

1 ELLIOTT MAC LENNAN, SBN 66674
2 Department of Real Estate
3 320 West 4th Street, Ste. 350
4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6911 (direct)
6 -or- (213) 576-6982 (office)

FILED
SEP 23 2003
DEPARTMENT OF REAL ESTATE
By *R. M. ...*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-29995 LA
12)
13 WILLIAM GREGORY MORTGAGE INC.;) STIPULATION
14 JOHN B. RAMLJAK, individually) AND
15 and as designated officer of) AGREEMENT
16 William Gregory Mortgage Inc;)
and JOHN ROBERT FORTE,)
Respondents.)

17 It is hereby stipulated by and between WILLIAM GREGORY
18 MORTGAGE INC; JOHN B. RAMLJAK, individually and as designated
19 officer of WILLIAM GREGORY MORTGAGE INC. and JOHN ROBERT FORTE
20 (sometimes collectively referred to as "Respondents"),
21 represented by Rose Pothier, Esq., and the Complainant, acting by
22 and through Elliott Mac Lennan, Counsel for the Department of
23 Real Estate, as follows for the purpose of settling and disposing
24 of the Accusation filed on March 10, 2003, in this matter:

- 25 1. All issues which were to be contested and all
26 evidence which was to be presented by Complainant and Respondents

1 at a formal hearing on the Accusation, which hearing was to be
2 held in accordance with the provisions of the Administrative
3 Procedure Act ("APA"), shall instead and in place thereof be
4 submitted solely on the basis of the provisions of this
5 Stipulation and Agreement (Stipulation).

6 2. Respondents have received, read and understand the
7 Statement to Respondent, the Discovery Provisions of the APA and
8 the Accusation filed by the Department of Real Estate in this
9 proceeding.

10 3. Respondents filed a Notice of Defense pursuant to
11 Section 11506 of the Government Code for the purpose of
12 requesting a hearing on the allegations in the Accusation.
13 Respondents hereby freely and voluntarily withdraw said Notice of
14 Defense. Respondents acknowledge that they understand that by
15 withdrawing said Notice of Defense they thereby waive their right
16 to require the Commissioner to prove the allegations in the
17 Accusation at a contested hearing held in accordance with the
18 provisions of the APA and that they will waive other rights
19 afforded to them in connection with the hearing such as the right
20 to present evidence in their defense of the allegations in the
21 Accusation and the right to cross-examine witnesses.

22 4. This Stipulation is based on the allegations
23 contained in the Accusation. In the interest of expedience and
24 economy, Respondents choose not to contest these allegations, but
25 to remain silent and understand that, as a result thereof, these
26 allegations, without being admitted or denied, will serve as a
27 prima facie basis for the disciplinary action stipulated to

1 herein. The Real Estate Commissioner shall not be required to
2 provide further evidence to prove said allegations.

3 5. This Stipulation is based on Respondents decision
4 not to contest the allegations set forth in the Accusation as a
5 result of the agreement negotiated between the parties. This
6 Stipulation is expressly limited to this proceeding and any
7 further proceeding initiated by or brought before the Department
8 of Real Estate based upon the facts and circumstances alleged in
9 the Accusation, and is made for the sole purpose of reaching an
10 agreed disposition of this proceeding without a hearing. The
11 decision of Respondents not to contest the allegations is made
12 solely for the purpose of effectuating this Stipulation. It is
13 the intent and understanding of the parties that this Stipulation
14 shall not be binding or admissible against Respondents in any
15 actions against Respondents by third parties.

16 6. It is understood by the parties that the Real
17 Estate Commissioner may adopt this Stipulation as her Decision in
18 this matter thereby imposing the penalty and sanctions on
19 Respondents real estate licenses and license rights as set forth
20 in the "Order" herein below. In the event that the Commissioner,
21 in her discretion, does not adopt the Stipulation, it shall be
22 void and of no effect and Respondents shall retain the right to a
23 hearing and proceeding on the Accusation under the provisions of
24 the APA and shall not be bound by any stipulation or waiver made
25 herein.

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1 7. The Order or any subsequent Order of the Real
2 Estate Commissioner made pursuant to this Stipulation shall not
3 constitute an estoppel, merger or bar to any further
4 administrative or civil proceedings by the Department of Real
5 Estate with respect to any matters which were not specifically
6 alleged to be causes for Accusation in this proceeding but do
7 constitute a bar, estoppel and merger as to any allegations
8 actually contained in the Accusation against Respondents herein.

9 8. This Stipulation and the order made pursuant to
10 this Stipulation shall have no collateral estoppel or res
11 judicata effect in any proceeding(s) in which Respondents and the
12 Department are not parties. This Stipulation is made and
13 accepted with the express understanding and agreement that it is
14 for the purpose of settling these proceedings only, and is not
15 intended as, nor shall it be deemed, used, argued, or accepted as
16 an acknowledgement or admission of fact in any other judicial,
17 administrative, or other proceeding in which the Department is
18 not a party.

19 DETERMINATION OF ISSUES

20 By reason of the foregoing stipulations, it is
21 stipulated and agreed that the following determination of issues
22 shall be made:

23 1.

24 The conduct, acts or omissions of WILLIAM GREGORY
25 MORTGAGE INC. as described in Paragraph 4 above, is in violation
26 of Sections 10137 and 10240 of the Business and Professions Code
27

1 ("Code") and Section 2840 of Title 10, Chapter 6 of the
2 California Code of Regulations and is a basis for the suspension
3 or revocation of Respondent's license and license rights pursuant
4 to Code Sections 10137 and 10177(d).

5 2.

6 The conduct, acts or omissions of JOHN B. RAMLJAK as
7 described in Paragraph 4, constitutes a failure to exercise
8 reasonable supervision over the activities of William Gregory
9 Mortgage Inc. for which a real estate license is required, in
10 violation of Code Section 10159.2 and is a basis for the
11 suspension or revocation of Respondent's broker license and
12 license rights pursuant to Code Section 10177(h).

13 3.

14 The conduct, acts or omissions of JOHN ROBERT FORTE as
15 described in Paragraph 4, constitutes unlicensed activity, in
16 violation of Code Section 10130 and is a basis for the suspension
17 or revocation of Respondent's salesperson license and license
18 rights pursuant to said Code Section 10177(d).

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ORDER

WHEREFORE THE FOLLOWING ORDER IS MADE PURSUANT
TO THE WRITTEN STIPULATION OF THE PARTIES:

I. All licenses and licensing rights of Respondents
WILLIAM GREGORY MORTGAGE INC. and JOHN B. RAMLJAK under the Real
Estate Law are suspended for a period of sixty (60) days from the
effective date of this Decision; provided, however, that thirty
(30) days of said suspension shall be stayed for two (2) years
upon the following terms and conditions:

1. Respondents shall obey all laws, rules and
regulations governing the rights, duties and responsibilities
of a real estate licensee in the State of California.

2. That no final subsequent determination be made,
after hearing or upon stipulation, that cause for disciplinary
action occurred within two (2) years of the effective date of
this Decision. Should such determination be made, the
Commissioner may, in her discretion, vacate and set aside the
stay order and reimpose all or a portion of the stayed
suspension. Should no such determination be made, the stay
imposed herein shall become permanent.

A. For WILLIAM GREGORY MORTGAGE INC. the initial
thirty (30) day portion of said sixty (60) day suspension shall
commence on the effective date of this Decision; provided,
however, that if Respondent petitions, said suspension shall be

1 stayed upon condition that pursuant to Section 10175.2 of the
2 Business and Professions Code, Respondent WILLIAM GREGORY
3 MORTGAGE INC. pay a monetary penalty of two-hundred fifty dollars
4 (\$250.00) per day totaling seven thousand five hundred (\$7,500)
5 dollars.

6 B. For JOHN B. RAMLJAK the initial thirty (30) day
7 portion of said sixty (60) day suspension shall commence on the
8 effective date of this Decision; provided, however, that if
9 Respondent petitions, said suspension shall be stayed upon
10 condition that pursuant to Section 10175.2 of the Business and
11 Professions Code, Respondent JOHN B. RAMLJAK pay a monetary
12 penalty of two-hundred dollars (\$200.00) per day totaling six
13 thousand (\$6,000) dollars.

14 For Respondents WILLIAM GREGORY MORTGAGE INC. and JOHN

15 B. RAMLJAK:

16 1. Said payment shall be in the form of a cashier's
17 check or certified check made payable to the Recovery
18 Account of the Real Estate Fund. Said check must be received
19 by the Department prior to the effective date of the Decision
20 in this matter.

21 2. No further cause for disciplinary action against
22 the real estate license of Respondents occur within two (2) years
23 from the effective date of the Decision in this matter.

24 3. If Respondents fail to pay the monetary penalty in
25 accordance with the terms and conditions of the Decision, the
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1 Commissioner may, without a hearing, order the immediate
2 execution of all or any part of the stayed suspension in which
3 event Respondents shall not be entitled to any repayment nor
4 credit, prorated or otherwise, for money paid to the Department
5 under the terms of this Decision.

6 4. If Respondents pay the monetary penalty and if no
7 further cause for disciplinary action against the real estate
8 licenses of Respondents occur within two (2) years from the
9 effective date of the Decision, the stay hereby granted shall
10 become permanent.

11 II. All licenses and licensing rights of Respondent
12 JOHN ROBERT FORTE, under the Real Estate Law are revoked;
13 provided, however, a restricted real estate salesperson license
14 shall be issued to Respondent, pursuant to Section 10156.5 of the
15 Business and Professions Code, if Respondent makes application
16 therefor and pays to the Department of Real Estate the
17 appropriate fee for the restricted license within ninety (90)
18 days from the effective date of this Decision. The restricted
19 license issued to Respondent shall be subject to all of the
20 provisions of Section 10156.7 of the Code and the following
21 limitations, conditions and restrictions imposed under authority
22 of Section 10156.6 of that Code:

24 1. The restricted license issued to Respondent may be
25 suspended prior to hearing by Order of the Real Estate
26 Commissioner in the event of Respondent's conviction or plea of
27

1 nolo contendere to a crime which is substantially related to
2 Respondent's fitness or capacity as a real estate licensee.

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

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

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

19 (a) That the employing broker has read the
20 Decision of the Commissioner which granted
21 the right to a restricted license; and

22 (b) That the employing broker will exercise
23 close supervision over the performance by the
24 restricted licensee relating to activities
25 for which a real estate license is required.
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1 5. Respondent shall, within nine (9) months from the
2 effective date of this Decision, present evidence satisfactory to
3 the Real Estate Commissioner that Respondent has, since the most
4 recent issuance of an original or renewal real estate license,
5 taken and successfully completed the continuing education
6 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
7 for renewal of a real estate license. If Respondent fails to
8 satisfy this condition, the Commissioner may order the suspension
9 of the restricted license until the Respondent presents such
10 evidence. The Commissioner shall afford Respondent the
11 opportunity for a hearing pursuant to the Administrative
12 Procedure Act to present such evidence.

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

21 A. All licenses and licensing rights of Respondent
22 JOHN ROBERT FORTE under the Real Estate Law are suspended for a
23 period of forty-five (45) days from the effective date of this
24 Decision; provided, however, if Respondent petitions, said
25 suspension, or a portion thereof, shall be stayed for two (2)
26 years upon the condition that:
27

1 1. Respondent pays a monetary penalty pursuant to
2 Section 10175.2 of the Business and Professions Code at the rate
3 of one hundred (\$100) per day or a total of \$4,500.

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

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

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

19 5. If Respondent pays the monetary penalty and if no
20 further cause for disciplinary action against the real estate
21 licenses of Respondent occur within two (2) years from the
22 effective date of the Decision, the stay hereby granted shall
23 become permanent.
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1
2 DATED:

8-28-03

ELLIOTT MAC LENNAN, Counsel for
the Department of Real Estate

4 * * *

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

17 Respondents can signify acceptance and approval of the
18 terms and conditions of the Stipulation by faxing a copy of its
19 signature page, as actually signed by Respondents, to the
20 Department at the following telephone/fax number: (213) 576-6917,
21 Attention: Elliott Mac Lennan. Respondents agree, acknowledge
22 and understand that by electronically sending to the Department a
23 fax copy of Respondents' actual signatures as they appear on the
24 Stipulation and Agreement, that receipt of the faxed copy by the
25 Department shall be as binding on Respondents as if the
26 Department had received the original signed Stipulation.
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DATED: _____

WILLIAM GREGORY MORTGAGE INC.
BY: JOHN B. RAMLJAK,
Respondent

DATED: _____

JOHN B. RAMLJAK, individually and
as designated officer of WILLIAM
GREGORY MORTGAGE INC. Respondent

DATED: _____

JOHN ROBERT FORTE, Respondent

DATED: _____

ROSE POTHIER, Attorney for
Respondents. Approved as to form.

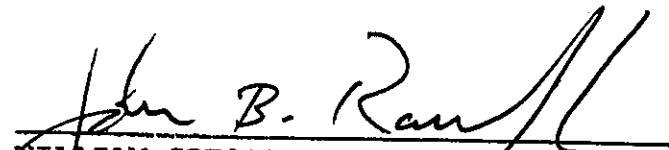
* * *

The foregoing Stipulation and Agreement is hereby
adopted as my Decision and Order and shall become effective at 12
o'clock noon on _____, 2003

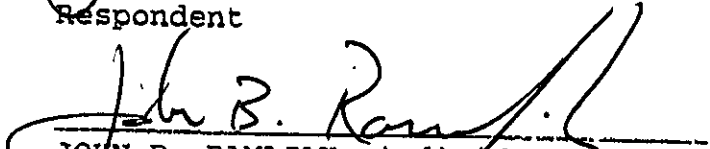
IT IS SO ORDERED _____, 2003

PAULA REDDISH ZINNEMANN
Real Estate Commissioner

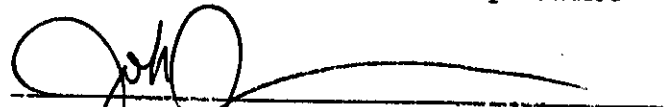
1
2 DATED: 8/20/03


WILLIAM GREGORY MORTGAGE INC.
BY JOHN B. RAMLJAK,
Respondent

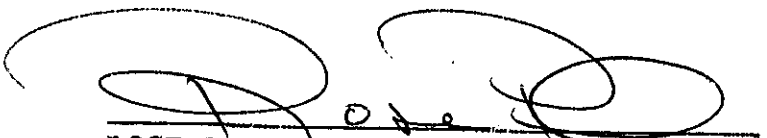
3
4
5 DATED: 8/20/03


JOHN B. RAMLJAK, individually and
as designated officer of WILLIAM
GREGORY MORTGAGE INC. Respondent

6
7
8 DATED: 8/20/03


JOHN ROBERT FORTE, Respondent

9
10
11 DATED: 8/19/03

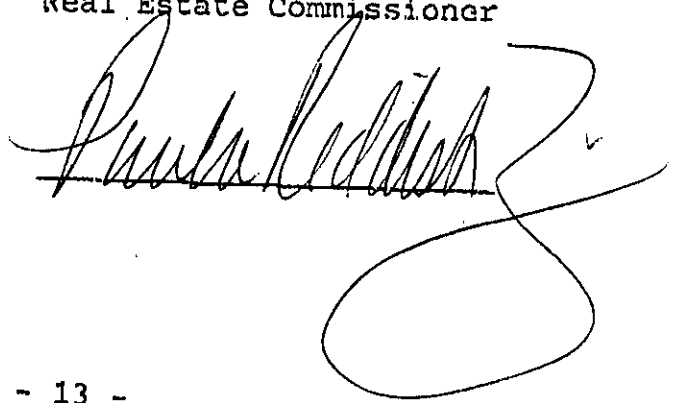

ROSE POTHIER, Attorney for
Respondents. Approved as to form.

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16 * * *

17 The foregoing Stipulation and Agreement is heroby
18 adopted as my Decision and Order and shall become effective at 12
19 o'clock noon on OCT 14, 2003

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21 IT IS SO ORDERED September 15, 2003

22 PAULA REDDISH ZINNEMANN
23 Real Estate Commissioner

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27 

*Sacto
DWS*

**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

FILED
MAY 15 2003
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

By *K. Mederholt*

WILLIAM GREGORY MORTGAGE CO. INC.,
ET AL.,

}

Case No. H-29995 LA

OAH No. L-2003040529

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 320 W. Fourth Street, Ste. 630, Los Angeles, CA on August 29, 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: MAY 15 2003

By *E. J. L.*
ELLIOTT MAC LENNAN, Counsel

cc: William Gregory Mtg. Inc./John B. Ramljak
John R. Forte
Rose Pothier, Esq/Sacto/OAH/DW.

*Jack
gla*

FILED
MAR 10 2003
DEPARTMENT OF REAL ESTATE

1 ELLIOTT MAC LENNAN, Counsel
2 State Bar No. 66674
3 Department of Real Estate
4 320 West Fourth Street, Suite 350
5 Los Angeles, California 90013-1105
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(213) 576-6911

By *R. M. ...*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H- 29995 LA
)
WILLIAM GREGORY MORTGAGE INC.;)
13 JOHN B. RAMLJAK, individually) A C C U S A T I O N
and as designated officer)
14 of William Gregory Mortgage;)
and JOHN ROBERT FORTE,)
)
)
16 Respondents.)
)

The Complainant, Maria Suarez, a Deputy Real Estate
Commissioner of the State of California, for cause of Accusation
against WILLIAM GREGORY MORTGAGE INC; JOHN B. RAMLJAK,
individually and as designated officer of William Gregory
Mortgage; and JOHN ROBERT FORTE, alleges as follows:

1.

The Complainant, Maria Suarez, acting in her official
capacity as a Deputy Real Estate Commissioner of the State of
California, makes this Accusation against WILLIAM GREGORY

1 MORTGAGE INC ("WMGI"), JOHN B. RAMLJAK, individually and as
2 designated officer of William Gregory Mortgage ("RAMLJAK"), and
3 JOHN ROBERT FORTE.

4 2.

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

9 3.

10 WGMI and RAMLJAK (sometimes hereinafter referred to as
11 Respondents) are presently licensed or have license rights under
12 the Real Estate Law (Part 1 of Division 4 of the Business and
13 Professions Code, hereinafter "Code").

14 4.

15 At all time herein mentioned, RAMLJAK was licensed by
16 the Department as the designated officer of WGMI to qualify it
17 and to act for it as a real estate broker and, as provided by
18 Code Section 10159.2, was responsible for the supervision and
19 control of the activities conducted on behalf of WGMI by its
20 officers, managers and employees as necessary to secure full
21 compliance with the provisions of the Real Estate Law including
22 the supervision of the salespersons licensed to the corporation
23 in the performance of acts for which a real estate license is
24 required.
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5.

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2 JOHN ROBERT FORTE ("FORTE") was originally licensed by
3 the Department as a conditional real estate salesperson on March
4 29, 1988. On September 30, 1989, said conditional license was
5 suspended for failure to comply with the continuing education
6 condition pursuant to Code Section 10153.4(c). On March 29,
7 1992, said conditional license expired without renewal rights.
8 Throughout the audit period of July 1, 2000 until December 31,
9 2000, as more fully set forth below in Paragraph 10, FORTE was
10 not licensed in any capacity with the Department.

11 6.

12 PRIOR DEPARTMENTAL ACTION
13 WILLIAM GREGORY MORTGAGE INC. and JOHN B. RAMLJAK,

14 On December 20, 2002, in Case No. H-29842 LA, an ORDER
15 TO DESIST AND REFRAIN was filed against respondents WILLIAM
16 GREGORY MORTGAGE INC. and JOHN B. RAMLJAK, individually and as
17 designated officer of William Gregory Mortgage, under Section
18 10086 of the Code (Engaging in Prohibited Activity, Order to
19 Desist and Refrain) for violations of Code Sections 10137 and
20 10240 and Regulation 2840.

22 7.

23 PRIOR DEPARTMENTAL ACTION
24 JOHN ROBERT FORTE

25 On December 23, 2002, in Case No. H-29844 LA, an ORDER
26 TO DESIST AND REFRAIN was filed against respondent JOHN ROBERT
27 FORTE under Section 10086 of the Code (Engaging in Prohibited

1 Activity, Order to Desist and Refrain) for violation of Code
2 Sections 10130.

3 8.

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

12 9.

13 At all times herein mentioned, WGMI, on behalf of
14 others in expectation of compensation, engaged in the business,
15 acted in the capacity of, advertised or assumed to act as a real
16 estate broker within the meaning of Code Section 10131(d) of the
17 Code. WGMI operated as a mortgage and loan broker, including
18 the operation and conduct of a mortgage loan brokerage with the
19 public, wherein you solicited prospective borrowers or lenders
20 for and/or negotiated or serviced loans secured by liens on real
21 property for another or others, all for or in expectation of
22 compensation.

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Failure To allow
Close Mortgage
Terms

FIRST CAUSE OF ACCUSATION

(Audit)

10.

On or about February 9, 2001, the Department completed an audit examination of WGMI's books and records, pertaining to the activities described in Paragraph 9, above, covering a period beginning on July 1, 2000 and terminating on December 31, 2000. The audit examination revealed violations of the Code as set forth below, and more fully discussed in Audit Report LA 000235 and exhibits/workpapers attached to said audit report.

11.

With respect to the audit of WGMI referred to in Paragraph 10, it is alleged that:

(a) WGMI failed to provide and/or retain a statement in writing signed by the borrowers containing all the information required by Code Section 10241 to various borrowers including but not limited to Sharon Tunstall for the real property located at 14885 Jadestone Drive, Sherman Oaks, California; Joel and Pamela Fischer for the real property located at 10331 Cheviot Drive, Los Angeles, California; Roger and Lorraine Kotch for the real property located at 6252 Moonfield Drive, Huntington Beach, California; Charles Erdman for the real property located at 871 Kagawa, Pacific Palisades, California; David Hallinger for the real property located at 751 N. Virgil Avenue, Los Angeles, California; and, Christopher

1 Buchanan for the real property located at 1148 Sierra Alta Way,
2 Los Angeles, California, before these borrowers became
3 obligated to perform under the terms of their respective loans,
4 as required by Code Section 10240.

5 (b) WGMI employed Forte on or about August 20, 1993,
6 to engage in activity requiring a real estate license when
7 FORTE's salesperson license had expired. During his employment
8 for WGMI, FORTE originated loans secured by liens on real
9 property on behalf of WGMI, solicited borrowers and lenders,
10 negotiated for and accepted fees from prospective borrowers and
11 lenders, including borrower Jason Frank. By employing and
12 compensating FORTE to originate loans, solicit borrowers and
13 lenders, and negotiate loans secured by liens on real property
14 when he was not licensed by the Department, WGMI acted in
15 violation of Code Section 10137; and

16
17 (c) FORTE signed a Uniform Residential Loan
18 Application as interviewer for Jason Frank, relating to the loan
19 FORTE sought to originate for him, for the real property
20 commonly known as 1286 Magnolia Drive, Carson, California, for
21 compensation or in expectation of compensation, in violation of
22 Code Section 10130.

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*compensating
Unlicensed
Person*

12.

1 The conduct of Respondent WGMI and FORTE, described in
2 Paragraph 11, violated the Code and the Regulations as set forth
3 below:
4

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
5 11(a)	Code Section 10137 6 (WGMI)
7 11(b)	Code Section 10240/2840 8 (WGMI)
9 11(c)	Code Section 10130 10 (FORTE)

11 Each of the foregoing violations separately constitutes cause
12 for the suspension or revocation of the real estate license and
13 license rights of WGMI under the provisions of Code Sections
14 10177(d) and/or 10177(g) and FORTE under the provision of Code
15 Sections 10177(d) and/or 10177(f).

16 SECOND CAUSE OF ACCUSATION

17 (Failure to supervise)

18 13.

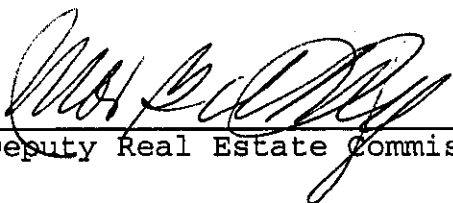
19 The overall conduct of Respondent RAMLJAK constitutes
20 a failure on his part, as officer designated by a corporate
21 broker licensee, to exercise the reasonable supervision and
22 control over the licensed activities of WGMI as required by Code
23 Section 10159.2, and to keep it in compliance with the Real
24

1 Estate Law, and is cause for the suspension or revocation of the
2 real estate license and license rights of RAMLJAK pursuant to
3 the provisions of Code Sections 10177(d), 10177(g) and/or
4 10177(h).

5 WHEREFORE, complainant prays that a hearing be
6 conducted on the allegations of this Accusation and, that upon
7 proof thereof, a decision be rendered imposing disciplinary
8 action against all licenses and licensing rights of Respondents
9 WILLIAM GREGORY MORTGAGE INC., JOHN B. RAMLJAK, individually and
10 as designated officer of William Gregory Mortgage Inc., and JOHN
11 ROBERT FORTE, under the Real Estate Law (Part 1 of Division 4 of
12 the Business and Professions Code), for such other and further
13 relief as may be proper under other applicable provisions of
14 law.

15 Dated at Los Angeles, California

16 this 10th day of March, 2003.

17
18
19
20 
21 Deputy Real Estate Commissioner

22
23 cc: William Gregory Mortgage Inc.
24 c/o John B. Ramljak D.O.
25 John Robert Forte
26 Maria Suarez
27 Sacto
DKW