

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED

APR 15 2011

DEPARTMENT OF REAL ESTATE

By B. Contreras

In the Matter of the Accusation of)

NEW WORLD FINANCIAL SERVICES)
GROUP, INC., a Corporation, and)
BILLIE JOYCE SANDERS,)

Respondents.)

NO. H-5359 SAC

(As to Respondent NEW WORLD FINANCIAL
SERVICES GROUP, INC. Only)

DECISION

This Decision is being issued as to Respondent NEW WORLD FINANCIAL SERVICES GROUP, INC., only (herein "Respondent NWFSG") 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 January 11, 2011. The Findings of Fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and/or, (3) other evidence.

FINDINGS OF FACT

1

On March 17, 2010, Tricia Sommers made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and form for the Notice of Defense were personally served to Respondent NWFSG at its last known mailing address on file with the Department on April 26, 2010.

2

On April 28, 2010, a Notice of Defense was filed by Respondent NWFSG herein within the time prescribed by Section 11506 of the Government Code. On January 3, 2011 said Notice of Defense was withdrawn and Respondent NWFSG's default was entered herein.

3

At all times herein mentioned, NWFSG was and now is licensed by the State of California Department of Real Estate (herein the "Department") as a corporate real estate broker by

and through Respondent BILLIE JOYCE SANDERS (herein "Respondent SANDERS") as designated officer-broker of NWFSG to qualify said corporation and to act for said corporation as a real estate broker. Respondent SANDERS cancelled as designated officer-broker for Respondent NWFSG effective January 9, 2009.

4

Whenever reference is made in an allegation in this Accusation to an act or omission of Respondent NWFSG, such allegation shall be deemed to mean that the officers, directors, employees, agents and/or real estate licensees employed by or associated with Respondent NWFSG committed such act or omission while engaged in the furtherance of the business or operations of such corporate respondent and while acting within the course and scope of their authority and employment.

5

Respondent NWFSG, engaged in the business of, acted in the capacity of, advertised, or assumed to act as a corporate real estate broker within the State of California on behalf of others, for compensation or in expectation of compensation within the meaning of Section 10131(d) of the California Business and Professions Code (herein "the Code"), including the operation and conduct of a mortgage loan brokerage with the public wherein, on behalf of others, for compensation or in expectation of compensation, Respondent NWFSG solicited lenders or borrowers for or negotiated loans or loan modifications or collected payments or performed services for borrowers or lenders or note owners in connection with loans or loan modifications secured directly or collaterally by liens on real property or on a business opportunity.

6

On about December 1, 2008, Respondent NWFSG entered into a Loan Modification Research & Analysis Agreement, which included charging advanced fees, with Yang Her (herein "Her") for loan modification services on her property located at 6070 Ehrhardt Ave., Sacramento, CA 95823, prior to a review by the Real Estate Commissioner, in violation of Section 10085 (review of advanced fee agreement/materials) of the Code and Section 2970 (review of advanced fee agreement/materials) of Title 10, Chapter 6 of the California Code of Regulations (herein "the Regulations").

7

At all times mentioned herein, Respondent NWFSG collected an advance fee from Her in the amount of \$2,495.00 for loan modification services, described in Paragraph 6, above, in violation of Sections 10131.2 (brokers claiming demanding collecting receiving advanced fees) and 10085.5 (claiming/collecting/receiving advanced fees) of the Code.

8

Her's loan modification was never obtained and the \$2,495.00 advance fee was never returned.

DETERMINATION OF ISSUES

1

The facts found above constitute cause under Sections 10085, 10085.5, and 10131.2 of the Code and Section 2970 of the Regulations, in conjunction with Section 10177(d) of the Code, for the revocation of all license and license rights of Respondent NWFSG under the Real Estate Law.

2

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

ORDER

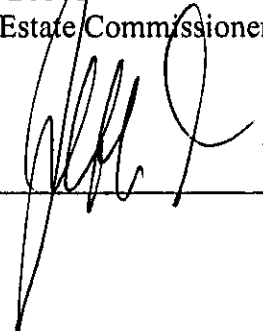
The real estate license and license rights of Respondent NEW WORLD FINANCIAL SERVICES GROUP, INC., only, under the provisions of Part I of Division 4 of the Business and Professions Code are hereby revoked.

This Decision shall become effective at 12 o'clock noon on May 5,

2011.

DATED: 3/30, 2011.

JEFF DAVIS
Real Estate Commissioner



1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4
5 Telephone: (916) 227-0789
6
7

FILED

JAN 11 2011

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12)
13 NEW WORLD FINANCIAL SERVICES)
14 GROUP, INC., a Corporation, and)
15 BILLIE JOYCE SANDERS,)
Respondents.)

NO. H-5359 SAC
DEFAULT ORDER
(As to NEW WORLD FINANCIAL
SERVICES GROUP, INC. Only)

16 Respondent, NEW WORLD FINANCIAL SERVICES GROUP, INC., having
17 withdrawn its Notice of Defense, is now in default. It is, therefore, ordered that a default be
18 entered on the record in this matter as to NEW WORLD FINANCIAL SERVICES GROUP,
19 INC., only.

20 IT IS SO ORDERED JANUARY 10, 2011.

21
22 JEFF DAVI
Real Estate Commissioner

23
24
25 By:

Phillip Wade
PHILLIP WADE
Regional Manager

FILED

FEB 11 2011

DEPARTMENT OF REAL ESTATE

By H. Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
NEW WORLD FINANCIAL SERVICES) NO. H-5359 SAC
GROUP, INC., a Corporation, and)
BILLIE JOYCE SANDERS,)
Respondents.)

DISMISSAL
(As to Respondent Billie Joyce Sanders, Only)

Due to death of Respondent BILLIE JOYCE SANDERS, the Accusation filed in this action on March 17, 2010, is DISMISSED as to Respondent BILLIE JOYCE SANDERS, Only. The Accusation shall go forward against the remaining Respondent, NEW WORLD FINANCIAL SERVICES GROUP, INC.

IT IS SO ORDERED this 2 day of February, 2011.

JEFF DAVI
Real Estate Commissioner

[Signature]

MARY F. CLARKE, Counsel (SBN 186744)
Department of Real Estate
P. O. Box 187007
Sacramento, CA 95818-7007

Telephone: (916) 227-0789
-or- (916) 227-0780 (Direct)

FILED

MAR 17 2010

DEPARTMENT OF REAL ESTATE

By K. Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	
)	
NEW WORLD FINANCIAL SERVICES)	NO. H- 5359 SAC
GROUP, INC., a Corporation, and)	
BILLIE JOYCE SANDERS,)	<u>ACCUSATION</u>
)	
Respondents.)	

The Complainant, TRICIA SOMMERS, a Deputy Real Estate Commissioner of the State of California, for Accusation against NEW WORLD FINANCIAL SERVICES GROUP, INC. (herein "NWFSG") and BILLIE JOYCE SANDERS (herein "SANDERS") (herein collectively "Respondents"), is informed and alleges as follows:

1

The Complainant makes this Accusation in her official capacity.

2

At all times herein mentioned, NWFSG was and now is licensed by the State of California Department of Real Estate (herein the "Department") as a corporate real estate broker by and through SANDERS as designated officer-broker of NWFSG to qualify said corporation and to act for said corporation as a real estate broker. SANDERS cancelled as designated officer-broker for NWFSG effective January 9, 2009.

At all times herein mentioned, SANDERS was and now is licensed by the Department as a real estate broker, individually and as designated officer-broker of NWFSG. As said designated officer-broker, SANDERS was at all times mentioned herein responsible pursuant to Section 10159.2 of the California Business and Professions Code (herein the "Code") for the supervision of the activities of the officers, agents, real estate licensees, and employees of NWFSG for which a license is required.

Whenever reference is made in an allegation in this Accusation to an act or omission of NWFSG, such allegation shall be deemed to mean that the officers, directors, employees, agents and/or real estate licensees employed by or associated with NWFSG committed such act or omission while engaged in the furtherance of the business or operations of such corporate respondent and while acting within the course and scope of their authority and employment.

At all times herein mentioned, Respondents engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers within the State of California on behalf of others, for compensation or in expectation of compensation within the meaning of Section 10131(d) of the Code, including the operation and conduct of a mortgage loan brokerage with the public wherein, on behalf of others, for compensation or in expectation of compensation, Respondents solicited lenders or borrowers for or negotiated loans or loan modifications or collected payments or performed services for borrowers or lenders or note owners in connection with loans or loan modifications secured directly or collaterally by liens on real property or on a business opportunity.

On about December 1, 2008, Respondent NWFSG entered into a Loan Modification Research & Analysis Agreement, which included charging advanced fees, with Yang Her (herein "Her") for loan modification services on her property located at

1 6070 Ehrhardt Ave., Sacramento, CA 95823, prior to a review by the Commissioner, in violation
2 of Section 10085 (review of advanced fee agreement/materials) of the Code and Section 2970
3 (review of advanced fee agreement/materials) of Title 10, Chapter 6 of the California Code of
4 Regulations (herein "the Regulations").

5 7

6 At all times mentioned herein, Respondent NWFSG collected an advance fee
7 from Her in the amount of \$2,495 for loan modification services, described in Paragraph 6,
8 above, in violation of Sections 10132.1 (brokers claiming demanding collecting receiving
9 advanced fees) and 10085.5 (claiming/collecting/receiving advanced fees) of the Code.

10 8

11 Her's loan modification was never obtained and the \$2,495 advance fee was
12 never returned.

13 9

14 At all times mentioned herein, Respondent SANDERS failed to exercise
15 reasonable supervision over the acts of Respondent NWFSG and its agents and employees in
16 such a manner as to allow the acts and omissions on the part of NWFSG, described above, to
17 occur in violation of Sections 10159.2 and 10177(g) and (h) of the Code and Section 2725 of
18 the Regulations.

19 10

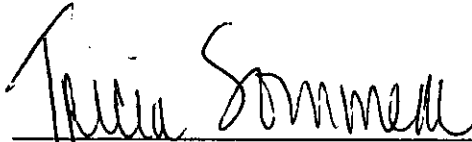
20 The facts alleged above are grounds for the suspension or revocation of the
21 licenses and license rights of Respondents under the following provisions of the Code and/or
22 the Regulations:

23 (a) as to Paragraph 6, and Respondent NWFSG, under Section of 10085
24 of the Code, and Section 2970 of Regulations in conjunction with Section 10177(d) of the
25 Code;

26 (b) as to Paragraph 7, and Respondent NWFSG, under Sections 10085.5
27 and 10132.1 of the Code in conjunction with Section 10177(d) of the Code; and,

1 (c) as to Paragraph 9, and Respondent SANDERS, under Sections 10159.2
2 and 10177(g) and (h) of the Code and Section 2725 of the Regulations, in conjunction with
3 Section 10177(d) of the Code.

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

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12 

13 TRICIA SOMMERS
14 Deputy Real Estate Commissioner
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16 Dated at Sacramento, California,
17 this 8th day of March, 2010.
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