (commingling), 10177(d) (willful disregard/violation of Real Estate Law), 10177(g) (negligence/incompetence), and 10177(h) (broker supervision) of the Code. Respondent's broker license was suspended for 60 days, with 45 days of said suspension stayed for 2 years upon certain terms and conditions. Said suspension was released on September 8, 2015.

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9.

The facts alleged in Paragraphs 3, 7, and 8 above, constitute cause for denial of Respondent's application for a MLO license endorsement under Sections 10166.05(c) and 10166.051(b) of the Code, and Section 2945.2(b) of the Regulations.

10.

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the California Government Code.

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a MLO license endorsement to Respondent JASON SCOTT STRODER and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Sacramento, California this 19th day of December, 2016


Chika Sunquist
Supervising Special Investigator

cc: JASON SCOTT STRODER
Chika Sunquist
Sacto.