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**FILED**  
SEP 24 2003  
DEPARTMENT OF REAL ESTATE  
By Laura B. [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of	)	
	)	No. H-27521 LA
SOUTHFORK MORTGAGE COMPANY, dba	)	
"National Realty Group" and	)	
"SMC Mortgage".	)	
	)	
Respondent.	)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On April 22, 1998, a Decision was rendered herein, revoking the corporate real estate broker license of SOUTHFORK MORTGAGE COMPANY (now NATIONAL ONE MORTGAGE CORP.), effective May 19, 1998. Respondent was given the right to apply for and be issued a restricted corporate real estate broker license. Said license was issued on June 28, 1998.

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1 On or about July 1, 2002, Respondent petitioned for  
2 reinstatement of it's real estate license and the Attorney  
3 General of the State of California has been given notice of  
4 the filing of the petition.

5 I have considered Respondent's petition and the  
6 evidence and arguments in support thereof. Respondent has  
7 demonstrated to my satisfaction that grounds do not presently  
8 exist to deny the issuance of an unrestricted real estate  
9 license to Respondent.

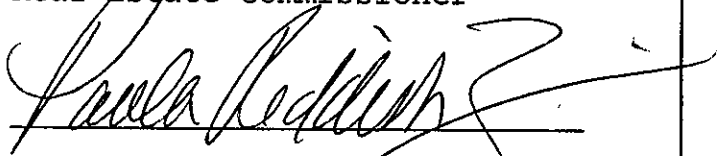
10 NOW, THEREFORE, IT IS ORDERED that Respondent  
11 SOUTHFORK MORTGAGE COMPANY's (now NATIONAL ONE MORTGAGE CORP.),  
12 petition for reinstatement is granted and that an unrestricted  
13 corporate real estate broker license be issued to Respondent if  
14 it satisfies the following condition within one (1) year from  
15 the date of this Order:

16 Submittal of a completed application and payment of  
17 the fee for a corporate real estate broker license.

18 This Order shall become effective immediately.

19 DATED: *September 18, 2003.*

20 PAULA REDDISH ZINNEMANN  
21 Real Estate Commissioner

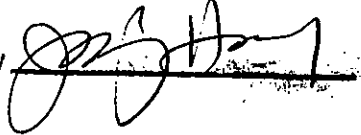
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24 CC: National One Mortgage Corp.  
25 6972 Harvest Lane  
26 Riverside, CA 92506  
27 6700 Indiana Ave., # 130  
Riverside, CA 92506

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**FILED**  
APR 24 2002

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	NO. H-27521 LA
	)	
JEFFREY SCOTT MAAS,	)	
	)	
Respondent.	)	
	)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On April 22, 1998, a Decision was rendered herein revoking the real estate broker license of Respondent, but granting Respondent the right to the issuance of a restricted real estate broker license. A restricted real estate broker license was issued to Respondent or about June 28, 1998, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On July 26, 2001, 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.

1  
2 I have considered the petition of Respondent and  
3 the evidence and arguments in support thereof including  
4 Respondent's record as a restricted licensee. Respondent  
5 has demonstrated to my satisfaction that Respondent meets the  
6 requirements of law for the issuance to Respondent of an  
7 unrestricted real estate broker license and that it would not  
8 be against the public interest to issue said license to  
9 Respondent JEFFREY SCOTT MAAS.

10 NOW, THEREFORE, IT IS ORDERED that Respondent's  
11 petition for reinstatement is granted and that a real estate  
12 broker license be issued to Respondent if Respondent satisfies  
13 the following conditions within nine (9) months from the date  
14 of this Order:

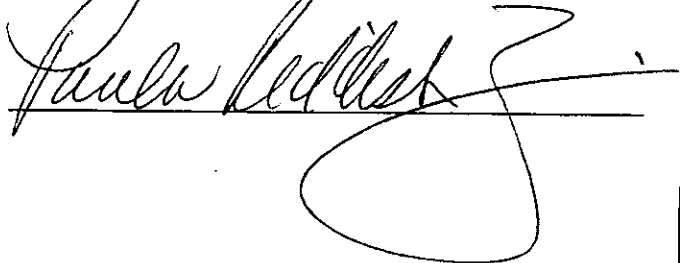
15 1. Submittal of a completed application and payment  
16 of the fee for a real estate broker license.

17 2. Submittal of evidence of having, since the most  
18 recent issuance of an original or renewal real estate license,  
19 taken and successfully completed the continuing education  
20 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
21 for renewal of a real estate license.

22 This Order shall become effective immediately.

23 DATED: April 17, 2002.

24 PAULA REDDISH ZINNE MANN  
25 Real Estate Commissioner

26 

27 cc: Jeffrey Scott Maas  
6700 Indiana Ave., # 130  
Riverside, CA 92506

1 MARTHA J. ROSETT, Counsel  
2 State Bar # 142072  
3 Department of Real Estate  
4 107 South Broadway, Room 8107  
5 Los Angeles, CA 90012

6 (213) 897-3937

FILED  
JUN 29 1998  
DEPARTMENT OF REAL ESTATE

By *R. E. ...*

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \* \*

11 In the Matter of the Accusation of ) No. H- 27521 LA  
12 ) OAH #L-1998020142  
13 SOUTHFORK MORTGAGE COMPANY, )  
14 dba "National Realty Group," )  
15 and "SMC Mortgage;" and )  
16 JEFFREY SCOTT MAAS, individually )  
and as the designated officer of )  
Southfork Mortgage Company, )  
Respondents. )

17  
18 ORDER DENYING REHEARING OR RECONSIDERATION

19 On April 22, 1998, a Decision was rendered herein by the  
20 Real Estate Commissioner which revoked the corporate real estate  
21 broker license and license rights of Respondent SOUTHFORK MORTGAGE  
22 COMPANY and the individual broker license and license rights of  
23 designated broker JEFFREY SCOTT MAAS. Said Decision was to become  
24 effective on May 19, 1998, and was stayed by two separate Orders,  
25 first to June 18, 1998 and then to June 28, 1998.

26 On May 17, 1998, Respondents petitioned for  
27 reconsideration of said Decision. I have considered the petition

1 of Respondents and have concluded that good cause has not been  
2 presented for reconsideration of the Decision of April 22, 1998.

3 I have reconsidered said Decision and it is hereby  
4 ordered that the disciplinary action therein imposed against  
5 the real estate broker licenses of SOUTHFORK MORTGAGE COMPANY  
6 and of JEFFREY SCOTT MAAS, not be reduced or modified.

7 IT IS THEREFORE ORDERED, that Respondents' Petition  
8 for Rehearing or, in the Alternative, Reconsideration is  
9 hereby denied.

10 This Order is effective immediately.

11 DATED: June 25 1998

12  
13 JIM ANTT, JR.  
14 Real Estate Commissioner

15  
16 By: *John R. Liberto*  
17 Chief Deputy Commissioner



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**FILED**  
JUN 18 1998  
DEPARTMENT OF REAL ESTATE  
By K. Helber

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \* \*

In the Matter of the Accusation of )	No. H-27521 LA
SOUTHFORK MORTGAGE COMPANY, )	L-1998020142
dba "National Realty Group", )	
and "SMC Mortgage"; and )	
JEFFREY SCOTT MAAS, )	
individually and as the )	
designated officer of )	
Southfork Mortgage Company, )	
Respondents. )	

ORDER STAYING EFFECTIVE DATE

On April 22, 1998, a Decision was rendered in the above-entitled matter to become effective May 19, 1998. On May 18, 1998, the effective date of the Decision of April 22, 1998, was stayed for thirty days, to become effective June 18, 1998.

IT IS HEREBY ORDERED that the effective date of the Decision of April 22, 1998, is stayed for an additional ten days.

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The Decision of April 22, 1998, shall become effective  
at 12 o'clock noon on June 28, 1998.

DATED: 18 June 1998

JIM ANTT, JR.  
Real Estate Commissioner

By: *Randolph Brendia*  
RANDOLPH BRENDIA  
Regional Manager



*Handwritten signature*

**FILED**  
MAY 18 1998

DEPARTMENT OF REAL ESTATE

By *Handwritten signature*

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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \* \*

In the Matter of the Accusation of )	No. H-27521 LA
SOUTHFORK MORTGAGE COMPANY, )	L-1998020142
dba "National Realty Group", )	
and "SMC Mortgage"; and )	
JEFFREY SCOTT MAAS, )	
individually and as the )	
designated officer of )	
Southfork Mortgage Company, )	
Respondents. )	

ORDER STAYING EFFECTIVE DATE

On April 22, 1998, a Decision was rendered in the above-entitled matter to become effective May 19, 1998.

IT IS HEREBY ORDERED that the effective date of the Decision of April 22, 1998, is stayed for a period of thirty days.

The Decision of April 22, 1998, shall become effective at 12 o'clock noon on June 18, 1998.

DATED: MAY 18 1998

JIM ANTT, JR.  
Real Estate Commissioner

By: *Handwritten signature*  
RANDOLPH BRENDIA  
Regional Manager

**FILED**  
APR 28 1998  
DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

By R. W. Weberholts

\* \* \* \* \*

In the Matter of the Accusation of )  
 )  
SOUTHFORK MORTGAGE COMPANY, )  
dba "National Realty Group", )  
and "SMC Mortgage"; and )  
JEFFREY SCOTT MAAS, )  
individually and as the )  
designated officer of )  
Southfork Mortgage Company, )  
 )  
 )  
Respondent(s). )  
\_\_\_\_\_ )

No. H-27521 LA  
L-1998020142

DECISION

The Proposed Decision dated April 6, 1998,  
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 19, 1998~~

IT IS SO ORDERED 4/22/98

JIM ANTT, JR.  
Real Estate Commissioner



DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Accusation of )

SOUTHFORK MORTGAGE COMPANY, )  
dba "National Realty Group," )  
and "SMC Mortgage;" and )  
JEFFREY SCOTT MAAS, individually )  
and as the designated officer of )  
Southfork Mortgage Company, )

Respondents. )

No. H-27521 LA

OAH. L-1998020142

PROPOSED DECISION

This matter came on regularly for hearing before Leslie H. Greenfield, Administrative Law Judge, Office of Administrative Hearings, at Los Angeles, California, on March 31, 1998.

Martha J. Rosett, Real Estate Counsel, represented the complainant Department of Real Estate. Respondent Southfork Mortgage Company, a corporation, was represented at the hearing by Jeffrey Scott Maas, its designated officer, who also represented himself in his individual capacity.

Oral and documentary evidence and evidence by way of stipulation on the record having been received and the matter submitted, the Administrative Law Judge finds as follows:

1. Thomas McCrady, Deputy Real Estate Commissioner, Department of Real Estate, made the Accusation in his official capacity.

2. Respondent Southfork Mortgage Company (SMC) has been licensed as a Corporate real estate broker since April 26, 1990, under License ID# 01129578, by and through respondent Jeffrey Scott Maas (Maas) as the officer and broker responsible for supervising its activities. Said license expires March 1, 2000.

3. Respondent Maas has been licensed as a real estate salesperson since March 1988 and as a real estate broker since October, 1990 under license # 00981576. Said license expires March 1, 2000.

4. Lafayette B. Utter aka Chris Utter (Utter) was not licensed by the Department as a real estate licensee at all times herein relevant.

5. At all time herein relevant, Utter was employed by respondent SMC and supervised by respondent Maas to, among other things, conduct activities requiring a real estate licensee as defined in Business and Professions Code section 10131(d).

6. At all times herein mentioned, for or in expectation of compensation, respondents SMC and Maas, and Utter, engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate broker for others in the State of California within the meaning of section 10131(d) of the Business and Professions Code, wherein they solicited for or negotiated loans for others secured by liens on real property.

7. During the first half of 1997, Utter solicited for and negotiated a refinance agreement for a \$60,000.00 loan secured by a lien on real property in Palm Spring, California, to a borrower by the name of Philip Centineo (Centineo). As a condition of said loan, Utter promised to pay to Centineo from the refinance proceeds, the sum of \$4,196.00 outside of Escrow. At the conclusion of Escrow, Centineo received the total sum of \$1,511.00 leaving the amount of \$2,685.91 unpaid to him. Said representation by Utter was made in his capacity as agent for respondent SMC and under the supervision of respondent Maas and accordingly was a binding commitment on the part of both respondents.

\* \* \* \* \*

Pursuant to the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:

A. Respondent Southfork Mortgage Company:

1. Cause exists to suspend or revoke the real estate license of respondent SMC pursuant to Business and Professions Code sections 10137, by reason of Finding 5 and 7.

2. Grounds exist to assess a fine against respondent pursuant to BPC section 10139.5, by reason of Finding 5 and 7.

B. Respondent Jeffrey Scott Maas:

1. Cause exists to suspend or revoke the real estate license of respondent Maas pursuant to Business and Professions Code sections 10137, by reason of Findings 5 and 7.

2. Further cause exists to suspend or revoke the real estate license of respondent Maas pursuant to Business and Professions Code section 10177(h), by reason of Findings 5 and 7.

3. Grounds exist to assess a fine against respondent Maas pursuant to BPC section 10139.5, by reason of Findings 5 and 7.

\* \* . \* \* \*

WHEREFORE, THE FOLLOWING ORDER is hereby made:

A. Respondent Southfork Mortgage Company:

All licenses and licensing rights of respondent SMC under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to respondent pursuant to section 10156.5 of the Business and Professions Code if each respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted licenses issued to respondents shall be subject to all of the provisions of section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of section 10156.6 of that Code:

1. Each restricted license issued to respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which is substantially related to respondent's fitness or capacity as a real estate licensee.
2. The restricted license issued to respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.
3. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor for the removal of any of the conditions, limitations or restrictions of a restricted license until three (3) years have elapsed from the effective date of this Decision.

4. Respondent shall report in writing to the Department of Real Estate as the Real Estate Commissioner shall direct by his Decision herein or by separate written order issued while respondents hold a restricted license, such information concerning respondent's activities for which a real estate license is required as the Commissioner shall deem to be appropriate to protect the public interest. Such reports may include, but shall not be limited to periodic summaries of salient information concerning each real estate transaction in which the respondent engaged during the period covered by the report.
5. Respondent shall, prior to the issuance of the restricted license and as a condition of the issuance of said restricted license, submit proof satisfactory to the Commissioner of payment of restitution in the amount of \$2,685.91 to Philip Centineo.
6. Respondent shall pay a fine in the amount of \$5,000.00 in the form of a cashier's check or certified check made payable to the Recovery Account of the Real Estate Recovery Fund within 30 days of this Order becoming Final or any other period of time agreed to by respondent and the Commissioner.
7. It is not intended that both respondent Maas and respondent Southfork each pay a fine to the Fund and make restitution to Centineo, only that a total fine in the amount of \$5,000 be paid and total restitution in the amount of \$2,685.91 be made. If either respondent makes said payment, that payment shall be considered as satisfaction of the fine and restitution conditions above.


B. Respondent Jeffrey Scott Maas:

All licenses and licensing rights of respondent Jeffrey Scott Maas under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to respondent pursuant to section 10156.5 of the Business and Professions Code if respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted license issued to respondent shall be subject to all of the provisions of section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of section 10156.6 of that Code:

1. The restricted license issued to respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which is substantially related to respondent's fitness or capacity as a real estate licensee.
2. The restricted license issued to respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.
3. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor for the removal of any of the conditions, limitations or restrictions of a restricted license until three (3) years have elapsed from the effective date of this Decision.
4. Respondent shall, within nine (9) months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the respondent presents such evidence. The Commissioner shall afford respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.
5. Respondent shall, within six (6) months from the effective date of the Decision herein, take and pass the Professional Responsibility Examination administered by the Department including the payment of the appropriate examination fee. If respondent fails to satisfy this condition, the Commissioner may set aside the stay order until respondent passes the examination.

6. Respondent shall report in writing to the Department of Real Estate as the Real Estate Commissioner shall direct by his Decision herein or by separate written order issued while the respondent holds a restricted license, such information concerning respondent's activities for which a real estate license is required as the Commissioner shall deem to be appropriate to protect the public interest. Such reports may include, but shall not be limited to periodic summaries of salient information concerning each real estate transaction in which the respondent engaged during the period covered by the report.
  
7. Respondent shall, prior to the issuance of the restricted license and as a condition of the issuance of said restricted license, submit proof satisfactory to the Commissioner of payment of restitution in the amount of \$2,685.91 to Philip Centineo.
  
8. Respondent shall pay a fine in the amount of \$5,000.00 in the form of a cashier's check or certified check made payable to the Recovery Account the Real Estate Recovery Fund within 30 days of this Order becoming Final or any other period of time agreed to by respondent and the Commissioner.
  
9. It is not intended that both Maas and Southfork each pay a fine or make restitution, only that a total fine in the amount of \$5,000 be paid and total restitution in the amount of \$2,685.91 be made. If either respondent makes said payment that payment shall be considered as satisfaction of the fine and restitution conditions above.

Dated: April 6, 1998

  
\_\_\_\_\_  
Leslie H. Greenfield  
Administrative Law Judge  
Office of Administrative Hearings

LHG:me



*Maas*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

**FILED**  
FEB 18 1998  
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

SOUTHFORK MORTGAGE COMPANY,  
et al.,

}

By *K. Mederhoff*

Case No. H-27521 LA

OAH No. L-1998020142

Respondent

NOTICE OF HEARING ON ACCUSATION CORRECTED COPY

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at \_\_\_\_\_

Office of Administrative Hearings, 107 South Broadway, Second Floor

Los Angeles, CA 90012

on March 31, 1998, at the hour of 9:00 a.m.,  
or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: 2/18/98

By *Martha J. [Signature]* Counsel

cc: Southfork Mortgage Company  
Jeffrey Scott Maas  
Sacto  
OAH PM

*Scott Maas*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

**FILED**  
FEB 18 1998  
DEPARTMENT OF REAL ESTATE

By *K. Mederhoff*

In the Matter of the Accusation of

SOUTHFORK MORTGAGE COMPANY,  
et al.,

Case No. H-27521 LA

OAH No. L-1998020142

Respondent

**NOTICE OF HEARING ON ACCUSATION**

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at \_\_\_\_\_

Office of Administrative Hearings, 107 South Broadway, Room 8107

Los Angeles, CA 90012

on March 31, 1998, at the hour of 9:00 a.m.,  
or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: 2/18/98

By *Yvonne J. [Signature]* Counsel

cc: Southfork Mortgage Company  
Jeffrey Scott Maas  
Sacto  
OAH PM

*Handwritten notes:*  
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2/2/98

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MARTHA J. ROSETT, Counsel  
State Bar # 142072  
Department of Real Estate  
107 South Broadway, Room 8107  
Los Angeles, CA 90012  
  
(213) 897-3937

**FILED**  
JAN 23 1998  
DEPARTMENT OF REAL ESTATE

By K. Medeiros

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \* \*

In the Matter of the Accusation of	)	No. H- 27521 LA
	)	
	)	<u>A C C U S A T I O N</u>
	)	
SOUTHFORK MORTGAGE COMPANY,	)	
dba "National Realty Group,"	)	
and "SMC Mortgage;" and	)	
JEFFREY SCOTT MAAS, individually	)	
and as the designated officer of	)	
Southfork Mortgage Company,	)	
	)	
Respondents.	)	

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against SOUTHFORK MORTGAGE COMPANY, dba National Realty Group and SMC Mortgage ("SOUTHFORK"), and JEFFREY SCOTT MAAS ("MAAS"), alleges as follows:

I

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in his official capacity.

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II

At all times herein mentioned Lafayette B. Utter, aka Chris Utter, ("Utter") was not licensed by the Department of Real Estate of the State of California ("Department") as a real estate broker or as a real estate salesperson.

At all times mentioned herein, Utter was employed and/or compensated by Respondent SOUTHFORK to, among other things, conduct activities requiring a real estate license as defined in section 10131(d) of the California Business and Professions Code ("Code").

III

At all times mentioned herein Respondent SOUTHFORK was, and still is, licensed by the Department. At all times mentioned herein Respondent MAAS was, and still is, licensed by the Department as a real estate broker, individually and as the designated officer of SOUTHFORK.

IV

At all times mentioned herein, for or in expectation of compensation, Respondents SOUTHFORK and MAAS, and SOUTHFORK'S agent or associate Utter engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate brokers in the State of California, within the meaning of Section 10131(d) of the Code, wherein they solicited for or negotiated loans for others secured by liens on real property for or in expectation of compensation.

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During the first half of 1997, Utter solicited for and negotiated a refinance agreement for a \$60,000 loan secured by a lien on real property in Palm Springs, California, as the agent of the borrower, Philip Centineo.

VI

The conduct of Utter, in conducting activities requiring a license without having obtained a license is in violation of Section 10130 of the Code.

VII

The conduct of SOUTHFORK and of MAAS in employing and compensating Utter for activities requiring a real estate license when he was not licensed by the Department in any capacity is reason to suspend or revoke their license and license rights pursuant to Section 10137 of the Code.

VIII

The conduct of MAAS in failing to supervise the activities of SOUTHFORK to maintain compliance with 10137 of the Code demonstrates a lack of supervision and is further cause to revoke or suspend the license of MAAS per 10177(h) of the Code.

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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/or license rights of Respondents SOUTHFORK MORTGAGE COMPANY and JEFFREY SCOTT MAAS 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 applicable provisions of law, including the imposition of a fine of up to \$10,000 pursuant to the provisions of Section 10139.5 of the Business and Professions Code.

Dated at Los Angeles, California  
this 23rd day of January, 1998.

THOMAS MC CRADY  

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Deputy Real Estate Commissioner

cc: Southfork Mortgage Company  
Jeffrey Scott Maas  
Sacto.  
PM