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FILED

MAY 23 2003

DEPARTMENT OF REAL ESTATE

By *Susan M. ...*

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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|                                    |   |                |
|------------------------------------|---|----------------|
| In the Matter of the Accusation of | ) |                |
|                                    | ) |                |
| ARUN K. GUPTA,                     | ) | NO. H-26034 LA |
|                                    | ) |                |
| Respondent.                        | ) |                |

ORDER DENYING REINSTATEMENT OF LICENSE

On April 7, 1997, a Decision was rendered herein revoking the real estate broker license of Respondent.

On August 8, 2002, Respondent petitioned for reinstatement of said real estate broker license, and the Attorney General of the State of California has been given notice of the filing of said petition.

I have considered Respondent's petition and the evidence and arguments in support thereof. Respondent has failed to demonstrate to my satisfaction that Respondent has undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate broker license.

The burden of proving rehabilitation rests with the petitioner (Feinstein v. State Bar (1952) 39 Cal. 2d 541). A petitioner is required to show greater proof of honesty and

1 integrity than an applicant for first time licensure. The proof  
2 must be sufficient to overcome the prior adverse judgment on the  
3 applicant's character (Tardiff v. State Bar (1980) 27 Cal. 3d  
4 395).

5 Respondent, despite being given numerous opportunities  
6 to do so, failed to arrange for an interview with a representative  
7 of the Department of Real Estate to review Respondent's  
8 rehabilitation. Further, Respondent has otherwise failed to  
9 present evidence of such rehabilitation.

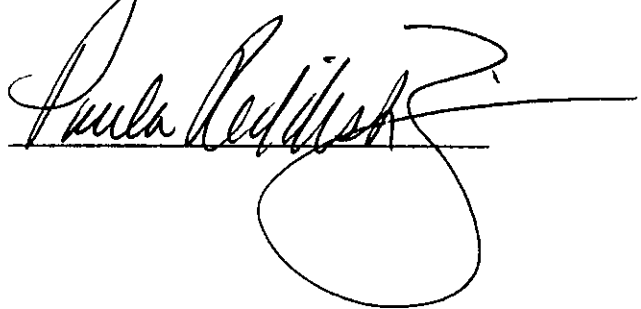
10 NOW, THEREFORE, IT IS ORDERED that Respondent's  
11 petition for reinstatement of his real estate broker license is  
12 denied.

13 This Order shall be effective at 12 o'clock noon on

14 June 13, 2003.

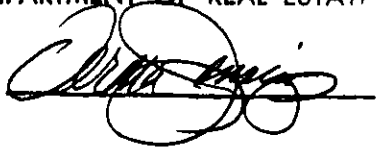
15 DATED: May 5, 2003.

16  
17 PAULA REDDISH ZINNEMANN  
18 Real Estate Commissioner

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**FILED**  
MAY 14 1997  
DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

By 

\* \* \* \* \*

In the Matter of the Accusation of ) No. H-26034 LA  
)  
) L-9608234  
ALLSEASONS FINANCIAL )  
CORPORATION; and )  
ARUN K. GUPTA, individually )  
and as designated officer of )  
Allseasons Financial )  
Corporation; and )  
JAGDISH CHANDER SODHI, )  
)  
)  
Respondents. )  
\_\_\_\_\_ )

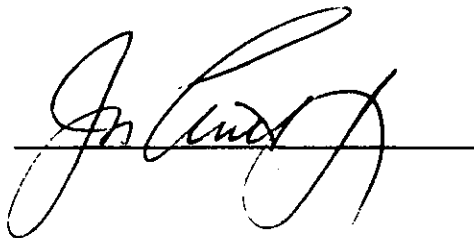
DECISION

The Proposed Decision dated March 18, 1997,  
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 June 3, 1997.

IT IS SO ORDERED 4/7/97.

JIM ANTT, JR.  
Real Estate Commissioner



BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Accusation of: ) No. H-26034 LA  
)  
ALLSEASONS FINANCIAL ) OAH No. L-9608234  
CORPORATION; )  
and ARUN K. GUPTA, )  
individually and as designated )  
officer of Allseasons Financial )  
Corporation; and )  
JAGDISH CHANDER SODHI, )  
)  
Respondents. )  
\_\_\_\_\_ )

PROPOSED DECISION

This matter came on for hearing before Richard J. Lopez, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California, on March 3, 1997.

Elliott MacLennan, represented the complainant.

No respondent appeared despite all due and proper notice and process to all respondents.

Oral and documentary evidence and evidence by way of official notice was received and the matter then argued and thereafter submitted, on March 3, 1997.

The Administrative Law Judge now finds, determines, and orders as follows:

PARTIES AND JURISDICTION

1

The Complainant, Steven J. Ellis, a Deputy Real Estate Commissioner of the State of California, brought Accusation and amendments thereto in his official capacity.

1

2

Allseasons Financial Corporation (AFC), Arun K. Gupta, (Gupta) and Jagdish Chander Sodhi (Sodhi), sometimes collectively referred to as respondents, are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code).

3

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Chapter 6, Title 10, California Code of Regulations.

4

At all mentioned times, AFC was licensed by the Department of Real Estate of the State of California (Department) as a corporate real estate broker by and through Gupta as designated officer.

5

At all mentioned times, Gupta was licensed by the Department as designated officer of AFC to qualify AFC and to act for AFC as a real estate broker and, as provided by Section 10159.2 of the Code, was responsible for the supervision and control of the activities conducted on behalf of AFC by its officers, managers and employees as necessary to secure full compliance with the provisions of the Real Estate Law including the supervision of the salespeople licensed to the corporation in the performance of acts for which a real estate license is required by Section 10159.2 of the Code.

6

Whenever reference is made in Finding this Decision to an act or omission of AFC such Finding shall be deemed to mean that the officers, directors, managers, employees, agents and real estate licensees employed by or associated with AFC, including Gupta, committed such act or omission while engaged in the furtherance of the business or operation of AFC and while acting within the course and scope of its corporate authority, agency and employment.

7

At all mentioned times, AFC and Gupta were acting as the agent or employee of the other and within the course and scope of such agency or employment.

2

Sodhi is presently licensed and/or has license rights under the Real Estate Law. Sodhi was originally licensed as a real estate salesperson on June 18, 1982. This license expired on April 27, 1992 and was renewed on December 4, 1992. From December 4, 1992 to March 9, 1994, Sodhi was not employed by a broker. On March 9, 1994, he was employed by AFC.

On complainant's motion Rajinder Singh Walia, as a respondent, has been dismissed from the accusation.

All pre-hearing jurisdiction requirements have been met. Jurisdiction for the proceeding does exist.

COMBINED FINDINGS OF FACT/  
CONCLUSIONS OF LAW

At all times herein mentioned, in the City of Diamond Bar, Los Angeles County, respondent AFC and respondent Gupta engaged in the business of, acted in the capacity of, advertised, or assumed to act real estate brokers, within the meaning of Section 10131(d) of the Code, including the operation of a mortgage loan brokerage business with the public wherein lenders and borrowers were solicited for loans secured directly or collaterally by liens on real property, wherein such loans were arranged, negotiated, processed, and consummated on behalf of others for compensation or in expectation of compensation and for fees often collected in advance.

At all times mentioned herein, in connection with the activities described in Finding 11, respondents accepted or received funds in trust (trust funds) from or on behalf of actual or prospective borrowers and lenders, and thereafter made disposition of such funds. Respondent AFC does not maintain a trust account.

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On February 3, 1994, the Department completed a field audit examination by Departmental auditor Celine Sarapuddin of the books and records pertaining to the activities described in Findings 11 and 12, beginning on February 1, 1992 and ending on January 31, 1994, which revealed violations of the Code and the Regulations as set forth in the following findings:

The audit examination (Audit No. LA 930185), revealed that Gupta failed to review, initial and date each instrument prepared by real estate salespeople under his supervision which may have a material effect upon the rights or obligations of a party to the transaction including, but not limited to Messner, Fernandez, Scheer, Wright and Torres loan transactions, in violation of Regulation 2725. This conduct and violation are cause to suspend or revoke the license and license rights of respondent Gupta under Sections 10177(d) and 10177(h) of the Code.

Said audit examination Audit No. LA 930185, described in Paragraph 13 also revealed that Gupta failed to initiate and maintain written Broker-Salesman agreements with AFC's salespersons, in violation of Regulation 2726. Instead, said agreements were signed by Sodhi, Chief Executive Officer of AFC and a salesperson. This conduct and violation are cause to suspend or revoke AFC and Gupta's licenses and license rights under the provisions of Sections 10177(d) and 10177(h) of the Code.

Said audit examination further revealed that AFC and Gupta failed to notify the Department of the employment of Damar Zaman Chaudary and Rita Lousie Moreno, as required by Section 10161.8 of the Code and Regulation 2752. Said conduct is cause to suspend or revoke the licenses and license rights of the respondents AFC and Gupta under the provisions of Section 10177(d) of the Code.

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Said audit examination revealed that AFC failed to provide certified written mortgage loan disclosure statements approved by the Department to various borrowers including but not limited to the Messner, Fernandez, Scheer, Wright and Torres loan transactions before these borrowers became obligated to perform under the terms of their respective loans. This conduct constitutes a violation of Section 10240 of the Code and Regulation 2840 and is cause to suspend or revoke respondent AFC's real estate license and license rights under the provisions of Section 10177(d).

While his license was expired in 1992, Sodhi negotiated loans secured directly or collaterally by liens on real property including the Aberin loan on September 19, 1992, the Suka loan on August 9, 1992 and the Soni loan on July 29, 1992. This conduct is in violation of Section 10130 of the Code and is cause to suspend or revoke the license and license rights of Sodhi under the provisions of Section 10177(d) or 10177(f) of the Code.

With reference to said audit (Audit No. LA 930185), respondents AFC and Gupta failed to produce trust fund records for the period in question in violation of Section 10148 of the Code. This conduct is cause to suspend or revoke the real estate licenses and license rights of respondents AFC and Gupta under the provisions of Section 10177(d) of the Code.

The conduct of respondent Gupta, in allowing respondent AFC to violate Sections 10148 and 10240 of the Code and Regulations 2725, 2726, 2752 and 2840, as described in Findings 14 through 19, during the time that Gupta was the designated officer of AFC, constitutes negligence or incompetence. This conduct and violation are cause for the suspension or revocation of the real estate license and license rights of respondent Gupta under the provisions of Section 10177(g) of the Code.

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21

The conduct of respondent Gupta, in failing to supervise AFC, during the time that Gupta was its designated officer, constitutes a failure by respondent Gupta to exercise reasonable supervision of the activities of respondent AFC and its salesperson, Sodhi, which require a real estate license. This conduct and violation are cause to suspend or revoke the real estate license and license rights of respondent Gupta under the provisions of Sections 10159.2 and 10177(h) of the Code.

22

On August 22, 1994, Sodhi falsely misrepresented on the loan application for John and Mary Merdeiros that he was the person who conducted the refinance loan application interview at their residence located at 11975 Rancherias Drive, Fontana, California.

23

The conduct of respondent Sodhi, as set forth in Finding 22 constitutes fraud and dishonest dealing in performing acts which require a real estate license. This conduct and violation are cause to suspend or revoke the real estate license and license rights of respondent Sodhi under the provisions of Section 10176(i) of the Code.

24

The conduct of Sodhi, as described in Finding 22 constitutes the making of a substantial misrepresentation. This conduct and violation are cause to suspend or revoke the real estate license and license rights of respondent Sodhi under the provisions of Section 10176(a) of the Code.

25

The overall conduct of respondent Sodhi, as described in Finding 22, constitutes negligence or incompetence. This conduct and violation are cause for the suspension or revocation of the real estate license and license rights of respondent Sodhi under the provisions of Section 10177(g) of the Code.

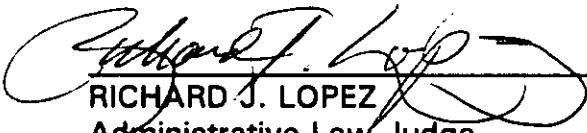
#### DETERMINATION OF ISSUES

Cause does exist, in the public interest, for the orders of revocation which follow by reason of the number and nature of the violations set forth in the Combined Findings/Conclusions.

ORDER

All licenses and license rights of respondents' Allseasons Financial Corporation, Arun K. Gupta, individually and as designated officer of Allseasons Financial Corporation and Allseasons Investment Co., and Jagdish Chander Sodhi, aka Jack Sodhi, under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) are hereby revoked.


Dated: 18 March 1997

  
RICHARD J. LOPEZ  
Administrative Law Judge  
Office of Administrative Hearings

RJL:rfm

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**FILED**  
MAR - 7 1997  
DEPARTMENT OF REAL ESTATE  
By 

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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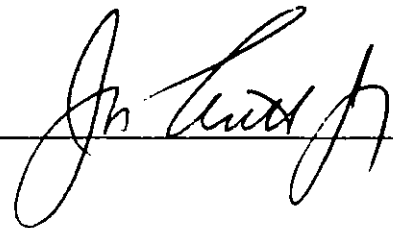
|   |   |                |
|---|---|----------------|
| In the Matter of the Accusation of  | ) | No. H-26034 LA |
|   | ) |                |
| ALLSEASONS FINANCIAL CORPORATION; ARUN K. GUPTA, individually and as designated officer of Allseasons Financial Corporation; RAJINDER SINGH WALIA; and JAGDISH CHANDER SODHI, | ) | L-9608234      |
|   | ) |                |
| Respondents.  | ) |                |

DISMISSAL

The Accusation herein filed on December 30, 1994, and amended on February 3, 1995, against respondent RAJINDER SINGH WALIA is DISMISSED.

IT IS SO ORDERED this 25<sup>TH</sup> day of FEBRUARY, 1997.

JIM ANTT, JR.  
Real Estate Commissioner





1 Corporation, RAJINDER SINGH WALIA dba Allseasons Investment Co.,  
2 and JAGDISH CHANDER SODHI aka Jack Sodhi is informed and alleges  
3 in his official capacity as follows:

4 Allseasons Financial Corporation

5 FIRST CAUSE OF ACTION

6 Complainant incorporates the Preamble

7 I

8 ALLSEASONS FINANCIAL CORPORATION (AFC), ARUN K. GUPTA  
9 (GUPTA) RAJINDER SINGH WALIA (WALIA) and JAGDISH CHANDER SODHI  
10 (SODHI), sometimes collectively referred to as respondents, are  
11 presently licensed and/or have license rights under the Real  
12 Estate Law (Part 1 of Division 4 of the California Business and  
13 Professions Code).

14 II

15 All references to the "Code" are to the California  
16 Business and Professions Code and all references to "Regulations"  
17 are to Title 10, Chapter 6, California Code of Regulations.

18 III

19 At all mentioned times, AFC was licensed by the  
20 Department of Real Estate of the State of California (Department)  
21 as a corporate real estate broker by and through GUPTA as  
22 designated officer.

23 IV

24 At all mentioned times, GUPTA was licensed by the  
25 Department as designated officer of AFC to qualify AFC and to act  
26 for AFC as a real estate broker and, as provided by Section  
27 10159.2 of the Code, was responsible for the supervision and

1 control of the activities conducted on behalf of AFC by its  
2 officers, managers and employees as necessary to secure full  
3 compliance with the provisions of the Real Estate Law including  
4 the supervision of the salespersons licensed to the corporation in  
5 the performance of acts for which a real estate license is  
6 required by Section 10159.2 of the Code.

7 V

8 Whenever reference is made in an allegation in the  
9 accusation to an act or omission of AFC such allegation shall be  
10 deemed to mean that the officers, directors, managers, employees,  
11 agents and real estate licensees employed by or associated with  
12 AFC, including GUPTA, committed such act or omission while engaged  
13 in the furtherance of the business or operation of AFC and while  
14 acting within the course and scope of its corporate authority,  
15 agency and employment.

16 VI

17 At all times mentioned, AFC and GUPTA were acting as the  
18 agent or employee of the other and within the course and scope of  
19 such agency or employment.

20 VII

21 WALIA is presently licensed and/or has license rights  
22 under the Real Estate Law. At all times mentioned he was licensed  
23 as a real estate broker by the Department. WALIA was originally  
24 licensed as a real estate salesperson on March 19, 1982 and as a  
25 real estate broker on March 19, 1986. WALIA used the fictitious  
26 business name of Allseasons Investment Co., a sole proprietorship  
27

1 owned by SODHI. On April 8, 1991, Allseasons Investment Co., was  
2 incorporated and became AFC.

3 VIII

4 SODHI is presently licensed and/or has license rights  
5 under the Real Estate Law. SODHI was originally licensed as a  
6 real estate salesperson on June 18, 1982. This license expired on  
7 April 27, 1992 and was renewed on December 4, 1992. From December  
8 4, 1992 to March 9, 1994, SODHI was not employed by a broker. On  
9 March 9, 1994, he was employed by AFC.

10 IX

11 At all times mentioned, in the City of Diamond Bar, Los  
12 Angeles County respondent AFC and respondent GUPTA engaged in the  
13 business of, acted in the capacity of, advertised, or assumed to  
14 act real estate brokers, within the meaning of Section 10131(d) of  
15 the Code, including the operation of a mortgage loan brokerage  
16 business with the public wherein lenders and borrowers were  
17 solicited for loans secured directly or collaterally by liens on  
18 real property, wherein such loans were arranged, negotiated,  
19 processed, and consummated on behalf of others for compensation or  
20 in expectation of compensation and for fees often collected in  
21 advance.

22 X

23 At all times mentioned, in connection with the  
24 activities described in Paragraph IX, above, respondents AFC and  
25 GUPTA accepted or received funds in trust (trust funds) from or on  
26 behalf of actual or prospective borrowers and lenders, and  
27

1 thereafter made disposition of such funds. Respondent AFC does  
2 not maintain a trust account.

3 Allseasons Financial Corporation  
4 (Audit No. LA 930185)

5 XI

6 On February 3, 1994, the Department completed a field  
7 audit examination of the books and records of AFC pertaining to  
8 the activities described in Paragraphs IX and X, above, for a time  
9 period beginning on February 1, 1992 and ending on January 31,  
10 1994, which revealed violations of the Code and the Regulations as  
11 set forth in the following paragraphs.

12 Allseasons Financial Corporation

13 Violations

14 XII

15 The audit examination Audit No. LA 930185, described in  
16 Paragraph XI, revealed that GUPTA failed to review, initial and  
17 date each instrument prepared by real estate salespeople under his  
18 supervision which may have a material effect upon the rights or  
19 obligations of a party to the transaction including, but not  
20 limited to the Messner, Fernandez, Scheer, Wright and Torres loan  
21 transactions, in violation of Regulation 2725. This conduct and  
22 violation are cause to suspend or revoke the license and license  
23 rights of respondent GUPTA under Sections 10177(d) and 10177(h) of  
24 the Code.

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XIII

The audit examination Audit No. LA 930185, described in Paragraph XI, also revealed that GUPTA failed to initiate and maintain written Broker-Salesman agreements with AFC's salespersons, in violation of Regulation 2726. Instead, said agreements were signed by SODHI, Chief Executive Officer of AFC and a salesperson. This conduct and violation are cause to suspend or revoke AFC and GUPTA's licenses and license rights under the provisions of Sections 10177(d) and 10177(h) of the Code.

XIV

The audit examination Audit No. LA 930185 further revealed that AFC and GUPTA failed to notify the Department of the employment of Damar Zaman Chaudary and Rita Lousie Moreno, as required by Section 10161.8 of the Code and Regulation 2752. Said conduct is cause to suspend or revoke the licenses and license rights of the respondents AFC and GUPTA under the provisions of Section 10177(d) of the Code.

XV

The audit examination Audit No. LA 930185 revealed that AFC failed to provide certified written mortgage loan disclosure statements approved by the Department to various borrowers including but not limited to the Messner, Fernandez, Scheer, Wright and Torres loan transactions before these borrowers became obligated to perform under the terms of their respective loans. This conduct constitutes a violation of Section 10240 of the Code and Regulation 2840 and is cause to suspend or revoke respondent

1 AFC's real estate license and license rights under the provisions  
2 of Section 10177(d).

3 XVI

4 While his license was expired in 1992, SODHI negotiated  
5 loans secured directly or collaterally by liens on real property  
6 including the Aberin loan on September 19, 1992, the Sukal loan on  
7 August 9, 1992 and the Soni loan on July 29, 1992. This conduct  
8 is in violation of Section 10130 of the Code and is cause to  
9 suspend or revoke the license and license rights of SODHI under  
10 the provisions of Section 10177(d) or 10177(f) of the Code.

11 XVII

12 With reference to the audit described in Paragraph XI,  
13 Audit No. LA 930185, respondents AFC and GUPTA failed to produce  
14 trust fund records for the period in question in violation of  
15 Section 10148 of the Code. This conduct is cause to suspend or  
16 revoke the real estate licenses and license rights of respondents  
17 AFC and GUPTA under the provisions of Section 10177(d) of the  
18 Code.

19 XVIII

20 The conduct of respondent GUPTA, in allowing respondent  
21 AFC to violate Sections 10148 and 10240 of the Code and  
22 Regulations 2725, 2726, 2752 and 2840, as described in Paragraphs  
23 XII through XVII herein above, during the time that GUPTA was the  
24 designated officer of AFC, constitutes negligence or incompetence.  
25 This conduct and violation are cause for the suspension or  
26 revocation of the real estate license and license rights of  
27

1 respondent GUPTA under the provisions of Section 10177(g) of the  
2 Code.

3 XIX

4 The conduct of respondent GUPTA, in failing to supervise  
5 AFC, during the time that GUPTA was its designated officer,  
6 constitutes a failure by respondent GUPTA to exercise reasonable  
7 supervision of the activities of respondent AFC and its  
8 salesperson, SODHI, which require a real estate license. This  
9 conduct and violation are cause to suspend or revoke the real  
10 estate license and license rights of respondent GUPTA under the  
11 provisions of Sections 10159.2 and 10177(h) of the Code.

12 SECOND CAUSE OF ACTION

13 Complainant incorporates herein the Preamble and the  
14 allegations of Paragraphs I through XIX, inclusive, above.

15 XX

16 On August 22, 1994, SODHI falsely misrepresented on the  
17 loan application for John and Mary Medeiros that he was the person  
18 who conducted the refinance loan application interview at their  
19 residence located 11975 Rancherias Drive, Fontana, California.

20 XXI

21 The conduct of respondent SODHI, as described in  
22 Paragraph XX herein above, constitutes fraud and dishonest dealing  
23 in performing acts which require a real estate license. This  
24 conduct and violation are cause to suspend or revoke the real  
25 estate license and license rights of respondent SODHI under the  
26 provisions of Section 10176(i) of the Code.

27 /



1                   WHEREFORE, Complainant prays that a hearing be conducted  
2 on the allegations made by the accusation and, that upon proof  
3 thereof, a decision be rendered imposing disciplinary action  
4 against all licenses and license rights of respondents ALLSEASONS  
5 FINANCIAL CORPORATION, ARUN K. GUPTA, individually and as  
6 designated officer of Allseasons Financial Corporation and  
7 RAJINDER SINGH WALIA dba Allseasons Investment Co., and JAGDISH  
8 CHANDER SODHI aka Jack Sodhi under the Real Estate Law (Part 1 of  
9 Division 4 of the Business and Professions Code) and for such  
10 other and further relief as may be proper under other applicable  
11 provisions of law.

12 Dated at Los Angeles, California

13 this 7th day of February, 1997.

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15 \_\_\_\_\_  
16 Deputy Real Estate Commissioner

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23 cc: Allseasons Financial Corporation  
24       Arun K. Gupta  
25       Rajinder Singh Walia  
26       Jagdish Chander Sodhi  
27       Jasdeep S. Ahluwalia, Esq.  
      Sacto.  
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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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**FILED**  
DEC - 4 1996  
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of )  
)  
ALLSEASONS FINANCIAL )  
CORPORATION, et al., )  
)  
Respondents. )

Case No. H-26034 LA  
OAH No. L-9608234

By [Signature]

**NOTICE OF CONTINUED HEARING ON ACCUSATION**

To the above-named Respondents:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 314 West First Street, Los Angeles, California, on **March 3, 1997**, at the hour of **9:00 a.m.**, or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

**Dated:** December 4, 1996.

cc: Allseasons Financial Corp.  
Arun K. Gupta  
Rajinder Singh Walia  
Jagdish Chander Sodhi  
Jasdeep S. Ahluwalia, Esq.  
Sacto.  
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**DEPARTMENT OF REAL ESTATE**

[Signature]  
**ELLIOTT MAC LENNAN, Counsel**

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

**FILED**  
SEP 11 1996  
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of )  
 )  
ALLSEASONS FINANCIAL )  
CORPORATION, et al., )  
 )  
Respondents. )

Case No. H-26034 LA  
OAH No. L-9608234

By *[Signature]*

**NOTICE OF HEARING ON ACCUSATION**

To the above-named Respondents:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 314 West First Street, Los Angeles, California, on **December 20, 1996**, at the hour of 9:00 a.m., or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

Dated: September 11, 1996.

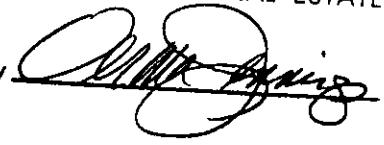
cc: Allseasons Financial Corp.  
Arun K. Gupta  
Rajinder Singh Walia  
Jagdish Chander Sodhi  
Jasdeep S. Ahluwalia, Esq.  
Sacto.  
OAH

DEPARTMENT OF REAL ESTATE

*[Signature]*  
ELLIOTT MAC LENNAN, Counsel

SASO  
Flag

1 ELLIOTT MAC LENNAN, Counsel  
2 Department of Real Estate  
3 107 South Broadway, Room 8107  
4 Los Angeles, California 90012  
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6  
7  
8  
9  
10 (213) 897-3937

FILED  
FEB - 3 1995  
DEPARTMENT OF REAL ESTATE  
By 

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \* \*

11 In the Matter of the Accusation of ) No. H-26034 LA  
12 ALLSEASONS FINANCIAL )  
13 CORPORATION; ) AMENDMENT TO ACCUSATION  
14 and ARUN K. GUPTA, )  
15 individually and as )  
16 designated officer of )  
17 Allseasons Financial )  
18 Corporation; and )  
19 RAJINDER SINGH WALIA; )  
20 and JAGDISH CHANDER SODHI, )  
21 Respondents. )

19 The Accusation filed in this matter on December 30, 1994,  
20 is amended in its entirety as follows:

21 The Complainant, Steven J. Ellis, a Deputy Real Estate  
22 Commissioner of the State of California, for cause of Accusation  
23 against ALLSEASONS FINANCIAL CORPORATION and ARUN K. GUPTA,  
24 individually and as designated officer of Allseasons Financial  
25 Corporation, RAJINDER SINGH WALIA dba Allseasons Investment Co.,

/  
/



1 and JAGDISH CHANDER SODHI aka Jack Sodhi is informed and alleges  
2 in his official capacity as follows:

3 Allseasons Financial Corporation

4 FIRST CAUSE OF ACTION

5 Complainant incorporates the Preamble.

6 I

7 ALLSEASONS FINANCIAL CORPORATION (AFC), ARUN K. GUPTA  
8 (GUPTA) RAJINDER SINGH WALIA (WALIA) and JAGDISH CHANDER SODHI  
9 (SODHI), sometimes collectively referred to as respondents, are  
10 presently licensed and/or have license rights under the Real  
11 Estate Law (Part 1 of Division 4 of the California Business and  
12 Professions Code).

13 II

14 All references to the "Code" are to the California  
15 Business and Professions Code and all references to "Regulations"  
16 are to Chapter 6, Title 10, California Code of Regulations.

17 III

18 At all mentioned times, AFC was licensed by the  
19 Department of Real Estate of the State of California (Department)  
20 as a corporate real estate broker by and through GUPTA as  
21 designated officer.

22 IV

23 At all mentioned times, GUPTA was licensed by the  
24 Department as designated officer of AFC to qualify AFC and to act  
25 for AFC as a real estate broker and, as provided by Section  
26 10159.2 of the Code, was responsible for the supervision and  
27 control of the activities conducted on behalf of AFC by its

1 officers, managers and employees as necessary to secure full  
2 compliance with the provisions of the Real Estate Law including  
3 the supervision of the salespeople licensed to the corporation in  
4 the performance of acts for which a real estate license is  
5 required by Section 10159.2 of the Code.

6 V

7 Whenever reference is made in an allegation in the  
8 accusation to an act or omission of AFC such allegation shall be  
9 deemed to mean that the officers, directors, managers, employees,  
10 agents and real estate licensees employed by or associated with  
11 AFC, including GUPTA, committed such act or omission while engaged  
12 in the furtherance of the business or operation of AFC and while  
13 acting within the course and scope of its corporate authority,  
14 agency and employment.

15 VI

16 At all mentioned times, AFC and GUPTA were acting as the  
17 agent or employee of the other and within the course and scope of  
18 such agency or employment.

19 VII

20 WALIA is presently licensed and/or has license rights  
21 under the Real Estate Law. At all times mentioned he was licensed  
22 as a real estate broker by the Department. WALIA was originally  
23 licensed as a real estate salesperson on March 19, 1982 and as a  
24 real estate broker on March 19, 1986. WALIA used the fictitious  
25 business name of Allseasons Investment Co., a sole proprietorship  
26 owned by SODHI. On April 8, 1991, Allseasons Investment Co., was  
27 incorporated and became AFC.

VIII

1  
2 SODHI is presently licensed and/or has license rights  
3 under the Real Estate Law. SODHI was originally licensed as a  
4 real estate salesperson on June 18, 1982. This license expired on  
5 April 27, 1992 and was renewed on December 4, 1992. From December  
6 4, 1992 to March 9, 1994, SODHI was not employed by a broker. On  
7 March 9, 1994, he was employed by AFC.

8 IX

9 At all times herein mentioned, in the City of Diamond  
10 Bar, Los Angeles County, respondent AFC and respondent GUPTA  
11 engaged in the business of, acted in the capacity of, advertised,  
12 or assumed to act as real estate brokers, within the meaning of  
13 Section 10131(d) of the Code, including the operation of a  
14 mortgage loan brokerage business with the public wherein lenders  
15 and borrowers were solicited for loans secured directly or  
16 collaterally by liens on real property, wherein such loans were  
17 arranged, negotiated, processed, and consummated on behalf of  
18 others for compensation or in expectation of compensation and for  
19 fees often collected in advance.

20 X

21 At all times mentioned herein, in connection with the  
22 activities described in Paragraph IX, above, respondents AFC and  
23 GUPTA accepted or received funds in trust (trust funds) from or on  
24 behalf of actual or prospective borrowers and lenders, and  
25 thereafter made disposition of such funds. Respondent AFC does  
26 not maintain a trust account.

27 /

1 Allseasons Financial Corporation  
2 (Audit No. LA 930185)

3 XI

4 On February 3, 1994, the Department completed a field  
5 audit examination by Departmental Auditor Celine Sarapuddin of the  
6 books and records of AFC pertaining to the activities described in  
7 Paragraphs IX and X, above, beginning on February 1, 1992 and  
8 ending on January 31, 1994, which revealed violations of the Code  
9 and the Regulations as set forth in the following paragraphs.

10 Allseasons Financial Corporation

11 Violations

12 XII

13 The audit examination Audit No. LA 930185, described in  
14 Paragraph XI, revealed that GUPTA failed to review, initial and  
15 date each instrument prepared by real estate salespeople under his  
16 supervision which may have a material effect upon the rights or  
17 obligations of a party to the transaction including, but not  
18 limited to the Messner, Fernandez, Scheer, Wright and Torres loan  
19 transactions, in violation of Regulation 2725. This conduct and  
20 violation are cause to suspend or revoke the licenses and license  
21 rights of respondent GUPTA under Sections 10177(d) and 10177(h) of  
22 the Code.

23 XIII

24 The audit examination Audit No. LA 930185, described in  
25 Paragraph XI, also revealed that GUPTA failed to initiate and  
26 maintain written Broker-Salesman agreements with AFC's  
27 salespeople, in violation of Regulation 2726. Instead, said

1 agreements were signed by SODHI, Chief Executive Officer of AFC,  
2 and a salesperson not licensed to AFC until March 9, 1994. This  
3 conduct and violation are also cause to suspend or revoke AFC and  
4 GUPTA's respective licenses and license rights under Sections  
5 10177(d) and 10177(h) of the Code.

6 XIV

7 The audit examination Audit No. LA 930185 further  
8 revealed that AFC and GUPTA failed to notify the Department of the  
9 employment of Damar Zaman Chaudary and Rita Louise Moreno, as  
10 required by Section 10161.8 of the Code and Regulation 2752. Said  
11 conduct is cause to suspend or revoke all licenses and license  
12 rights of the respondents AFC and GUPTA under Section 10177(d) of  
13 the Code.

14 XV

15 The audit examination Audit No. LA 930185 revealed that  
16 AFC failed to provide certified written mortgage loan disclosure  
17 statements approved by the Department to various borrowers  
18 including but not limited to the Messner, Fernandez, Scheer,  
19 Wright and Torres loan transactions before these borrowers became  
20 obligated to perform under the terms of their respective loans.  
21 This conduct constitutes a violation of Section 10240 of the Code  
22 and Regulation 2840 and is cause to suspend or revoke respondent  
23 AFC's respective real estate licenses and license rights under  
24 Section 10177(d).

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XVI

While his license was expired in 1992, SODHI negotiated loans secured by liens on real peoperty for (1) the Aberin loan on September 19, 1992, (2) Sukal on August 9, 1992 and (3) Soni loan on July 29, 1992. This conduct is in violation of Section 10130 of the Code and is cause to suspend or revoke his respective license and license rights under Section 10177(d) or 10177(f) of the Code.

XVII

With reference to the audit described in Paragraph XI, Audit No. LA 930185, respondents AFC and GUPTA failed to produce trust fund records for the period in question in violation of Section 10148 of the Code. This is cause to suspend or revoke the respective real estate licenses and license rights of respondents AFC and GUPTA under Section 10177(d) of the Code.

XVIII

The conduct of respondent GUPTA, in allowing respondent AFC to violate Sections 10148 and 10240 of the Code and Regulations 2725, 2726, 2752 and 2840, as described in Paragraphs XI through XVII hereinabove, during the time that GUPTA was the designated officer of AFC, constitutes negligence or incompetence in violation of Section 10177(g). This conduct and violation are cause for the suspension or revocation of all real estate licenses and license rights of respondent GUPTA under the provisions of Section 10177(g) of the Code.

/  
/

1  
2 The conduct of respondent GUPTA, in failing to supervise  
3 AFC, during the time that GUPTA was its designated officer,  
4 constitutes a failure by respondent GUPTA to exercise reasonable  
5 supervision of the activities of respondent AFC and its  
6 salespeople which require a real estate license and constitutes a  
7 violation of Section 10159.2 of the Code. This conduct and  
8 violation are cause to suspend or revoke the real estate license  
9 and license rights of respondent GUPTA under Section 10177(h) of  
10 the Code.

11 Rajinder Singh Walia  
12 dba Allseasons Investment Co.

## SECOND CAUSE OF ACTION

13 Complainant incorporates herein the Preamble and the  
14 allegations of Paragraphs I through XIX, inclusive, above.

XX

15  
16 At all times herein mentioned, in the City of La Habra,  
17 Los Angeles County, respondent WALIA engaged in the business of,  
18 acted in the capacity of, advertised, or assumed to act as a real  
19 estate broker dba Allseasons Investment Co., within the meaning of  
20 Section 10131(d) of the Code, including the operation of a  
21 mortgage loan brokerage business with the public wherein lenders  
22 and borrowers were solicited for loans secured directly or  
23 collaterally by liens on real property, wherein such loans were  
24 arranged, negotiated, processed, and consummated on behalf of  
25 others for compensation or in expectation of compensation and for  
26 fees often collected in advance.  
27

XXI

At all times mentioned herein, in connection with the activities described in Paragraph XX, above, respondent WALIA accepted or received funds in trust (trust funds) from or on behalf of actual or prospective borrowers and lenders, and thereafter made disposition of such funds. Respondent WALIA does not maintain a trust account.

Rajinder Singh Walia  
dba Allseasons Investment Co.  
(Audit No. LA 930175)

XXII

On February 3, 1994, the Department completed a field audit examination by Departmental Auditor Celine Sarapuddin of the books and records pertaining to the activities described in Paragraphs XX and XXI, above, beginning on January 1, 1991 and ending on January 31, 1992, which revealed violations of the Code and the Regulations as set forth in the following paragraphs.

Rajinder Singh Walia  
dba Allseasons Investment Co.

Violations

XXIII

On February 3, 1994 and on February 25, 1994, Departmental personnel attempted to perform an audit of the books and records of WALIA dba Allseasons Investment Co., covering a period up to April 8, 1991 at his La Habra address. WALIA failed to provide trust account bank statements, trust records and general operating accounts nor was he able to provide the specifically requested Arora and Gurbachan loan files. On August



1 16, 1994 a Subpena Duces Tecum was personally served on an adult  
2 at respondent WALIA's home requesting records pertaining to his  
3 activities at Allseasons Investment Co., requiring a license from  
4 January 1, 1991 through January 24, 1992. Respondent WALIA failed  
5 to produce said records. This conduct constitutes a violation of  
6 Section 10148 and is cause to suspend or revoke the respective  
7 real estate licenses and license rights of respondent WALIA under  
8 Section 10177(d) of the Code.

9 XXIV

10 The conduct of respondent WALIA, in violating Section  
11 10148 of the Code, as described in Paragraph XXI, hereinabove,  
12 constitutes negligence or incompetence in violation of Section  
13 10177(g). This conduct and ~~violation are~~ cause for the suspension or  
14 revocation of all real estate licenses and license rights of  
15 respondent WALIA under the provisions of Section 10177(g) of the  
16 Code.

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1                   WHEREFORE, Complainant prays that a hearing be conducted  
2 on the allegations made by the accusation and, that upon proof  
3 thereof, a decision be rendered imposing disciplinary action  
4 against all licenses and license rights of respondents ALLSEASONS  
5 FINANCIAL CORPORATION; and ARUN K. GUPTA, individually and as  
6 designated officer of Allseasons Financial Corporation; and  
7 RAJINDER SINGH WALIA dba Allseasons Investment Co.; and JAGDISH  
8 CHANDER SODHI aka Jack Sodhi under the Real Estate Law (Part 1 of  
9 Division 4 of the Business and Professions Code) and for such  
10 other and further relief as may be proper under other applicable  
11 provisions of law.

12 Dated at Los Angeles, California  
13 this 3rd day of February, 1995.

14  
15   
16 Deputy Real Estate Commissioner  
17  
18  
19  
20  
21  
22

23 cc: Allseasons Financial Corporation  
24 c/o Arun K. Gupta, D.O.  
25 Arun K. Gupta  
26 Rajinder Singh Walia  
27 Jagdish Chander Sodhi  
Sacto.  
DH

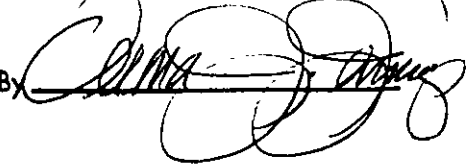
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ELLIOTT MAC LENNAN, Counsel  
Department of Real Estate  
107 South Broadway, Room 8107  
Los Angeles, California 90012

(213) 897-3937

**FILED**  
DEC 30 1994  
DEPARTMENT OF REAL ESTATE

By 

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \* \*

|                                       |   |                            |
|---------------------------------------|---|----------------------------|
| In the Matter of the Accusation of    | ) | No. H-26034 LA             |
|                                       | ) |                            |
| ALLSEASONS FINANCIAL CORPORATION;     | ) | <u>A C C U S A T I O N</u> |
| and ARUN K. GUPTA,                    | ) |                            |
| individually and as                   | ) |                            |
| designated officer of                 | ) |                            |
| Allseasons Financial Corporation; and | ) |                            |
| RAJINDER SINGH WALIA,                 | ) |                            |
|                                       | ) |                            |
|                                       | ) |                            |
| Respondents.                          | ) |                            |

The Complainant, Steven J. Ellis, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against ALLSEASONS FINANCIAL CORPORATION and ARUN K. GUPTA, individually and as designated officer of Allseasons Financial Corporation and RAJINDER SINGH WALIA dba Allseasons Investment Co., is informed and alleges in his official capacity as follows:

/  
/

1 **Allseasons Financial Corporation**

2 FIRST CAUSE OF ACTION

3 Complainant incorporates the Preamble.

4 I

5 ALLSEASONS FINANCIAL CORPORATION (AFC), ARUN K. GUPTA  
6 (GUPTA) and RAJINDER SINGH WALIA (WALIA), sometimes collectively  
7 referred to as respondents, are presently licensed and/or have  
8 license rights under the Real Estate Law (Part 1 of Division 4 of  
9 the California Business and Professions Code).

10 II

11 All references to the "Code" are to the California  
12 Business and Professions Code and all references to "Regulations"  
13 are to Chapter 6, Title 10, California Code of Regulations.

14 III

15 At all mentioned times, AFC was licensed by the  
16 Department of Real Estate of the State of California (Department)  
17 as a corporate real estate broker by and through GUPTA as  
18 designated officer.

19 IV

20 At all mentioned times, GUPTA was licensed by the  
21 Department as designated officer of AFC to qualify AFC and to act  
22 for AFC as a real estate broker and, as provided by Section  
23 10159.2 of the Code, was responsible for the supervision and  
24 control of the activities conducted on behalf of AFC by its  
25 officers, managers and employees as necessary to secure full  
26 compliance with the provisions of the Real Estate Law including  
27 the supervision of the salespeople licensed to the corporation in

1 the performance of acts for which a real estate license is  
2 required by Section 10159.2 of the Code.

3 V

4 Whenever reference is made in an allegation in the  
5 accusation to an act or omission of AFC such allegation shall be  
6 deemed to mean that the officers, directors, managers, employees,  
7 agents and real estate licensees employed by or associated with  
8 AFC, including GUPTA, committed such act or omission while engaged  
9 in the furtherance of the business or operation of AFC and while  
10 acting within the course and scope of its corporate authority,  
11 agency and employment.

12 VI

13 At all mentioned times, AFC and GUPTA were acting as the  
14 agent or employee of the other and within the course and scope of  
15 such agency or employment.

16 VII

17 WALIA is presently licensed and/or has license rights  
18 under the Real Estate Law. At all times mentioned he was licensed  
19 as a real estate broker by the Department. WALIA was originally  
20 licensed as a real estate salesperson on March 19, 1982 and as a  
21 real estate broker on March 19, 1986. WALIA is the broker for  
22 Allseasons Investment Co., a sole proprietorship owned by Jagdish  
23 Chander Sodhi (Sodhi). On April 8, 1991, Allseasons Investment  
24 Co., was incorporated into AFC by Sodhi.

25 VIII

26 At all times herein mentioned, in the City of Diamond  
27 Bar, Los Angeles County respondent AFC and respondent GUPTA

1 engaged in the business of, acted in the capacity of, advertised,  
2 or assumed to act real estate brokers, within the meaning of  
3 Section 10131(d) of the Code, including the operation of a  
4 mortgage loan brokerage business with the public wherein lenders  
5 and borrowers were solicited for loans secured directly or  
6 collaterally by liens on real property, wherein such loans were  
7 arranged, negotiated, processed, and consummated on behalf of  
8 others for compensation or in expectation of compensation and for  
9 fees often collected in advance.

10 IX

11 At all times mentioned herein, in connection with the  
12 activities described in Paragraph VIII, above, respondents  
13 accepted or received funds in trust (trust funds) from or on  
14 behalf of actual or prospective borrowers and lenders, and  
15 thereafter made disposition of such funds. Respondent AFC does  
16 not maintain a trust account.

17 **Allseasons Financial Corporation**  
18 (Audit No. LA 930185)

19 X

20 On February 3, 1994, the Department completed a field  
21 audit examination by Departmental auditor Celine Sarapuddin of the  
22 books and records pertaining to the activities described in  
23 Paragraphs VIII and IX, above; beginning on February 1, 1992 and  
24 ending on January 31, 1994, which revealed violations of the Code  
and the Regulations as set forth in the following paragraphs.

25 /

26 /

27 /

**Allseasons Financial Corporation**

Violations

XI

1  
2  
3  
4 The audit examination, described in Paragraph X,  
5 revealed that GUPTA failed to review, initial and date each  
6 document prepared by real estate salespersons under his  
7 supervision including, but not limited to the Messner, Fernandez,  
8 Scheer, Wright and Torres loan transactions, in violation of  
9 Regulation 2725. This conduct and violation are cause to suspend  
10 or revoke the licenses and license rights of respondent GUPTA  
11 under Sections 10177(d) and 10177(h) of the Code.

XII

12  
13 The audit examination also revealed that GUPTA failed to  
14 initiate and maintain written Broker-Salesman agreements with  
15 AFC's salespeople, in violation of Regulation 2726. Instead, said  
16 agreements were signed by Sodhi, Chief Executive Officer of AFC  
17 and a salesperson licensed to AFC. This conduct and violation are  
18 also cause to suspend or revoke AFC and GUPTA's respective  
19 licenses and license rights under Sections 10177(d) and 10177(h)  
20 of the Code.

XIII

21  
22 The audit examination further revealed that AFC and  
23 GUPTA failed to notify the Department of the employment of Jagdish  
24 Chander Sodhi, Damar Zaman Chaudary and Rita Lousie Moreno, as  
25 required by Section 10161.8 of the Code and Regulation 2752. Said  
26 conduct is cause to suspend or revoke all licenses and license  
27

/

1 rights of the respondents AFC and GUPTA under Section 10177(d) of  
2 the Code.

3 XIV

4 The audit examination revealed that AFC failed to  
5 provide certified written mortgage loan disclosure statements  
6 approved by the Department to various borrowers including but not  
7 limited to the Messner, Fernandez, Scheer, Wright and Torres loan  
8 transactions before these borrowers became obligated to perform  
9 under the terms of their respective loans. This conduct  
10 constitutes a violation of Section 10240 of the Code and  
11 Regulation 2840 and is cause to suspend or revoke respondent AFC's  
12 respective real estate licenses and license rights under Section  
13 10177(d).

14 XV

15 With reference to the audit described in Paragraph X,  
16 respondents AFC and GUPTA failed to produce trust fund records for  
17 the period in question in violation of Section 10148 of the Code.  
18 This is cause to suspend or revoke the respective real estate  
19 licenses and license rights of respondents AFC and GUPTA under  
20 Section 10177(d) of the Code.

21 XVI

22 The conduct of respondent GUPTA, in allowing respondent  
23 AFC to violate Sections 10148 and 10240 of the Code and  
24 Regulations 2725, 2726, 2752 and 2840, as described in Paragraphs  
25 XI through XV hereinabove, during the time that GUPTA was the  
26 designated officer of AFC, constitutes negligence or incompetence  
27 in violation of Section 10177(g). This conduct and violation



1 cause for the suspension or revocation of all real estate licenses  
2 and license rights of respondent GUPTA under the provisions of  
3 Section 10177(g) of the Code.

4 XVII

5 The conduct of respondent GUPTA, in failing to supervise  
6 AFC, during the time that GUPTA was its designated officer,  
7 constitutes a failure by respondent GUPTA to exercise reasonable  
8 supervision of the activities of respondent AFC which require a  
9 real estate license and constitutes a violation of Section 10159.2  
10 of the Code. This conduct and violation are cause to suspend or  
11 revoke the real estate license and license rights of respondent  
12 GUPTA under Section 10177(h) of the Code.

13 **Rajinder Singh Walia**  
14 **dba Allseasons Investment Co.**

15 FIRST CAUSE OF ACTION

16 Complainant incorporates herein the Preamble and the  
17 allegations of Paragraphs I through XVII, inclusive, above.

18 XVIII

19 At all times herein mentioned, in the City of La Habra,  
20 Los Angeles County respondent WALIA engaged in the business of,  
21 acted in the capacity of, advertised, or assumed to act as a real  
22 estate broker dba Allseasons Investment Co., within the meaning of  
23 Section 10131(d) of the Code, including the operation of a  
24 mortgage loan brokerage business with the public wherein lenders  
25 and borrowers were solicited for loans secured directly or  
26 collaterally by liens on real property, wherein such loans were  
27 arranged, negotiated, processed, and consummated on behalf of

/

1 others for compensation or in expectation of compensation and for  
2 fees often collected in advance.

3 XIX

4 At all times mentioned herein, in connection with the  
5 activities described in Paragraph XVIII, above, respondent WALIA  
6 accepted or received funds in trust (trust funds) from or on  
7 behalf of actual or prospective borrowers and lenders, and  
8 thereafter made disposition of such funds. Respondent WALIA does  
9 not maintain a trust account.

10 **Rajinder Singh Walia**  
11 **dba Allseasons Investment Co.**  
(Audit No. LA 930175)

12 XX

13 On February 3, 1994, the Department completed a field  
14 audit examination by Departmental auditor Celine Sarapuddin of the  
15 books and records pertaining to the activities described in  
16 Paragraphs XVIII and XIX, above, beginning on January 1, 1991 and  
17 ending on January 31, 1992, which revealed violations of the Code  
18 and the Regulations as set forth in the following paragraphs.

19 XXI

20 On February 3, 1994 and on February 25, 1994,  
21 Departmental personnel attempted to perform an audit of the books  
22 and records of WALIA dba Allseasons Investment Co., covering a  
23 period up to April 8, 1991 at his La Habra address. WALIA failed  
24 to provide trust account bank statements, trust records and  
25 general operating accounts nor was he able to provide the  
26 specifically requested Arora and Gurbachan loan files. On August  
27 16, 1994 a Subpena Duces Tecum was personally served on an adult



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WHEREFORE, Complainant prays that a hearing be conducted on the allegations made by the accusation and, that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of respondents ALLSEASONS FINANCIAL CORPORATION and ARUN K. GUPTA, individually and as designated officer of Allseasons Financial Corporation and RAJINDER SINGH WALIA dba Allseasons Investment Co., 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 applicable provisions of law.

Dated at Los Angeles, California  
this 30th day of December , 1994.

  
Deputy Real Estate Commissioner

cc: Allseasons Financial Corporation  
c/o Arun K. Gupta, D.O.  
Sacto.  
DH  
Arun K. Gupta  
Rajinder Singh Walia