

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED

APR 13 2011

DEPARTMENT OF REAL ESTATE
By *L. Frost*

In the Matter of the Accusation of)
)
PRO CAPITAL MORTGAGE, INC.,) NO. H-10548 SF
GREG KEVIN DANSKA,)
NANCY KEYGHOBADI,)
MICHELLE JIAOJING WONG and)
HA THI DO,)
)
Respondents.)

In the Matter of the Accusation of)
) NO. H-10746 SF
PRO CAPITAL MORTGAGE, INC.,)
a California corporation, dba ISTAR) OAH NO. 2010101149
REAL ESTATE, GREG KEVIN DANSKA,)
and NANCY KEYGHOBADI,)
)
Respondents.)

DECISION

The Proposed Decision dated March 7, 2011, of the Administrative Law Judge of the Office of Administrative Hearings is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock noon on MAY 03 2011

IT IS SO ORDERED 4/8/11

JEFF DAVI
Real Estate Commissioner

Barbara J. Bigby

By: **Barbara J. Bigby**
Chief Deputy Commissioner

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:

PRO CAPITAL MORTGAGE, INC.,
GREG KEVIN DANSKA,
NANCY KEYGHOBADI,
MICHELLE JIAOJING WONG and
HA THI DO,

Respondents.

Case No. H-10548 SF

In the Matter of the Accusation of:

PRO CAPITAL MORTGAGE, INC.,
a California corporation,
dba ISTAR REAL ESTATE,
GREG KEVIN DANSKA, and
NANCY KEYGHOBADI,

Respondents.

Case No. H-10746 SF

OAH No. 2010101149

PROPOSED DECISION

These matters were consolidated for hearing and heard by Administrative Law Judge Nancy L. Rasmussen, State of California, Office of Administrative Hearings, on February 4, 2011, in Oakland, California.

Department of Real Estate Counsel Michael B. Rich represented complainant E. J. Haberer II, Deputy Real Estate Commissioner, State of California.

Prior to the hearing, respondents Michelle Jiaojing Wong and Ha Thi Do were dismissed from the case and respondents Greg Kevin Danska and Pro Capital Mortgage, Inc., settled with complainant.

There was no appearance by or on behalf of the remaining respondent, Nancy Keyghobadi. The hearing proceeded as a default.

The matter was submitted on February 4, 2011.

FACTUAL FINDINGS

License History and Background

1. Respondent Pro Capital Mortgage, Inc. (PCMI), and Nancy Keyghobadi are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code).

2. At all times relevant to the allegations in this case, PCMI was licensed by the Department of Real Estate as a corporate real estate broker.

3. Nancy Keyghobadi was licensed by the department as a real estate salesperson on January 7, 2005. At all times relevant to the allegations in this case, her employing broker was PCMI. Keyghobadi's salesperson license will expire on January 6, 2013.

4. PCMI engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker within the meaning of Business and Professions Code, section 10131, subdivisions (a) and (d). PCMI negotiated the purchase and sale of real property, solicited borrowers and lenders, negotiated loans, collected payments, or performed services for borrowers and lenders in connection with loans secured directly or collaterally by liens on real property, for compensation or in expectation of compensation.

Huezo Transactions

5. Nancy Keyghobadi engaged in a scheme to defraud lenders by aiding Maria Huezo in making offers to purchase multiple parcels of real property and applying to fund those purchases by falsely representing on the purchase documents and to the lenders her income and/or employment and her intent to occupy each property as an "owner occupant."

6. For each of the eight Sacramento properties set forth below, Keyghobadi performed services for Huezo and for various lenders in the purchase of the property and in negotiating loans to finance the purchase. In each transaction, Huezo falsely represented that she intended to occupy the property as her primary residence.

Address of Property	Offer to Purchase	Loan App. or Good Faith Est.	Close of Escrow	Huezo's Income on Loan App.
5846 Nina Way	1/16/06	12/28/05	2/24/06	\$8,300/mo.
4085 8 th Avenue	1/18/06	12/29/05	2/17/06	\$6,345/mo.
4609 11 th Avenue	1/19/06	12/30/05	3/1/06	\$6,345/mo.
3200 Marshall Way	1/13/06	2/20/06	2/22/06	\$6,600/mo.
3656 Reel Circle	1/19/06	12/30/05	2/23/06	\$6,600/mo.
4232 12 th Avenue	1/19/06	2/13/06	2/21/06	\$6,345/mo.
3209 33 rd Street	1/18/06	12/30/05	3/9/06	\$6,600/mo.
4548 10 th Avenue	1/19/06	12/30/05	5/1/06	\$9,500/mo.

7. The acts or omissions of Keyghobadi in the Huezo transactions constitute misrepresentation, fraud, deceit and dishonest dealing.

Walker Transactions

8. Nancy Keyghobadi engaged in a scheme to defraud lenders by submitting loan applications to finance the purchase of multiple parcels of real property by Rickie Traxon Walker, when Walker was falsely representing to the lenders his intent to occupy each property as an "owner occupant."

9. For each of the four properties set forth below, Keyghobadi performed services for Walker and for various lenders in negotiating loans to finance the purchase of the property by Walker. In each transaction, Walker falsely represented that he intended to occupy the property as his primary residence. Keyghobadi concealed from the lenders the fact that Walker was simultaneously applying for and obtaining mortgage loan obligations to other lenders to purchase other properties that he was claiming as his primary residence.

Address of Property	Offer to Purchase	Loan Apps.	Close of Escrow	Lender and Loan Amounts
10652 Acalanes Drive Oakland	8/23/06	11/20/06	11/30/06	Argent Mortgage Co., LLC \$392,000, \$98,000
398 34 th Street Richmond	9/24/06	9/8/06	10/31/06	Chase Bank USA \$382,500, \$67,500
7953 Sunkist Drive Oakland	8/28/06	9/8/06	11/7/06	PMAC Lending Services \$516,000, \$129,000
7601 Center Parkway Sacramento	9/16/06	11/9/06	11/28/06	Unified Capital Group \$332,000, \$83,000

10. The acts or omissions of Keyghobadi in the Walker transactions constitute misrepresentation, fraud, deceit and dishonest dealing.

LEGAL CONCLUSIONS

Huezo Transactions

1. Cause to suspend or revoke the real estate license of respondent Nancy Keyghobadi exists under Business and Professions Code section 10176, subdivision (a) (substantial misrepresentation); section 10176, subdivision (c) (continued and flagrant course of misrepresentation); section 10176, subdivision (j) (fraud or dishonest dealing); and section 10177, subdivision (j) (fraud or dishonest dealing).

Walker Transactions

2. Cause to suspend or revoke the real estate license of respondent Nancy Keyghobadi exists under Business and Professions Code section 10176, subdivision (a) (substantial misrepresentation); section 10176, subdivision (i) (fraud or dishonest dealing); and section 10177, subdivision (j) (fraud or dishonest dealing).¹


License Discipline

3. It would be contrary to the public interest to allow respondent Nancy Keyghobadi to keep her real estate license.

ORDER

All licenses and licensing rights of respondent Nancy Keyghobadi under the Real Estate Law are revoked.

DATED: March 7, 2011



NANCY L. RASMUSSEN
Administrative Law Judge
Office of Administrative Hearings

¹ The accusation in which the Walker transactions were alleged did not charge a violation of section 10176, subdivision (c) (continued and flagrant course of misrepresentation).

FLAG

FILED

FEB 03 2011

DEPARTMENT OF REAL ESTATE

By L. Frost

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	
)	NO. H-10548 SF
PRO CAPITAL MORTGAGE, INC., a California)	
California, GREG KEVIN DANSKA, and)	
NANCY KEYGHOBADI,)	
)	
Respondents.)	

In the Matter of the Accusation of)	
)	NO. H-10746 SF
PRO CAPITAL MORTGAGE, INC., a California)	
California, dba ISTAR REAL ESTATE,)	
GREG KEVIN DANSKA, and)	
NANCY KEYGHOBADI,)	
)	
Respondents.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On November 6, 2008, an Accusation under Case No. H-10548 SF was filed in this matter against Respondent PRO CAPITAL MORTGAGE, INC., a California Corporation.
On August 6, 2009, an Accusation under Case No. H-10746 SF was filed in this matter against Respondent PRO CAPITAL MORTGAGE, INC., a California Corporation.

1 On February 1, 2011, Respondent petitioned the Commissioner to voluntarily
2 surrender its corporate real estate broker license(s) pursuant to Section 10100.2 of the Business
3 and Professions Code.

4 IT IS HEREBY ORDERED that petition of Respondent PRO CAPITAL
5 MORTGAGE, INC., for voluntary surrender of its corporate real estate broker license is
6 accepted as of the effective date of this Order as set forth below, based upon the understanding
7 and agreement expressed in Respondent's Declaration dated February 1, 2011 (attached as
8 Exhibit "A" hereto). Respondent's license certificate(s) and any branch office license
9 certificate(s) shall be sent to the below listed address so that such will reach the Department on
10 or before the effective date of this Order:

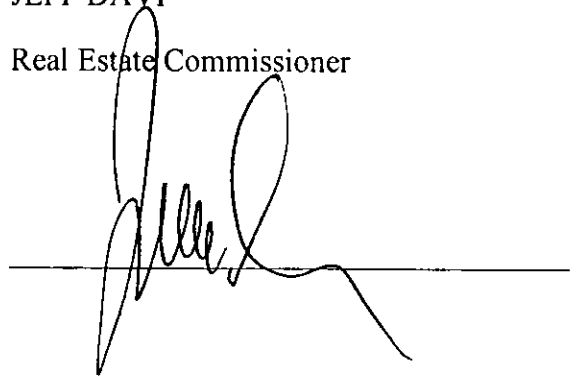
11
12 DEPARTMENT OF REAL ESTATE
13 Attn: Licensing Flag Section
14 P. O. Box 187000
15 Sacramento, CA 95818-7000

16 This Order shall become effective at 12 o'clock noon on FEB 23 2011

17
18 DATED: 2/3, 2011

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20 JEFF DAVI
21 Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
) NO. H-10548 SF
PRO CAPITAL MORTGAGE, INC., a California)
California, GREG KEVIN DANSKA, and)
NANCY KEYGHOBADI,)
)
Respondents.)

In the Matter of the Accusation of)
) NO. H-10746 SF
PRO CAPITAL MORTGAGE, INC., a California)
California, dba ISTAR REAL ESTATE,)
GREG KEVIN DANSKA, and)
NANCY KEYGHOBADI,)
)
Respondents.)

DECLARATION

My name is Nancy Keyghobadi, and I am currently an officer of PRO CAPITAL MORTGAGE, INC., which is licensed as a real estate broker and/or has license rights with respect to said license. I am authorized and empowered to sign this declaration on behalf of PRO CAPITAL MORTGAGE, INC., which is represented in this matter by Duane R. Menting, Attorney at Law.

H-10548 SF and H-10746 SF

PRO CAPITAL MORTGAGE, INC.

1 In lieu of proceeding in this matter in accordance with the provisions of the
2 Administrative Procedure Act (Sections 11400 et seq., of the Government Code), PRO
3 CAPITAL MORTGAGE, INC., wishes to voluntarily surrender its real estate license(s) issued
4 by the Department of Real Estate ("Department"), pursuant to Business and Professions Code
5 Section 10100.2.

6 PRO CAPITAL MORTGAGE, INC., understands that by so voluntarily
7 surrendering its license(s), it may be relicensed as a broker only by petitioning for reinstatement
8 pursuant to Section 11522 of the Government Code. PRO CAPITAL MORTGAGE, INC., also
9 understands that by so voluntarily surrendering its license(s), it agrees to the following:

10 1. PRO CAPITAL MORTGAGE, INC., admits that all allegations contained
11 in the Accusation filed in this matter are true and correct.

12 2. The filing of this Declaration shall be deemed as the petition of PRO
13 CAPITAL MORTGAGE, INC., for voluntary surrender.

14 3. It shall also be deemed to be an understanding and agreement by PRO
15 CAPITAL MORTGAGE, INC., that it waives all rights it has to require the Commissioner to
16 prove the allegations contained in the Accusation filed in this matter at a hearing held in
17 accordance with the provisions of the Administrative Procedure Act (Government Code
18 Sections 11400 et seq.), and that it also waives other rights afforded to it in connection with the
19 hearing such as the right to discovery, the right to present evidence in defense of the allegations
20 in the Accusation and the right to cross-examine witnesses.

21 4. PRO CAPITAL MORTGAGE, INC., further agrees that upon acceptance
22 by the Commissioner, as evidenced by an appropriate order, all affidavits and all relevant
23 evidence obtained by the Department in this matter prior to the Commissioner's acceptance, and
24 all allegations contained in the Accusation filed in the Department Case Nos. H-10548 SF and
25 H-10746 SF, may be considered by the Department to be true and correct for the purpose of
26 deciding whether to grant relicensure or reinstatement pursuant to Government Code Section
27 11522.

H-10548 SF and H-10746 SF

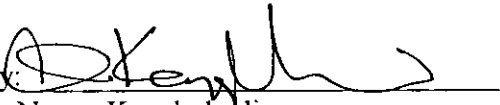
PRO CAPITAL MORTGAGE, INC.

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5. PRO CAPITAL MORTGAGE, INC., surrenders all of its licenses and license rights under the Real Estate Law.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed 2-1-2011, 2011, at Larkspur, California.

PRO CAPITAL MORTGAGE, INC.,

By: 
Nancy Keyghobadi

Secretary
(Title)

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

FILED

JAN 19 2011

DEPARTMENT OF REAL ESTATE
By *L. Frost*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12)
13 PRO CAPITAL MORTGAGE, INC., a California)
14 corporation, GREG KEVIN DANSKA, and)
15 NANCY KEYGHOBADI,)
16 Respondents.)

No. H-10548 SF

STIPULATION AND AGREEMENT

16 In the Matter of the Accusation of)
17)
18 PRO CAPITAL MORTGAGE, INC., a California)
19 corporation, dba ISTAR REAL ESTATE,)
20 GREG KEVIN DANSKA, and)
21 NANCY KEYGHOBADI,)
22 Respondents.)

No. H-10746 SF

STIPULATION AND AGREEMENT

23 It is hereby stipulated by and between Respondent GREG KEVIN DANSKA
24 (hereinafter "Respondent" or "Respondent DANSKA"), acting by and through his attorneys,
25 Roger J. Brothers and Ericka L. Ackeret and the Complainant, acting by and through Michael
26 B. Rich, Counsel for the Department of Real Estate, as follows for the purpose of settling and
27 disposing of the Accusation under Department Case Number H-10548 SF filed on November 6,

1 2008, and the Accusation under Department Case Number H-10746 SF filed on August 6,
2 2009, in this matter (hereinafter "the Accusations"):

3 1. All issues which were to be contested and all evidence which was to be
4 presented by Complainant and Respondents at a formal hearing on the Accusations, which
5 hearing was to be held in accordance with the provisions of the Administrative Procedure Act
6 (hereinafter "APA"), shall instead and in place thereof be submitted solely on the basis of the
7 provisions of this Stipulation and Agreement.

8 2. Respondent has received, read and understands the Statement to
9 Respondent, the Discovery Provisions of the APA and the Accusations filed by the Department
10 of Real Estate in this proceeding.

11 3. On November 20, 2008, in Case Number H-10548 SF, and on August 24,
12 2010, in Case Number H-10746 SF, Respondent DANSKA, respectively, filed Notices of
13 Defense pursuant to Section 11505 of the Government Code for the purpose of requesting a
14 hearing on the allegations in the Accusations. Respondent hereby freely and voluntarily
15 withdraws said Notices of Defense. Respondent DANSKA acknowledges that Respondent
16 understands that by withdrawing said Notice of Defense, Respondent will thereby waive
17 Respondent's right to require the Commissioner to prove the allegations in the Accusations at a
18 contested hearing held in accordance with the provisions of the APA and that Respondent will
19 waive other rights afforded to Respondent in connection with the hearing such as the right to
20 present evidence in defense of the allegations in the Accusation and the right to cross-examine
21 witnesses.

22 4. Respondent DANSKA, pursuant to the limitations set forth below, hereby
23 admits that the factual allegations in the Accusations pertaining to Respondent are true and
24 correct and stipulates and agrees that the Real Estate Commissioner shall not be required to
25 provide further evidence of such allegations.

26 5. It is understood by the parties that the Real Estate Commissioner may adopt
27 the Stipulation and Agreement as his decision in this matter, thereby imposing the penalty and

1 I

2 The acts and omissions of Respondent DANSKA, as described in the
3 Accusations under Department Case Number H-10548 SF and H-10746 SF are grounds for the
4 suspension or revocation of the licenses and license rights of Respondent under the provisions
5 of Sections 10177(h) and 10159.2(a) of the Code, and Section 2725 of Chapter 6, Title 10,
6 California Code of Regulations (hereinafter "Regulations) in conjunction with 10177(d) of the
7 Code.

8 ORDER

9 I

10 The real estate broker license and all license rights of Respondent GREG KEVIN
11 DANSKA under the Real Estate Law are revoked; provided, however, a restricted real estate
12 broker license shall be issued to Respondent GREG KEVIN DANSKA pursuant to Section
13 10156.5 of the Business and Professions Code if Respondent makes application therefor and
14 pays to the Department of Real Estate the appropriate fee for the restricted license within ninety
15 (90) days from the effective date of this Decision. The restricted license issued to Respondent
16 shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code
17 and to the following limitations, conditions and restrictions imposed under authority of Section
18 10156.6 of that Code:

19 1. The restricted real estate broker license issued to Respondent DANSKA
20 under the Real Estate Law is suspended for a period of ninety (90) days from the date said
21 restricted license is issued to Respondent by the Department; provided, however, that forty-five
22 (45) days of said suspension shall be stayed for three (3) years upon the following terms and
23 conditions:

24 A. Respondent shall obey all laws, rules and regulations governing the
25 rights, duties and responsibilities of a real estate licensee in the State of
26 California; and,

27 B. That no final subsequent determination be made, after hearing or

1 upon stipulation, that cause for disciplinary action occurred within three (3) years
2 of the date said restricted license is issued to Respondent by the Department.

3 Should such a determination be made, the Commissioner may, in his discretion,
4 vacate and set aside the stay order and re-impose all or a portion of the stayed
5 suspension. Should no such determination be made, the stay imposed herein
6 shall become permanent.

7 2. The restricted license issued to Respondent DANSKA may be suspended

8 prior to hearing by Order of the Real Estate Commissioner in the event of Respondent's
9 conviction or plea of nolo contendere to a crime which is substantially related to Respondent's
10 fitness or capacity as a real estate licensee.

11 3. The restricted license issued to Respondent DANSKA may be suspended

12 prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the
13 Commissioner that Respondent has violated any provision of the California Real Estate Law,
14 the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions
15 attaching to the restricted license.

16 4. Respondent DANSKA shall not be eligible to apply for the issuance of an

17 unrestricted real estate license nor for the removal of any of the conditions, limitations, or
18 restrictions of a restricted license until three (3) years have elapsed from the effective date of
19 this Decision.

20 5. Respondent DANSKA shall, within nine (9) months from the effective date

21 of this Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent
22 has, since the most recent issuance of an original or renewal real estate license, taken and
23 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the
24 Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
25 the Commissioner may order the suspension of the restricted license until Respondent presents
26 such evidence. The Commissioner shall afford Respondent the opportunity for a hearing
27 pursuant to the Administrative Procedure Act to present such evidence.

1 6. Respondent DANSKA shall, within six (6) months from the effective date
2 of this Decision, take and pass the Professional Responsibility Examination administered by the
3 Department including the payment of the appropriate examination fee. If Respondent fails to
4 satisfy this condition, the Commissioner may order indefinite suspension of Respondent's
5 license until Respondent passes the examination at which time the indefinite suspension
6 provided in this paragraph shall be stayed.

7 7. Respondent shall, prior to and as a condition of the issuance of the
8 restricted license, submit proof satisfactory to the Commissioner of having taken and
9 successfully completed the continuing education course on trust fund accounting and handling
10 specified in subdivision (a) of Section 10170.5 of the Business and Professions Code. Proof of
11 satisfaction of this requirement includes evidence that Respondent has successfully completed
12 the trust fund accounting and handling continuing education course within 120 days prior to the
13 effective date of the Decision in this matter.

14 8. Pursuant to Section 10148 of the Business and Professions Code,
15 Respondent DANSKA shall pay the sum of \$3,763.50 for the Commissioner's reasonable cost
16 for the audit which led to the disciplinary action in Department Case Number H-10746 SF. In
17 calculating the amount of the Commissioner's reasonable cost, the Commissioner may use the
18 estimated average hourly salary for all persons performing audits of real estate brokers, and shall
19 include an allocation for travel time to and from the auditor's place of work. Respondent
20 DANSKA shall pay such cost within sixty (60) days of receiving an invoice from the
21 Commissioner detailing the activities performed during the audit and the amount of time spent
22 performing those activities. The Commissioner may suspend the restricted license issued to
23 Respondent pending a hearing held in accordance with Section 11500, et seq., of the
24 Government Code, if payment is not timely made as provided for herein, or as provided for in a
25 subsequent agreement between the Respondent and the Commissioner. The suspension shall
26 remain in effect until payment is made in full or until Respondent enters into an agreement
27

1 satisfactory to the Commissioner to provide for payment, or until a decision providing otherwise
2 is adopted following a hearing held pursuant to this condition.

3 .9. Any restricted real estate broker license issued to Respondent DANSKA
4 may be suspended or revoked for a violation by Respondent of any of the conditions attaching to
5 the restricted license.

6
7
8 1/6/2011
9 DATED

Michael B. Rich
MICHAEL B. RICH, Counsel
Department of Real Estate

10
11 * * *

12 I have read the Stipulation and Agreement and its terms are understood by me
13 and are agreeable and acceptable to me. I understand that I am waiving rights given to me by
14 the California Administrative Procedure Act (including but not limited to Sections 11506,
15 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and
16 voluntarily waive those rights, including the right of requiring the Commissioner to prove the
17 allegations in the Accusation at a hearing at which I would have the right to cross-examine
18 witnesses against me and to present evidence in defense and mitigation of the charges.

19
20 1/7/11
21 DATED

Kevin Danska
KEVIN GREG DANSKA

22
23 Approved as to content and as to form by counsel for Respondent.

24
25 1/4/2011
26 DATED

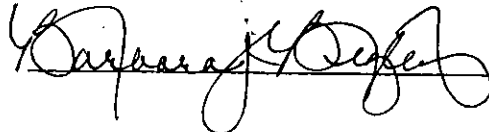
Roger J. Brothers
Roger J. Brothers
(Print Name)

The foregoing Stipulation and Agreement is hereby adopted by me as my
Decision in these matters as to Respondent GREG KEVIN DANSKA effective at 12 o'clock
noon on FEB 08 2011

IT IS SO ORDERED

1/14/11

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Bigby
Chief Deputy Commissioner

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FILED

JUN 20 2010

DEPARTMENT OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
PRO CAPITAL MORTGAGE, INC., a California)
corporation, GREG KEVIN DANSKA,)
NANCY KEYGHOBADI,)
MICHELLE JIAOJING WONG and HA THI DO,)
)
Respondents.)

NO. H-10548 SF

DISMISSAL

The Accusation herein filed on November 6, 2008, against Respondent
MICHELLE JIAOJING WONG is DISMISSED.

IT IS SO ORDERED 6-16, 2010.

JEFF DAVIS
Real Estate Commissioner

[Signature]

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FILED

JUN 20 2010

DEPARTMENT OF REAL ESTATE

By *L. Frost*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	
)	NO. H-10548 SF
PRO CAPITAL MORTGAGE, INC., a California)	
corporation, GREG KEVIN DANSKA,)	
NANCY KEYGHOBADI,)	
MICHELLE JIAOJING WONG and HA THI DO,)	
)	
Respondents.)	

DISMISSAL

The Accusation herein filed on November 6, 2008, against Respondent HA THI DO is DISMISSED.

IT IS SO ORDERED 6 / 16, 2010.

JEFF DAVI
Real Estate Commissioner

Jeff Davi

1 JOHN VAN DRIEL, COUNSEL (SBN 84056)
2 Department of Real Estate
3 P. O. Box 187007
4 Sacramento, CA 95818-7007
5 Telephone: (916) 227-0787

FILED

NOV - 6 2008

DEPARTMENT OF REAL ESTATE

[Signature]

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12)
13 PRO CAPITAL MORTGAGE, INC.,)
14 GREG KEVIN DANSKA,)
15 NANCY KEYGHOBADI,)
16 MICHELLE JIAOJING WONG and)
17 HA THI DO,)
Respondents.)

NO. H- 10548 SF

ACCUSATION

18
19 The Complainant, E.J. Haberer II, a Deputy Real Estate Commissioner of the
20 State of California for cause of Accusation against PRO CAPITAL MORTGAGE, INC. (PRO
21 CAPITAL), GREG KEVIN DANSKA (DANSKA), NANCY KEYGHOBADI
22 (KEYGHOBADI), MICHELLE JIAOJING WONG (WONG), and HA THI DO (DO),
23 collectively referred to as "Respondents", is informed and alleges as follows:

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25 The Complainant makes this Accusation in his official capacity.

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PRO CAPITAL is presently licensed and/or has license rights under the Real Estate Law, Part I of Division 4 of the California Business and Professions Code (hereinafter "Code"), as a corporate real estate broker.

3

DANSKA is presently licensed and/or has license rights under the Code as an individual real estate broker. At all times mentioned in the allegations below, DANSKA was also licensed as the designated officer of PRO CAPITAL.

4

KEYGHOBADI is presently licensed and/or has license rights under the Code as real estate salesperson, and, at all times mentioned herein, was employed in her licensed capacity by PRO CAPITAL.

5

WONG is presently licensed and/or has license rights under the Code as real estate salesperson, and, at all times mentioned herein, was employed in her licensed capacity by DO.

6

DO is presently licensed and/or has license rights under the Code as an individual real estate broker and as the designated officer or as a regular officer of Allstate Home Loans Arden, Elite Norcal Corporation, and ELITE Real Estate Associates Arden.

7

At all times mentioned herein, Respondents engaged in the business of and acted in the capacity of, or assumed to act as, a real estate broker in the State of California within the meaning of Section 10131(a) and (d) of the Code, for or in expectation of compensation, by negotiating the purchase and sale of real property and by soliciting borrowers and lenders and negotiating loans or performing services for borrowers or lenders in connection with loans secured directly or collaterally by liens on real property.

During the approximate timeframe of December 2005 through March 2006, Respondents participated in a plan and scheme to defraud lenders by soliciting, inducing, and/or aiding Maria Huezo (Huezo) to make offers to purchase multiple separate parcels of real property and then apply for loans to fund those purchases by falsely representing on the purchase documents and to the lenders her income and/or employment, and her intention to occupy each of the properties as an "owner occupant".

From approximately December 2005 through March 2006, KEYGHOBADI and/or WONG solicited and performed services for Huezo as purchaser and borrower, and also for various lenders, in connection with assisting Huezo in purchasing each property and negotiating one or more loans to finance each purchase, as set out below, for or in expectation of compensation.

REAL PROPERTY PURCHASED AND FINANCED BY HUEZO

LENDER

5846 Nina Way, Sacramento, CA	American Brokers Conduit
4085 – 8 th Avenue, Sacramento, CA	Lime Financial
4609 – 11 th Avenue, Sacramento, CA	Argent Mortgage
3200 Marshall Way, Sacramento, CA	Fremont Investment & Loan
3656 Reel Circle, Sacramento, CA	WML Mortgage Corp.
4232 – 12 th Avenue, Sacramento, CA	BNC Mortgage, Inc.
4332 – 12 th Avenue, Sacramento, CA	unknown at this time
3209 – 33 rd Street, Sacramento, CA	Bryco Funding, Inc.
4548 – 10 th Avenue, Sacramento, CA	Accredited Home Lenders

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2 The representations made by Respondents to the lenders in each of the
3 transactions set out above were false, and Respondents knew that they were false when those
4 representations were made. The true facts were that Huezo never intended to be an "owner
5 occupant" of each of the properties she purchased as a part of Respondents' plan and scheme,
6 and that Respondents misrepresented the income and/or employment of Huezo to fraudulently
7 induce Lime Financial and/or HSBC to make those loans.

8
9 Within the last three years, DANSKA failed to exercise reasonable supervision
10 over the activities of PRO CAPITAL and KEYGHOBADI for which a real estate license is
11 required. In particular, DANSKA permitted and/or ratified KEYGHOBADI's conduct described
12 above and/or failed to take reasonable steps to implement effective supervision that would have
13 prevented it, including but not limited to the establishment of: (1) policies, rules, procedures, and
14 systems to review, oversee, inspect and manage the handling of loans, and the verification and
15 disclosure of material information to lenders; and, (2) the establishment of systems for
16 monitoring compliance with such policies, rules, procedures, and systems, to ensure compliance
17 by PRO CAPITAL and KEYGHOBADI with the Real Estate Law.

18
19 Within the last three years, DO failed to exercise reasonable supervision over the
20 activities of WONG for which a real estate license is required. In particular, DO permitted
21 and/or ratified WONG's conduct described above and/or failed to take reasonable steps to
22 implement effective supervision that would have prevented it, including but not limited to the
23 establishment of: (1) policies, rules, procedures, and systems to review, oversee, inspect and
24 manage the handling of loans, and the verification and disclosure of material information to
25 lenders; and, (2) the establishment of systems for monitoring compliance with such policies,
26 rules, procedures, and systems, to ensure compliance by WONG with the Real Estate Law.

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2 The facts alleged in paragraphs 2 through 10 above are grounds for the
3 suspension or revocation of the licenses and license rights of Respondents PRO CAPITAL,
4 KEYGHOBADI and WONG under Section 10176(a), (c), and (i) or 10177(j) of the Code.

14

5
6 The acts and/or omissions of Respondent DANSKA described in paragraph 11
7 above, and of Respondent DO described in paragraph 12 above, violate Section 10159.2 of the
8 Code and Section 2725 of Title 10, California Code of Regulations and are grounds for the
9 revocation or suspension of their licenses under Section 10177 (d) and (h) of the Code.

10 WHEREFORE, Complainant prays that a hearing be conducted on the
11 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
12 disciplinary action against all licenses and license rights of Respondents under the Code, and for
13 such other and further relief as may be proper under other provisions of law.

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17 _____
18 E.J. HABERER II
19 Deputy Real Estate Commissioner

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Dated at Oakland, California,
this 3rd day of November, 2008.