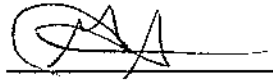


**FILED**

**November 6, 2012**

1 RICHARD K. UNO, Counsel (SBN 98275)  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007  
5 Telephone: (916) 227-0789  
6 (916) 227-2380 (Direct)  
7

DEPARTMENT OF REAL ESTATE

By  \_\_\_\_\_

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 STEVE BLAIR and, ) NO. H-11481 SF  
13 SHELDON KEITH PERRY, ) ACCUSATION  
14 Respondents. )  
15 \_\_\_\_\_ )

16 The Complainant, ROBIN S. TANNER, a Deputy Real Estate Commissioner of  
17 the State of California, for Accusation against Respondents STEVE BLAIR (BLAIR) and  
18 SHELDON KEITH PERRY (PERRY), collectively (RESPONDENTS) is informed and alleges  
19 as follows:

20 1.

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

23 2.

24 At all times mentioned herein, BLAIR has been licensed by the Department of  
25 Real Estate (the Department) as a real estate broker doing business as Excel Financial until  
26 November 22, 2011.

27 ///

1 3.

2 At all times mentioned herein, PERRY has been licensed by the Department as a  
3 real estate broker doing business as Excel Financial from and since May 3, 2011.

4 4.

5 At no time mentioned herein has BLAIR obtained a Mortgage Loan Originator  
6 (MLO) Endorsement License.

7 5.

8 At no time until January 25, 2012, has PERRY held an MLO Endorsement  
9 License.

10 6.

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

19 FIRST CAUSE OF ACTION

20 7.

21 Complainant refers to Paragraphs 1 through 6, above, and incorporates the same  
22 herein by reference.

23 8.

24 On or about January 18, 2010, BLAIR submitted a Mortgage Loan Activity  
25 notification where he indicated that he performed the following activities:

- 26 a. Arrange loans secured by real estate;  
27 b. Fund loans secured by real estate;

- 1 c. Solicit mortgage loans and/or take mortgage applications for 1-4 unit  
2 residential property;  
3 d. Negotiate or offer to negotiate loans for 1-4 unite residential property;  
4 e. Arrange, negotiate, or fund loans secured by commercial or other real  
5 property.

6 9.

7 On or about January 18, 2010, PERRY submitted a Mortgage Loan Activity  
8 notification where he indicated that he performed the following activities:

- 9 a. Arrange loans secured by real estate;  
10 b. Fund loans secured by real estate;  
11 c. Solicit mortgage loans and/or take mortgage applications for 1-4 unit  
12 residential property;  
13 d. Negotiate or offer to negotiate loans for 1-4 unite residential property;  
14 e. Arrange, negotiate, or fund loans secured by commercial or other real  
15 property;  
16 f. Sell or offer to sell, buy or offer to buy or exchange notes secured by real  
17 estate.

18 10.

19 On or about May 26, 2011, BLAIR submitted a cancellation notice regarding the  
20 activities set forth in Paragraph 8, above.

21 11.

22 On or about January 25, 2012, PERRY's MLO Endorsement status was changed  
23 from Pending Review to Approved.

24 12.

25 The acts described above constitute violations of Sections 10166.04 (Mortgage  
26 Loan Originator Endorsement) and are grounds for discipline under Sections 10166.051(Grounds  
27

1 for Discipline of MLO endorsement), 10177(d) (Willful/Disregard Real Estate Law) and  
2 10177(g) (Negligence/Incompetence Real Estate Licensee) of the Code.

3 SECOND CAUSE OF ACTION

4 13.

5 Complainant refers to Paragraphs 1 through 12, above, and incorporates the same,  
6 herein by reference.

7 14.

8 An audit of BLAIR's real estate business was performed for the period beginning  
9 January 1, 2010, through June 30, 2011.

10 15.

11 The audit revealed that BLAIR failed to submit his first and second quarterly 2011  
12 Multi-Lender reports and his second quarterly 2011 threshold report as required by Section  
13 10232.25 (Trust Funds Status Report) of the Code.

14 16.

15 The acts described above constitute violations of Section 10232.2 of the Code and  
16 are grounds for discipline of BLAIR's real estate license under Sections 10177(d)  
17 (Willful/Disregard Real Estate Law) and 10177(g) (Negligence/Incompetence Real Estate  
18 Licensee) of the Code.

19 17.

20 PRIOR ADMINISTRATIVE ACTION

21 Effective August 11, 1992, in Case No. H-6762 SF, the Real Estate Commissioner  
22 found that BLAIR and PERRY had committed trust fund violations and suspended the real estate  
23 licenses of BLAIR and PERRY for a period of 30 days, stayed 15 days and imposed a monetary  
24 penalty of \$1,8875.00 each for the remaining 15 days.

25 ///

26 //

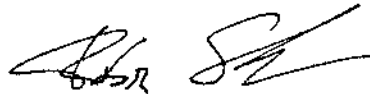
27 /

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

18.

Section 10106 of the Code provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the department, the commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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



---

ROBIN S. TANNER  
Deputy Real Estate Commissioner

Dated at Oakland, California,  
this 31<sup>st</sup> day of OCTOBER, 2012.