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**FILED**  
MAY 6 2002  
DEPARTMENT OF REAL ESTATE

*Laura B. Clon*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of )	No. H-29394 LA
)	)
CLARENCE MANSFIELD HENDERSON, )	)
individually and as designated )	)
officer of Gull Mortgage, Inc., and )	)
GULL MORTGAGE, INC., )	)
)	)
Respondents. )	)
)	)

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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 April 16, 2002, 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 February 19, 2002, Maria Suarez made the Accusation in her 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 each Respondent at its last known mailing address on file with the Department on February 19, 2002.

(b) The package mailed by certified mail to Respondent CLARENCE MANSFIELD HENDERSON at his mailing address at 1880 N. El Camino Real #71, San Clemente, California, was returned to the Department on March 8, 2002, stamped, "Refused." On March 11, 2002, this package was resent to Respondent HENDERSON at this same address via regular mail and was not returned to the Department.

(c) The package mailed by certified mail to Respondent HENDERSON at GULL MORTGAGE's main office address at 24404 S. Vermont #208, Harbor City, California, was returned stamped, "Forwarding Time Expired as Addressed, Forwarding Order Expired."

(d) The package mailed by certified mail to Respondent GULL MORTGAGE, INC. at its mailing address at 24307 Lucille Avenue, Lomita, California, was returned stamped, "not deliverable as addressed, unable to forward."

(e) The package mailed by certified mail to Respondent GULL MORTGAGE at its main office address at 24404 S. Vermont #208, Harbor City, California, was returned stamped, "Forwarding Time Expired as Addressed, Forwarding Order Expired."

(f) The package mailed by regular mail to Respondent GULL MORTGAGE, care of Respondent HENDERSON's mailing address at 1880 N. El Camino Real #71, San Clemente, California has not been returned.

(g) On April 24, 2002, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondents' default was taken.

2.

Respondent CLARENCE MANSFIELD HENDERSON (hereinafter "HENDERSON") is presently licensed and at all times relevant herein was licensed under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code") as a restricted real estate broker. At all times relevant herein, Respondent HENDERSON was the broker/officer of GULL MORTGAGE, INC. designated pursuant to Code Section 10159.2 to be responsible for the supervision and control of the activities conducted on behalf of GULL MORTGAGE, INC. by its officers and employees as necessary to secure full compliance with the Real Estate Law.

3.

Respondent GULL MORTGAGE, INC. (hereinafter, "Respondent GULL MORTGAGE"), 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 restricted corporate real estate broker.

4.

Prior Discipline

(a) On or about January 12, 1998, in Department Case Number H-27227 LA, an Order was issued by the Real Estate Commissioner suspending Respondent CLARENCE MANSFIELD HENDERSON's real estate broker license for a period of one year, effective February 5, 1998. Said suspension was stayed upon certain terms and conditions. The discipline resulted from trust fund violations discovered during an audit of the books and records of PML Mortgage Corp., a corporate real estate broker for which Respondent HENDERSON served as designated broker-officer.

(b) On or about April 26, 1999, in Department Case Number H-27850 LA, Respondent HENDERSON and Respondent GULL MORTGAGE's broker licenses were revoked. A restricted corporate broker license was issued to Respondent GULL MORTGAGE and a restricted broker license was issued to Respondent HENDERSON. The discipline resulted from trust fund violations discovered during an audit of the books and records of Respondent GULL MORTGAGE, a corporate real estate broker for which Respondent HENDERSON served as designated broker-officer.

(c) On or about April 10, 2000, Respondent HENDERSON's restricted broker license was suspended pursuant to Code Sections 10156.7 and 10177(k), due to his failure to comply with one of the conditions of his restricted license set forth in the Decision and Order in Case Number H-27850 LA. Specifically, Respondent failed to provide the Department with evidence within nine months from April 26, 1999 that he had, 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. On August 2, 2000, the Order Suspending Respondent's Restricted Real Estate License, dated April 10, 2000, was vacated.

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5.

The current mailing address maintained by Respondent HENDERSON with the Department is 1880 N. El Camino Real, #71, San Clemente, CA 92672. There is no current business address maintained by Respondent HENDERSON. The former business address maintained by Respondent HENDERSON with the Department was 1740 E. Garry Ave. #101, Santa Ana, CA 92705. Respondent HENDERSON is no longer located at these addresses 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.

6.

The current mailing address maintained by Respondent GULL MORTGAGE, INC. with the Department is 24307 Lucille Avenue, Lomita, CA 90717. The main office address maintained by Respondent GULL MORTGAGE, INC. with the Department was 24404 Vermont, #208, Harbor City, CA 90710. Respondent GULL MORTGAGE, INC. is no longer located at these addresses 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.

7.

The acts and omissions of Respondents HENDERSON and GULL MORTGAGE, INC., as set forth above, are in violation of Section 10162 of the California Business and Professions Code.

#### DETERMINATION OF ISSUES

1.

The acts and omissions of Respondent HENDERSON, as set forth above, are grounds for the suspension or revocation of the licenses and license rights of Respondent HENDERSON pursuant to Section 10165.

2.

The acts and omissions of Respondent GULL MORTGAGE, as set forth above, are grounds for the suspension or revocation of

the licenses and license rights of Respondent GULL MORTGAGE pursuant to Section 10165.

3.

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

ORDER

1.

The license and license rights of CLARENCE MANSFIELD HENDERSON under the provisions of the Real Estate Law are hereby suspended until such time as he notifies the Department in writing of his new place of business address.

2.

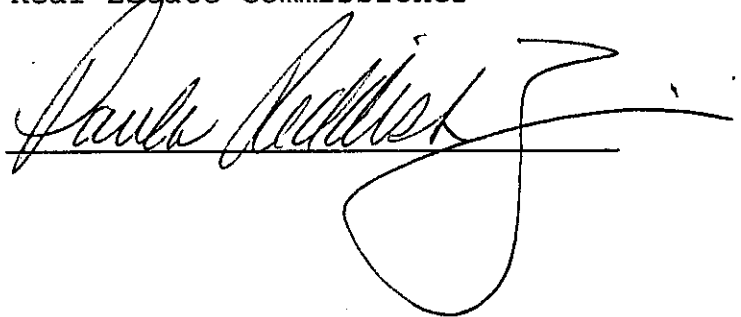
The license and license rights of GULL MORTGAGE, INC. under the provisions of the Real Estate Law are hereby suspended until such time as it notifies the Department in writing of its new place of business address.

This Decision shall become effective at 12 o'clock noon on May 28 2002.

IT IS SO ORDERED

April 30, 2002.

PAULA REDDISH ZINNEMANN  
Real Estate Commissioner



**FILED**  
APR 24 2002  
DEPARTMENT OF REAL ESTATE

*Jana B. Stone*

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of ) No. H-29394 LA  
)  
CLARENCE MANSFIELD HENDERSON, )  
individually and as designated )  
officer of Gull Mortgage, Inc., and )  
GULL MORTGAGE, INC., )  
Respondents. )

DEFAULT ORDER

Respondent CLARENCE MANSFIELD HENDERSON and Respondent  
GULL MORTGAGE, INC., having failed to file a Notice of Defense  
within the time required by Section 11506 of the Government Code,  
are now in default. It is therefore ordered that a default be  
entered on the record in this matter.

IT IS SO ORDERED April 24, 2002

PAULA REDDISH ZINNEBANN  
Real Estate Commissioner

*Dolores Ramos*

By: DOLORES RAMOS  
Regional Manager

*Sacto  
file*

**FILED**  
FEB 19 2002  
DEPARTMENT OF REAL ESTATE

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

*Jane B. Dow*

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

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of )	No. H-29394 LA
CLARENCE MANSFIELD HENDERSON, )	<u>A C C U S A T I O N</u>
individually and as designated )	
officer of Gull Mortgage Inc., and )	
GULL MORTGAGE INC., )	
Respondents. )	

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner, for cause of Accusation against CLARENCE MANSFIELD HENDERSON, individually and as designated officer-broker of Gull Mortgage, Inc., and GULL MORTGAGE, INC. is informed and alleges as follows:

1.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

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2.

Respondent CLARENCE MANSFIELD HENDERSON (hereinafter "HENDERSON") is presently licensed and at all times relevant herein was licensed under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code") as a restricted real estate broker. At all times relevant herein, Respondent HENDERSON was the broker/officer of GULL MORTGAGE, INC. designated pursuant to Code Section 10159.2 to be responsible for the supervision and control of the activities conducted on behalf of GULL MORTGAGE, INC. by its officers and employees as necessary to secure full compliance with the Real Estate Law.

3.

Respondent GULL MORTGAGE, INC. (hereinafter, "Respondent GULL MORTGAGE"), 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 restricted corporate real estate broker.

Prior Discipline

4.

A. On or about January 12, 1998, in Department Case Number H-27227 LA, an Order was issued by the Real Estate Commissioner suspending Respondent CLARENCE MANSFIELD HENDERSON's real estate broker license for a period of one year, effective February 5, 1998. Said suspension was stayed upon certain terms and conditions. The discipline resulted from trust fund violations discovered during an audit of the books and records of



1 PML Mortgage Corp., a corporate real estate broker for which  
2 Respondent HENDERSON served as designated broker-officer.

3 B. On or about April 26, 1999, in Department Case  
4 Number H-27850 LA, Respondent HENDERSON and Respondent GULL  
5 MORTGAGE's broker licenses were revoked. A restricted corporate  
6 broker license was issued to Respondent GULL MORTGAGE and a  
7 restricted broker license was issued to Respondent HENDERSON.  
8 The discipline resulted from trust fund violations discovered  
9 during an audit of the books and records of Respondent GULL  
10 MORTGAGE, a corporate real estate broker for which Respondent  
11 HENDERSON served as designated broker-officer.

12 C. On or about April 10, 2000, Respondent HENDERSON's  
13 restricted broker license was suspended pursuant to Code Sections  
14 10156.7 and 10177(k), due to his failure to comply with one of  
15 the conditions of his restricted license set forth in the  
16 Decision and Order in Case Number H-27850 LA. Specifically,  
17 Respondent failed to provide the Department with evidence within  
18 nine months from April 26, 1999 that he had, since the most  
19 recent issuance of an original or renewal real estate license,  
20 taken and successfully completed the continuing education  
21 requirements of Article 2.5 of Chapter 3 of the Real Estate Law.  
22 On August 2, 2000, the Order Suspending Respondent's Restricted  
23 Real Estate License, dated April 10, 2000, was vacated.

24 5.

25 The current mailing address maintained by Respondent  
26 HENDERSON with the Department is 1880 N. El Camino Real, #71, San  
27 Clemente, CA 92672. There is no current business address

1 maintained by Respondent HENDERSON. The former business address  
2 maintained by Respondent HENDERSON with the Department was 1740  
3 E. Garry Ave. #101, Santa Ana, CA 92705. Respondent HENDERSON is  
4 no longer located at these addresses nor has Respondent informed  
5 the Real Estate Commissioner of any new address, nor is  
6 Respondent presently maintaining any definite place of business  
7 in the State of California which shall serve as its office for  
8 the transaction of business requiring a real estate license.

9 6.

10 The current mailing address maintained by Respondent  
11 GULL MORTGAGE, INC. with the Department is 24307 Lucille Avenue,  
12 Lomita, CA 90717. The main office address maintained by  
13 Respondent GULL MORTGAGE, INC. with the Department was 24404  
14 Vermont, #208, Harbor City, CA 90710. Respondent GULL MORTGAGE,  
15 INC. is no longer located at these addresses nor has Respondent  
16 informed the Real Estate Commissioner of any new address, nor is  
17 Respondent presently maintaining any definite place of business  
18 in the State of California which shall serve as its office for  
19 the transaction of business requiring a real estate license.


20 7.

21 The acts and omissions of Respondents HENDERSON and  
22 GULL MORTGAGE, INC., as set forth above, are in violation of  
23 Section 10162 of the California Business and Professions Code and  
24 are grounds for the suspension or revocation of the licenses and  
25 license rights of Respondents pursuant to Section 10165 of the  
26 Code.

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1                   WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against all licenses and/or license rights of Respondents  
5 HENDERSON and GULL MORTGAGE, INC., under the Real Estate Law and  
6 for such other and further relief as may be proper under  
7 applicable provisions of law.

8                   Dated at Los Angeles, California  
9 this 19th day of February, 2002.

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13                   \_\_\_\_\_  
14                   Deputy Real Estate Commissioner  
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21 cc:               Clarence Mansfield Henderson  
22                   Gull Mortgage, Inc.  
23                   Sacto.  
24                   Audits  
25                   Maria Suarez  
26                   J. Ponce  
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