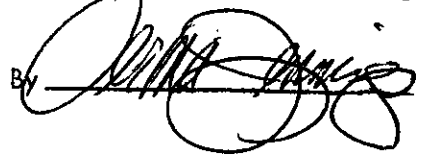


FILED
MAY 25 2001
DEPARTMENT OF REAL ESTATE

By 

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of) No. H-28933 LA
)
)
NORTH FORK FINANCIAL, INCORPORATED,)
)
Respondent.)
_____)

DECISION AFTER DEFAULT

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on May 4, 2001, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions, (2) affidavits, and (3) other evidence.

FINDINGS OF FACT

1.

(a) On January 19, 2001, Thomas Mc Crady made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondent's last known mailing address on file with the Department on January 19, 2001. This package was returned to the Department on January 30, 2001, stamped, "Return to Sender, Undeliverable as Addressed, Forwarding Order Expired. An additional attempt to serve these documents by certified mail upon the

designated agent for service of process on file with the Secretary of State, Jo Ann R. Niffenegger, was made on or about February 23, 2001. This package was returned to the Department marked, "Returned to sender, Refused."

(b) On May 4, 2001, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2.

Respondent NORTH FORK FINANCIAL, INC., dba "Homeowner's Credit" ("Respondent NORTH FORK"), is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a corporate real estate broker.

3.

The current business address and mailing address maintained by Respondent with the Department is 2101 East 4th Street, #210A, Santa Ana, California 92705. Respondent is no longer located at this address nor has Respondent informed the Real Estate Commissioner of any new address nor is Respondent presently maintaining any definite place of business in the State of California which shall serve as its office for the transaction of business requiring a real estate license.

DETERMINATION OF ISSUES

1.

The acts and omissions of Respondent, as set forth above, are in violation of Section 10162 of the California Business and Professions Code and are grounds for the suspension or revocation of the licenses and license rights of Respondent pursuant to Section 10165.

2.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

//

//

//

//

//

ORDER

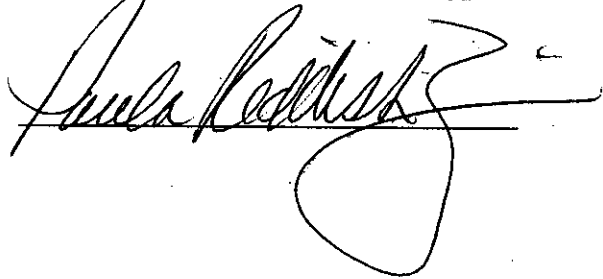
The license and license rights of NORTH FORK FINANCIAL, INCORPORATED under the provisions of the Real Estate Law are hereby suspended until such time as the respondent notifies the Department in writing of its new place of business address.

This Decision shall become effective at 12 o'clock noon on June 14, 2001.

IT IS SO ORDERED

May 14, 2001

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



Sacto Jan

MARTHA J. ROSETT, Counsel (SBN 142072)
Department of Real Estate
320 West Fourth St., #350
Los Angeles, CA 90013

(213) 576-6982
(213) 576-6914

FILED
JAN 19 2001
DEPARTMENT OF REAL ESTATE

By *James B. [Signature]*

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

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-28933	LA
NORTH FORK FINANCIAL, INCORPORATED,)	<u>A c c u s a t i o n</u>	
Respondent.)		

The Complainant, Thomas Mc Crady, a Deputy Real Estate Commissioner, for cause of Accusation against NORTH FORK FINANCIAL, INCORPORATED is informed and alleges as follows:

1

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

2

Respondent NORTH FORK FINANCIAL, INC., dba, "Homeowner's Credit," (hereinafter, "Respondent NORTH FORK"), is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code"), as a corporate real estate

1 broker.

3

2
3 The current business address and mailing address
4 maintained by Respondent with the Department is 2101 East 4th
5 Street, #210A, Santa Ana, California 92705. Respondent is no
6 longer located at this address nor has Respondent informed the
7 Real Estate Commissioner of any new address nor is Respondent
8 presently maintaining any definite place of business in the State
9 of California which shall serve as its office for the transaction
10 of business requiring a real estate license.

11 4.

12 The acts and omissions of Respondent, as set forth
13 above, are in violation of Section 10162 of the California
14 Business and Professions Code and are grounds for the suspension
15 or revocation of the licenses and license rights of Respondent
16 pursuant to Section 10165 of the Code.

17 /

18 /

19 /

20 /

21 /

22 /

23 /

24 /

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

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 Respondent NORTH FORK FINANCIAL, under the Real Estate Law and for such other and further relief as may be proper under applicable provisions of law.

Dated at Los Angeles, California
this 19th day of January, 2001.

Thomas Mc Crady by Philip K. ...
Deputy Real Estate Commissioner

cc: NORTH FORK FINANCIAL, INC.
Sacto.
Audits
Thomas Mc Crady
LK