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APR 14 2011
DEPARTMENT OF REAL ESTATE
By *[Signature]*

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-29975 LA
)	
RALPH MICH,)	
)	
Respondent.)	
)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On February 10, 2004, 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 salesperson license. A restricted real estate salesperson license was issued to Respondent on March 10, 2004, and Respondent has operated as a restricted licensee since that time.

On or about July 30, 2009, Respondent petitioned for reinstatement of said real estate salesperson license. The Attorney General of the State of California has been given notice of the filing of Respondent's petition.

I have considered Respondent's petition and the evidence and arguments submitted in support thereof. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an unrestricted real estate

1 salesperson license and that it would not be against the public interest to issue said license to
2 Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal
4 of restrictions is granted and that a real estate salesperson license be issued to Respondent, if
5 Respondent satisfies the following requirements:

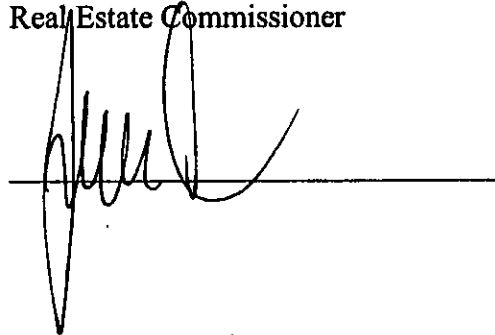
- 6 1. Submits a completed application and pays the fee for a real estate salesperson
7 license within the 12 month period following the date of this Order; and
8 2. Submits proof that Respondent has completed the continuing education
9 requirements for renewal of the license sought. The continuing education courses must be
10 completed either (i) within the 12 month period preceding the filing of the completed
11 application, or (ii) within the 12 month period following the date of this Order.
12

13
14 This Order shall be effective immediately.

15 Dated: 2-16-2011

16
17 JEFF DAVI
18 Real Estate Commissioner

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1 Department of Real Estate
2 320 West Fourth Street, Suite 350
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982
5 -or- (213) 576-6910 (Direct)

FILED
FEB 19 2004
DEPARTMENT OF REAL ESTATE

C.3

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12)
13 RALPH MICHI and)
14 SHELDON JOSEPH SANADA,)
15 individually and doing business)
16 as Ezrloan.Com, Home America Real)
17 Estate, and SJS Marketing Group,)
18 and as designated officer of)
19 Alliance Financial Group, Inc.)
20 and Home America Financial,)
21 Inc.,)
22 Respondents.)

NO. H-29975 LA

L-2003030921

STIPULATION AND AGREEMENT

19 It is hereby stipulated by and between RALPH MICHI
20 (hereafter "MICHI") represented by Frank M. Buda, Esq., and
21 SHELDON JOSEPH SANADA, individually and doing business as
22 Ezrloan.Com, Home America Real Estate, and SJS Marketing Group,
23 and as designated officer of Alliance Financial Group, Inc. and
24 Home America Financial, Inc. (hereafter "SANADA") representing
25 himself (hereafter sometimes both referred to as "Respondents")
26 and the Complainant, acting by and through Chris Leong, Counsel
27 for the Department of Real Estate, as follows for the purpose

1 of settling and disposing of the Accusation (hereafter
2 "Accusation") filed on February 28, 2003.

3 1. All issues which were to be contested and all
4 evidence which was to be presented by Complainant and
5 Respondents at a formal hearing on the Accusation, which
6 hearing was to be held in accordance with the provisions of the
7 Administrative Procedure Act, shall instead and in place
8 thereof be submitted solely on the basis of the provisions of
9 this Stipulation and Agreement (hereafter "Stipulation").

10 2. Respondents have received, read and understand
11 the Statement to Respondent, the Discovery Provisions of the
12 Administrative Procedure Act and the Accusation, filed by the
13 Department of Real Estate in this proceeding.

14 3. Respondents filed Notices of Defense pursuant to
15 Section 11505 of the Government Code for the purpose of
16 requesting a hearing on the allegations in the Accusation.
17 Respondents hereby freely and voluntarily withdraw said Notices
18 of Defense. Respondents acknowledge that they understand that
19 by withdrawing said Notices of Defense they will thereby waive
20 their right to require the Commissioner to prove the
21 allegations in the Accusation at a contested hearing held in
22 accordance with the provisions of the Administrative Procedure
23 Act and that Respondents will waive other rights afforded to
24 them in connection with the hearing, such as the right to
25 present evidence in defense of the allegations in the
26 Accusation and the right to cross-examine witnesses.

27 4. In the interest of expedience and economy,

1 Respondents choose not to contest the factual allegations in
2 the Accusation, but to remain silent and understand that, as a
3 result thereof, these factual statements, without being
4 admitted or denied, will serve as a prima facie basis for the
5 disciplinary action stipulated to herein. The Real Estate
6 Commissioner shall not be required to provide further evidence
7 to prove such allegations.

8 5. It is understood by the parties that the Real
9 Estate Commissioner may adopt the Stipulation as his Decision
10 in this matter, thereby imposing the penalty and sanctions on
11 Respondents' real estate licenses and license rights as set
12 forth in the "Order" below. In the event that the Commissioner
13 in his discretion does not adopt the Stipulation, it shall be
14 void and of no effect, and Respondents shall retain the right
15 to a hearing and proceeding on the Accusation under all the
16 provisions of the Administrative Procedure Act and shall not be
17 bound by any admission or waiver made herein.

18 6. The Order or any subsequent Order of the Real
19 Estate Commissioner made pursuant to this Stipulation shall not
20 constitute an estoppel, merger or bar to any further
21 administrative or civil proceeding by the Department of Real
22 Estate with respect to any matters which were not specifically
23 alleged to be causes for accusation in this proceeding.

24 DETERMINATION OF ISSUES

25 By reason of the foregoing stipulations, admissions
26 and waivers and solely for the purpose of settlement of the
27 pending Accusation without a hearing, it is stipulated and

1 agreed that the following Determination of Issues shall be
2 made:

3 I

4 The acts and omissions of Respondent SANADA described
5 in the Accusation, are cause for the suspension or revocation
6 of all real estate licenses and license rights of Respondent
7 under the provisions of Section 10137 and 10177(g) of the
8 Business and Professions Code (hereafter "Code") and Code
9 Section 10177(d) for violation of Code Section 10240.

10 II

11 The acts and omissions of Respondent MICHI described
12 in the Accusation, are cause for the suspension or revocation
13 of all real estate licenses and license rights of Respondent
14 MICHI under the provisions of Code Section(s) 10177(a) and
15 10177(d) for violation of Code Section 10130.

16 ORDER

17 WHEREFORE, THE FOLLOWING ORDER is hereby made:

18 A. All licenses and licensing rights of Respondent
19 SHELDON JOSEPH SANADA, under the Real Estate Law are revoked;
20 provided, however, a restricted real estate broker license
21 shall be issued to Respondent pursuant to Section 10156.5 of
22 the Business and Professions Code if Respondent makes
23 application therefor and pays to the Department of Real Estate
24 the appropriate fee for the restricted license within 90 days
25 from the effective date of this Decision. The restricted
26 license issued to Respondent shall be subject to all of the
27 provisions of Section 10156.7 of the Business and Professions

1 Code and to the following limitations, conditions, and
2 restrictions imposed under authority of Section 10156.6 of that
3 Code:

4 1. The restricted license issued to Respondent may
5 be suspended prior to hearing by Order of the Real Estate
6 Commissioner in the event of Respondent's conviction or plea of
7 nolo contendere to a crime which is substantially related to
8 Respondent's fitness or capacity as real estate licensee.

9 2. The restricted license issued to Respondent may
10 be suspended prior to hearing by Order of the Real Estate
11 Commissioner on evidence satisfactory to the Commissioner that
12 Respondent has violated provisions of the California Real
13 Estate Law, the Subdivided Lands Law, Regulations of the Real
14 Estate Commissioner or conditions attaching to the restricted
15 license.

16 3. Respondent shall not be eligible to apply for the
17 issuance of an unrestricted real estate license nor for the
18 removal of any of the conditions, limitations or restrictions
19 of a restricted license until two (2) years have elapsed from
20 the effective date of this Decision.

21 4. Respondent shall, within nine (9) months from the
22 effective date of this Decision, present evidence satisfactory
23 to the Real Estate Commissioner that Respondent has, since the
24 most recent issuance of an original or renewal real estate
25 license, taken and successfully completed the continuing
26 education requirements of Article 2.5 of Chapter 3 of the Real
27 Estate Law for renewal of a real estate license. If Respondent

1 fails to satisfy this condition, the Commissioner may order the
2 suspension of the restricted license until the Respondent
3 presents such evidence. The Commissioner shall afford
4 Respondent the opportunity for a hearing pursuant to the
5 Administrative Procedure Act to present such evidence.

6 5. Respondent shall, within six (6) months from the
7 effective date of this Decision, take and pass the Professional
8 Responsibility Examination administered by the Department
9 including the payment of the appropriate examination fee. If
10 Respondent fails to satisfy this condition, the Commissioner
11 may order suspension of Respondent's license until Respondent
12 passes the examination.

13 6. Any restricted real estate license issued to
14 Respondent pursuant to this Decision shall be suspended for a
15 period of ninety (90) days from the date of issuance of said
16 restricted license. If Respondent petitions, said suspension
17 or a portion thereof shall be stayed upon condition that:

18 (a) Pursuant to Code Section 10175.2, Respondent pays
19 a monetary penalty at the rate of sixty-six dollars and sixty-six
20 cents (\$66.66) per day for a total monetary penalty of \$6,000.00.

21 (b) Said payment shall be in the form of a cashier's
22 check or certified check made payable to the Recovery Account of
23 the Real Estate Fund. Said check must be received by the
24 Department prior to the effective date of the Decision in this
25 matter.

1 (c) No further cause for disciplinary action against
2 the real estate license of Respondent occurs within two (2)
3 years from the effective date of the Decision in this matter.

4 (d) If Respondent fails to pay the monetary penalty in
5 accordance with the terms and conditions of the Decision, the
6 Commissioner may, without a hearing, order the immediate
7 execution of all or any part of the stayed suspension in which
8 event the Respondent shall not be entitled to any repayment nor
9 credit, prorated or otherwise, for money paid to the Department
10 under the terms of this Decision.

11 (e) If Respondent pays the monetary penalty and if no
12 further cause for disciplinary action against the real estate
13 license of Respondent occurs within two (2) years from the
14 effective date of this Decision, the stay hereby granted shall
15 become permanent.

16 B. All licenses and licensing rights of Respondent
17 RALPH MICHI, under the Real Estate Law are revoked; provided,
18 however, a restricted real estate salesperson license shall be
19 issued to Respondent pursuant to Section 10156.5 of the Business
20 and Professions Code if Respondent makes application therefor and
21 pays to the Department of Real Estate the appropriate fee for the
22 restricted license within 90 days from the effective date of this
23 Decision. The restricted license issued to Respondent shall be
24 subject to all of the provisions of Section 10156.7 of the
25 Business and Professions Code and to the following limitations,
26 conditions, and restrictions imposed under authority of Section
27 10156.6 of that Code:

1 1. The restricted license issued to Respondent may
2 be suspended prior to hearing by Order of the Real Estate
3 Commissioner in the event of Respondent's conviction or plea of
4 nolo contendere to a crime which is substantially related to
5 Respondent's fitness or capacity as real estate licensee.

6 2. The restricted license issued to Respondent may
7 be suspended prior to hearing by Order of the Real Estate
8 Commissioner on evidence satisfactory to the Commissioner that
9 Respondent has violated provisions of the California Real
10 Estate Law, the Subdivided Lands Law, Regulations of the Real
11 Estate Commissioner or conditions attaching to the restricted
12 license.

13 3. Respondent shall not be eligible to apply for the
14 issuance of an unrestricted real estate license nor for the
15 removal of any of the conditions, limitations or restrictions
16 of a restricted license until two (2) years have elapsed from
17 the effective date of this Decision.

18 4. Respondent shall submit with any application for
19 license under an employing broker, or any application for
20 transfer to a new employing broker, a statement signed by the
21 prospective employing real estate broker on a form approved by
22 the Department of Real Estate which shall certify:

23 (a) That the employing broker has read the Decision
24 of the Commissioner which granted the right to a restricted
25 license; and

26 (b) That the employing broker will exercise close
27 supervision over the performance by the restricted licensee

1 relating to activities for which a real estate license is
2 required.

3 5. Respondent shall, within nine (9) months from the
4 effective date of this Decision, present evidence satisfactory
5 to the Real Estate Commissioner that Respondent has, since the
6 most recent issuance of an original or renewal real estate
7 license, taken and successfully completed the continuing
8 education requirements of Article 2.5 of Chapter 3 of the Real
9 Estate Law for renewal of a real estate license. If Respondent
10 fails to satisfy this condition, the Commissioner may order the
11 suspension of the restricted license until the Respondent
12 presents such evidence. The Commissioner shall afford
13 Respondent the opportunity for a hearing pursuant to the
14 Administrative Procedure Act to present such evidence.

15 6. Respondent shall, within six (6) months from the
16 effective date of this Decision, take and pass the Professional
17 Responsibility Examination administered by the Department
18 including the payment of the appropriate examination fee. If
19 Respondent fails to satisfy this condition, the Commissioner
20 may order suspension of Respondent's license until Respondent
21 passes the examination.

22 7. Any restricted real estate license issued to
23 Respondent pursuant to this Decision shall be suspended for a
24 period of one hundred and twenty (120) days from the date of
25 issuance of said restricted license. If Respondent petitions,
26 said suspension or a portion thereof shall be stayed upon
27 condition that:

1 (a) Pursuant to Code Section 10175.2, Respondent pays
2 a monetary penalty at the rate of eighty-three dollars and
3 thirty-three cents (\$83.33) per day for a total monetary penalty
4 of \$10,000.00.

5 (b) Said payment shall be in the form of a cashier's
6 check or certified check made payable to the Recovery Account of
7 the Real Estate Fund. Said check must be received by the
8 Department prior to the effective date of the Decision in this
9 matter.

10 (c) No further cause for disciplinary action against
11 the real estate license of Respondent occurs within two (2)
12 years from the effective date of the Decision in this matter.

13 (d) If Respondent fails to pay the monetary penalty in
14 accordance with the terms and conditions of the Decision, the
15 Commissioner may, without a hearing, order the immediate
16 execution of all or any part of the stayed suspension in which
17 event the Respondent shall not be entitled to any repayment nor
18 credit, prorated or otherwise, for money paid to the Department
19 under the terms of this Decision.

20 (e) If Respondent pays the monetary penalty and if no
21 further cause for disciplinary action against the real estate
22 license of Respondent occurs within two (2) years from the
23 effective date of this Decision, the stay hereby granted shall
24 become permanent.

25 DATED: 1/28/04

CHRIS LEONG
CHRIS LEONG, ESQ.
Counsel for Complainant

26 * * *

1 We have read the Stipulation and Agreement, have
2 discussed it with our counsel, and its terms are understood by
3 us and are agreeable and acceptable to us. We understand that
4 we are waiving rights given to us by the California
5 Administrative Procedure Act (including but not limited to
6 Sections 11506, 11508, 11509 and 11513 of the Government Code),
7 and we willingly, intelligently and voluntarily waive those
8 rights, including the right of requiring the Commissioner to
9 prove the allegations in the Accusation at a hearing at which
10 we would have the right to cross-examine witnesses against us
11 and to present evidence in defense and mitigation of the
12 charges.

13 Respondents can signify acceptance and approval of
14 the terms and conditions of this Stipulation and Agreement by
15 faxing a copy of the signature page, as actually signed by
16 Respondents, to the Department at fax number (213) 576-6917.
17 Respondents agree, acknowledge and understand that by
18 electronically sending to the Department a fax copy of their
19 actual signatures as they appear on the Stipulation and
20 Agreement, that receipt of the faxed copy by the Department
21 shall be as binding on Respondents as if the Department had
22 received the original signed Stipulation and Agreement.

23
24 DATED: _____

1/20/04


SHELDON JOSEPH SANADA
Respondent

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DATED: 1/20/04

Ralph Michi
RALPH MICHI
Respondent

DATED: 1-21-04

Frank M. Buda
FRANK M. BUDA, ESQ.
Counsel for Respondent
Ralph Michi, as to form

* * *

The foregoing Stipulation and Agreement is hereby
adopted as my Decision in this matter and shall become
effective at 12 o'clock noon on March 10, 2004.

IT IS SO ORDERED February 10, 2004

JOHN R. LIBERATOR
Chief Deputy Commissioner

John R. Liberator

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
RALPH MICHI and SHELDON JOSEPH SANADA,)
individually and doing business as)
Ezrloan.Com, Home America Real Estate,)
and SJS Marketing Group,)
and as designated officer of)
Alliance Financial Group, Inc.)
and Home America Financial, Inc.,)

Case No. H-29975 LA

OAH No. L-2003030921

FILED
APR 22 2003
DEPARTMENT OF REAL ESTATE

Respondent(s)

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on TUESDAY and WEDNESDAY, OCTOBER 7 and 8, 2003, 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: April 22, 2003

By


DARLENE AVERETTA
Assistant Chief Counsel
for CHRIS LEONG, Counsel

cc: Ralph Michi
Sheldon Joseph Sanada
Frank M. Buda, Esq.
Sacto.
OAH
Jennifer Lin/L.A. Audits

1 CHRIS LEONG, Counsel (SBN 141079)
Department of Real Estate
2 320 West Fourth Street, Suite 350
Los Angeles, CA 90013-1105

3 Telephone: (213) 576-6982
4 -or- (213) 576-6910 (Direct)

FILED
FEB 28 2003
DEPARTMENT OF REAL ESTATE

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8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

No. H-29975 LA

12 RALPH MICHI and)
SHELDON JOSEPH SANADA,)
13 individually and doing business)
as Ezrloan.Com, Home America Real)
14 Estate, and SJS Marketing Group,)
and as designated officer of)
15 Alliance Financial Group, Inc.)
and Home America Financial,)
16 Inc.,)

A C C U S A T I O N

17 Respondents.)
18

19 The Complainant, Janice Waddell, a Deputy Real
20 Estate Commissioner of the State of California, for cause of
21 Accusation against, RALPH MICHI (hereafter "MICHI") and
22 SHELDON JOSEPH SANADA, individually and doing business as
23 Ezrloan.Com, Home America Real Estate, and SJS Marketing
24 Group, and as designated officer of Alliance Financial Group,
25 Inc. and Home America Financial, Inc. (hereafter "SANADA")
26 (hereafter sometimes both referred to as "Respondents"),
27 alleges as follows:

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1.

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

LICENSE HISTORY/PRIOR DISCIPLINE (MICH)

2.

Respondent MICH is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code (hereafter "Code"), as a real estate broker. On April 9, 1996, Respondent MICH was first licensed as a real estate salesperson. This license expired on April 9, 2000. On September 25, 2000, Respondent applied to renew his real estate salesperson license. On November 17, 2000, Respondent MICH received his renewed real estate salesperson license. On March 3, 2000, Respondent MICH applied for a real estate broker license. On November 15, 2000, per Department of Real Estate Case No. H-28689 LA, Respondent MICH's application for a real estate broker license was denied with the right to a restricted broker license. From April 9, 2000 to November 16, 2000, Respondent MICH did not have a valid salesperson or broker license. At all times herein mentioned MICH was acting as the agent and employee of SANADA.

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LICENSE HISTORY (SANADA)

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3.

Respondent SANADA is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Code, as a real estate broker. SANADA was first licensed as a real estate broker on December 1, 1994. SANADA is currently licensed to do business individually and doing business as Ezrloan.Com, Home America Real Estate, and SJS Marketing Group, and as designated officer of Alliance Financial Group, Inc. and Home America Financial, Inc.

4.

At all times material herein, Respondents engaged in the business of, acted in the capacity of, advertised or assumed to act as real estate brokers in the State of California, for another or others, and for or in expectation of compensation, within the meaning of Code Section 10131(d). Said activity included the operation and conduct of a real estate mortgage loan business with the public wherein Respondents solicited borrowers and lenders of loans secured by interest in real property or negotiated loans to be used in the sale and purchase of real property. Respondents also engaged in broker escrow activity.

5.

All further references to "Respondents", unless otherwise specified, include the parties identified in Paragraphs 2 and 3 above, and also include the employees, agents and real estate licensees employed by or associated with said

1 parties, who at all times herein mentioned were engaged in the
2 furtherance of the business or operations of said parties
3 and who were acting within the course and scope of their
4 authority and employment.

5 FAILURE TO DISCLOSE LICENSE DISCIPLINE (MICH)

6 6.

7 In response to Question 19A of Respondent MICH's
8 March 3, 2000, real estate broker application, to wit: "Have
9 you ever had a Denied, Suspended, Restricted or Revoked,
10 Business or Professional License?...". Respondent checked the
11 box "No". On February 11, 1999, the Department of Insurance
12 in Case No. SAC 9024-AP, rendered a Decision revoking the
13 license and license rights of Respondent MICH.

14 7.

15 Respondent's failure to reveal the Department of
16 Insurance license revocation, as alleged above, in said real
17 estate broker application, constitutes the procurement of a
18 real estate license by fraud, misrepresentation, deceit, or by
19 making a material misstatement of fact in said application,
20 which failure to reveal is cause under Code Sections 498 and
21 10177(a) for the suspension or revocation of all licenses
22 and/or license rights of Respondent under the Real Estate Law.

23 LICENSE DISCIPLINE BY ANOTHER AGENCY (MICH)

24 8.

25 The basis of the above-mentioned Department of
26 Insurance's action was a "fraudulent act, or an act of
27 dishonesty in acceptance, custody or payment of money...".

1 Respondent's acts, which were cause for the discipline of the
2 Department of Insurance license, would also be cause to deny
3 Respondent MICHI's real estate broker license application
4 pursuant to Code Section 10177(j).

5 9.

6 Respondent's conduct which led to the revocation of
7 his Department of Insurance license, is cause to deny
8 Respondent's real estate broker license application pursuant to
9 Code Section 10177(f).

10 UNLICENSED ACTIVITY (MICHI)

11 10.

12 From on or about April 9, 2000 to November 16, 2000,
13 when Respondent MICHI was not licensed as either a real estate
14 salesperson or broker, Respondent MICHI solicited and
15 negotiated, for compensation, several loans secured by interest
16 in real property for another or others. Said conduct requires
17 a real estate broker license as described in Code Section
18 10131(a). Respondent MICHI performed these licensed acts as
19 the agent of Respondent SANADA as discussed below.

20 11.

21 On May 11, 2000, MICHI, while employed by SANADA, acted
22 as an agent by soliciting a loan application on behalf of
23 borrower to David D. Champagne. The loan was to be secured by
24 interest in real property located at 2851 Main Ave., Long Beach,
25 CA 90806. The loan amount was \$160,000.00 and the lender was
26 Downey Savings. The loan was funded on June 1, 2000.
27 Ezrloan.Com received loan fees of \$1,602.00.

12.

1 On August 10, 2000, MICHI, while employed by SANADA,
2 acted as an agent by soliciting a loan application on behalf of
3 borrower to David Chattler. The loan was to be secured by
4 interest in real property located at 7114 East Villanueva Dr.,
5 Orange, CA 92867. The loan amount was \$39,155.00 and the lender
6 was Downey Savings. The loan was funded on August 28, 2000.
7 Ezrloan.Com received loan fees of \$5,867.33.
8

9 13.

10 On September 15, 2000, MICHI, while employed by SANADA,
11 acted as an agent by soliciting a loan application on behalf of
12 borrower to Brenda Lea Settle. The loan was to be secured by
13 interest in real property located at 2026 East Santa Clara #3,
14 Santa Ana, CA 90806. The loan amount was \$35,000.00 and the
15 lender was Homecomings Financial. The loan was funded on
16 October 20, 2000. Ezrloan.Com received loan fees of \$1,006.25.
17

18 14.

19 On September 25, 2000, MICHI, while employed by SANADA,
20 acted as an agent by soliciting a loan application on behalf of
21 borrower to Jim A. and Lovonna J. Horn. The loan was to be
22 secured by interest in real property located at 5167 Paseo Rico,
23 Yorba Linda, CA 92887. The loan amount was \$339,500.00 and the
24 lender was Downey Savings. The loan was funded on October 10,
25 2000. Ezrloan.Com received loan fees of \$6,365.63.

26 AUDIT (SANADA)

27 15.

 On August 27, 2001, the Department concluded its

1 examination of Respondent SANADA's books and records pertaining
2 to Respondent's activities as real estate brokers, audit number
3 LA 000427, covering a period from approximately May 8, 2000 to
4 June 30, 2001. The examination revealed violations of the Code
5 and of Title 10, Chapter 6, California Code of Regulations
6 ("Regulations"), as set forth below.

7 16.

8 At all times herein, in connection with the real
9 estate sales, loan and loan servicing activity described above,
10 Respondent SANADA did not accept or receive funds, including
11 funds in trust ("trust funds") from or on behalf of actual and
12 prospective parties to transactions handled by Respondent
13 SANADA.

14 17.

15 Respondents SANADA and MICHI acted in violation of
16 the Code and the Regulations as set forth below, and as more
17 specifically set forth in Audit Report No. LA 000427, dated
18 August 27, 2001 and the exhibits attached to said Audit Report,
19 in that Respondent SANADA, failed to disclose to borrowers,
20 including David Chattler, Donna Tolzien, Richard Bohling, Lee
21 Patin, Jim and Lavonna Horn, Edward and Rose Rego, Thomas
22 Rogers and Kalid Masri in writing that Ezrloan.com received
23 rebates from lenders as additional compensation for services
24 rendered, in violation of Code Sections 10240 and 10176(g) and
25 Section 2840 of the Regulations. This is cause for the
26 suspension or revocation of all real estate licenses and
27 license rights of Respondents under the provisions of Code

1 Section 10177(d).

2 CAUSE FOR DISCIPLINE

3 18.

4 The conduct, acts and/or omissions of Respondent
5 MICHI, as described herein above in Paragraphs 6 through 14,
6 constitutes a violation of Code Section 10130, and is cause for
7 the suspension or revocation of all real estate licenses and
8 license rights of Respondent MICHI under the provisions of Code
9 Section 10177(d).

10 19.

11 The conduct, acts and/or omissions of Respondent
12 SANADA, as described herein above in Paragraphs 6 through 17,
13 constitutes violations of Code Section 10137 and is cause for the
14 suspension or revocation of all real estate licenses and license
15 rights of Respondent SANADA, under the provisions of Code
16 Sections 10137, 10176(g), 10177(d) and/or 10177(g).

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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, RALPH MICHI and SHELDON JOSEPH SANADA, individually and doing business as Ezrloan.Com, Home America Real Estate, and SJS Marketing Group, and as designated officer of Alliance Financial Group, Inc. and Home America Financial, Inc., 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 25th day of February, 2003.


Deputy Real Estate Commissioner

cc: Ralph Michi
Sheldon Joseph Sanada
Janice Waddell
Sacto
ST
Audits/Lin
Maria Suarez