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**FILED**  
JUN 29 2011

DEPARTMENT OF REAL ESTATE  
By R. Mat

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

10 \* \* \*

11 In the Matter of the Accusation of )  
12 )  
13 UNITED COMMONWEALTH MORTGAGE, ) NO. H-5631 SAC  
14 INC. and GEORGE C. DEANE, )  
15 Respondents. ) ACCUSATION

16 The Complainant, TRICIA D. SOMMERS, a Deputy Real Estate Commissioner  
17 of the State of California, for Accusation against Respondents UNITED COMMONWEALTH  
18 MORTGAGE, INC. (UCM) and GEORGE C. DEANE (DEANE), is informed and alleges as  
19 follows:

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21 The Complainant makes this Accusation against Respondents in her official  
22 capacity.

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24 UCM is presently licensed by the Department of Real Estate (the Department) as  
25 a corporate real estate broker.

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2 DEANE is presently licensed and/or has license rights under the Real Estate  
3 Law, Part 1 of Division 4 of the California Business and Professions Code (the Code) as a real  
4 estate broker.

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6 At all times herein mentioned, DEANE was licensed by the Department as the  
7 designated broker/officer of UCM. As the designated broker/officer, DEANE was responsible,  
8 pursuant to Section 10159.2 of the Code, for the supervision of the activities of the officers,  
9 agents, real estate licensees and employees of DEANE for which a real estate license is required.

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

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

24 FIRST CAUSE OF ACTION

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26 Complainant refers to Paragraphs 1 through 6, above, and incorporates them  
27 herein by reference.

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2 At no time within the last three years did the Department license Dino Robert  
3 Rosetti (ROSETTI), either as a real estate broker or as a real estate salesperson. Effective  
4 August 10, 2007, ROSETTI's real estate broker license was revoked.

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6 Within the three year period prior to the filing of this Accusation, Respondent  
7 UCM employed and compensated ROSETTI to perform the activities requiring a real estate  
8 license as alleged in Paragraph 5, above.

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10 Within the last three years before the filing of this Accusation, ROSETTI  
11 engaged in the operation and conduct of a loan brokerage business activities including soliciting  
12 lenders and borrowers for loans secured directly or collaterally by liens on real property and  
13 arranging, negotiating, processing and consuming such loans, on behalf of UCM, including, but  
14 not limited to that certain real property known as 70 Cedro Circle, Sacramento, California.

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16 Within the last three years before the filing of this Accusation, ROSETTI  
17 engaged in the operation and conduct of a loan brokerage business activities including soliciting  
18 lenders and borrowers for loans secured directly or collaterally by liens on real property and  
19 arranging, negotiating, processing and consuming such loans, on behalf of UCM, including, but  
20 not limited to that certain real property known as 253 Alta Vista Ave., Roseville, California.

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22 Within the last three years before the filing of this Accusation, ROSETTI  
23 engaged in the operation and conduct of a loan brokerage business activities including soliciting  
24 lenders and borrowers for loans secured directly or collaterally by liens on real property and  
25 arranging, negotiating, processing and consuming such loans, on behalf of UCM, including, but  
26 not limited to that certain real property known as 4159 Pylos Way, Rancho Cordova, California.

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The facts alleged above constitute cause for the suspension or revocation of the licenses and license rights of Respondent UCM under Section 10137 (Unlawful Employment) of the Code.

SECOND CAUSE OF ACTION

Complainant refers to Paragraphs 1 through 13, above, and incorporates them herein by reference.

At all times herein above mentioned, DEANE, was responsible as the supervising broker for UCM, for the supervision and control of the activities conducted on behalf of UMC's business by its employees. DEANE failed to exercise reasonable supervision and control over the property management activities of UCM. In particular, DEANE permitted, ratified and/or caused the conduct described above, to occur, and failed to take reasonable steps, including but not limited to handling of trust funds, supervision of employees, and the implementation of policies, rules, and systems to ensure the compliance of the business with the Real Estate Law and the Regulations.

The above acts and/or omission of DEANE violate Section 10159.2 (Responsibility/Directing Officer) of the Code and Section 2725 (Broker Supervision) of the Regulations and constituted grounds for disciplinary action under the provisions of Section 10177(d) (Willful Disregard/Violation of Real Estate Law) and 10177(h) (Broker Supervision) of the Code.

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

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8 TRICIA D. SOMMERS  
9 Deputy Real Estate Commissioner

10 Dated at Sacramento, California, .  
11 this 15th day of April, 2011.

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