

CERTIFIED MATERIAL REQUEST

MAY 17 1996

REQUEST DATE
May 17, 1996

RE 538B (Rev. 6/90)

Accounting #2

TO FLAG SECTION, SACRAMENTO		FROM: (COUNSEL) MARJORIE P. MERSEL	OFFICE <input type="checkbox"/> SAC <input type="checkbox"/> SF <input checked="" type="checkbox"/> LA
NAME OF SUBJECT (ONE NAME PER REQUEST) JAMES ANTHONY AVINA		LICENSE # NUMBER Not licensed yet	
CASE NAME JAMES ANTHONY AVINA			
CASE NUMBER (IF ANY) H-26634 LA		SHOULD THIS RECORD BE FLAGGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
COUNSEL'S REQUEST			

_____ to _____; need License Certification (RE 599). (Confine to time actually needed.)

Certified copy of subject's application for license.

FLAG USE ONLY

Above material sent to district office.

DATE **5/20/96**

INITIALS **MP**

Memorandum

To :

Date:

From :

Subject:

SALESPERSON LICENSE APPLICATION

RE 202 (Rev. 11/90)

PART A - For DRE use only, do not write in this

IDENTIFICATION NUMBER	LICENSE EFFECTIVE DATE	LICENSE E
01204002		

1108622 102795 S95303

James Anthony Avina
7846 Maple Ave
Fontana

CA 92330

Apply for license before 10/26/90

PART B - LICEN

1. APPLICANT'S NAME - LAST FIRST

2A. MAILING ADDRESS - STREET ADDRESS OR POST OFFICE BOX

2B. CITY

3. IS YOUR RESIDENCE ADDRESS THE SAME AS YOUR MAILING ADDRESS LISTED ABOVE?
 YES, go to item #5 NO, complete #4.

4. RESIDENCE ADDRESS - RE 202A CONTAINS IMP

5. SOCIAL SECURITY NO. 6. BIRTH DATE (MO./DAY/YR.)

550-75-3285 08 30 67

9A. HAVE YOU EVER HELD A REAL ESTATE LICENSE IN CALIFORNIA?
 YES, IF YES, COMPLETE ITEMS 9B-9E.

9B. TYPE OF LICENSE 9C. IDENTIFICATION NUMBER

10. WORKING STATUS (CHECK ONE)
 AT TIME OF ISSUANCE, I WILL BE WORKING IN REAL ESTATE FOR WHICH A CALIFORNIA LICENSE IS REQUIRED. 11-17 MUST BE COMPLETED.

11. BROKER OR CORPORATION ID # DRE USE ONLY
 01193106

14. SPONSORING BROKER OR CORPORATION (PRINT NAME AS IT APPEARS ON LICENSE)
 Barbara Louise Vorse Dyr

15. MAIN OFFICE ADDRESS OF SPONSORING BROKER OR CORPORATION
 100 N. BARRANCA Ave. Suite

Broker Certification

I hereby certify under penalty of perjury that I am a licensed Real Estate Broker, and that I have read the applicant's answers to all questions in the application, and that there is a written agreement on file in my office covering the material aspects of employment relationship including supervision, duties, and compensation of the applicant named on this form under the employment provisions of Section 2728 of the Regulations of the Real Estate Commissioner.

I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for workers' compensation.

If a corporation, I hereby certify that said applicant is in compliance with 2741 of the Regulations of the Real Estate Commissioner.

For DRE

RESTRICTED VIOLATIONS FORM LETTER/NOTES
 Y

Work Done

TRANSMITTAL SLIP

DATE: 12-12-95

TO:

- FRESNO
- LOS ANGELES
- SACRAMENTO
- SAN DIEGO
- SAN FRANCISCO
- SANTA ANA

FROM: FLAG SECTION, LICENSING SACRAMENTO

RE: James Anthony Avina

- RAP SHEET
- CERTIFIED STATEMENT
- CERTIFIED COPY
- COPY OF APPLICATION IN LIEU OF RE FORM #528
- WILL FORWARD FINGERPRINTS RESULTS WHEN RECEIVED

THE ABOVE IS BEING FORWARDED FOR YOUR INVESTIGATION...

REMARKS:

Sales Applicant
 *not conditional
 CH# A08 077 906
 Rap Sheet sent 2/27/96

facts
page

FILED
JUL 5 2005
DEPARTMENT OF REAL ESTATE

By *Laura B. Olin*

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-31814 LA
JAMES ANTHONY AVINA,)	
)	
)	
Respondent.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On April 12, 2005, an Accusation was filed in this matter against Respondent JAMES ANTHONY AVINA.

On April 30, 2005, Respondent petitioned the Commissioner to voluntarily surrender his real estate broker license(s) pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent JAMES ANTHONY AVINA'S petition for voluntary surrender of his real estate broker license(s) is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated April 30,

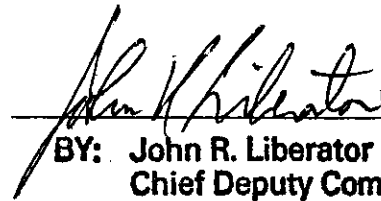
1 2005 (attached as Exhibit "A" hereto). Respondent's license
2 certificate(s), pocket card(s) and any branch office license
3 certificate(s) shall be sent to the below listed address so that
4 they reach the Department on or before the effective date of this
5 Order:

6 DEPARTMENT OF REAL ESTATE
7 Attn: Licensing Flag Section
8 P. O. Box 187007
9 Sacramento, CA 95818-7000

10 This Order shall become effective at 12 o'clock noon
11 on JUL 25 2005.

12 DATED: June 24, 2005

13 JEFF DAVI
14 Real Estate Commissioner

15 
16 _____
17 BY: John R. Liberator
18 Chief Deputy Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-31814 LA
JAMES ANTHONY AVINA,)	
)	
)	
Respondent.)	

DECLARATION

My name is JAMES ANTHONY AVINA and I am currently licensed as a real estate broker and/or have license rights with respect to said license. I am representing myself in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code) I wish to voluntarily surrender my real estate license issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

1 I understand that by so voluntarily surrendering my
2 license, that it can only be reinstated in accordance with the
3 provisions of Section 11522 of the Government Code. I also
4 understand that by so voluntarily surrendering my license, I
5 agree to the following:

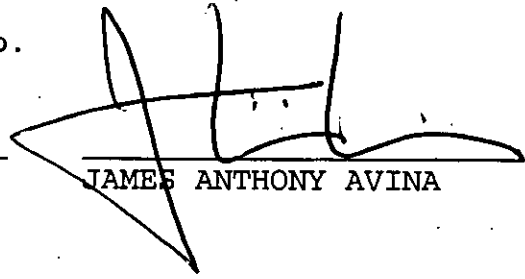
6 The filing of this Declaration shall be deemed as my
7 petition for voluntary surrender. It shall also be deemed to be
8 an understanding and agreement by me that, I waive all rights I
9 have to require the Commissioner to prove the allegations
10 contained in the Accusation filed in this matter at a hearing
11 held in accordance with the provisions of the Administrative
12 Procedure Act (Government Code Sections 11400 et seq.), and that
13 I also waive other rights afforded to me in connection with the
14 hearing such as the right to discovery, the right to present
15 evidence in defense of the allegations in the Accusation and the
16 right to cross-examine witnesses. I further agree that upon
17 acceptance by the Commissioner, as evidenced by an appropriate
18 order, all affidavits and all relevant evidence obtained by the
19 Department in this matter prior to the Commissioner's acceptance,
20 and all allegations contained in the Accusation filed in the
21 Department Case No. H-31814 LA, may be considered by the
22 Department to be true and correct for the purpose of deciding
23 whether or not to grant reinstatement of my license(s) pursuant
24 to Government Code Section 11522.

25 I declare under penalty of perjury under the laws of
26 the State of California that the above is true and correct and

27 ///

1 that I freely and voluntarily surrender my license and all
2 license rights attached thereto.

3 SAN LUIS OBISPO, CA

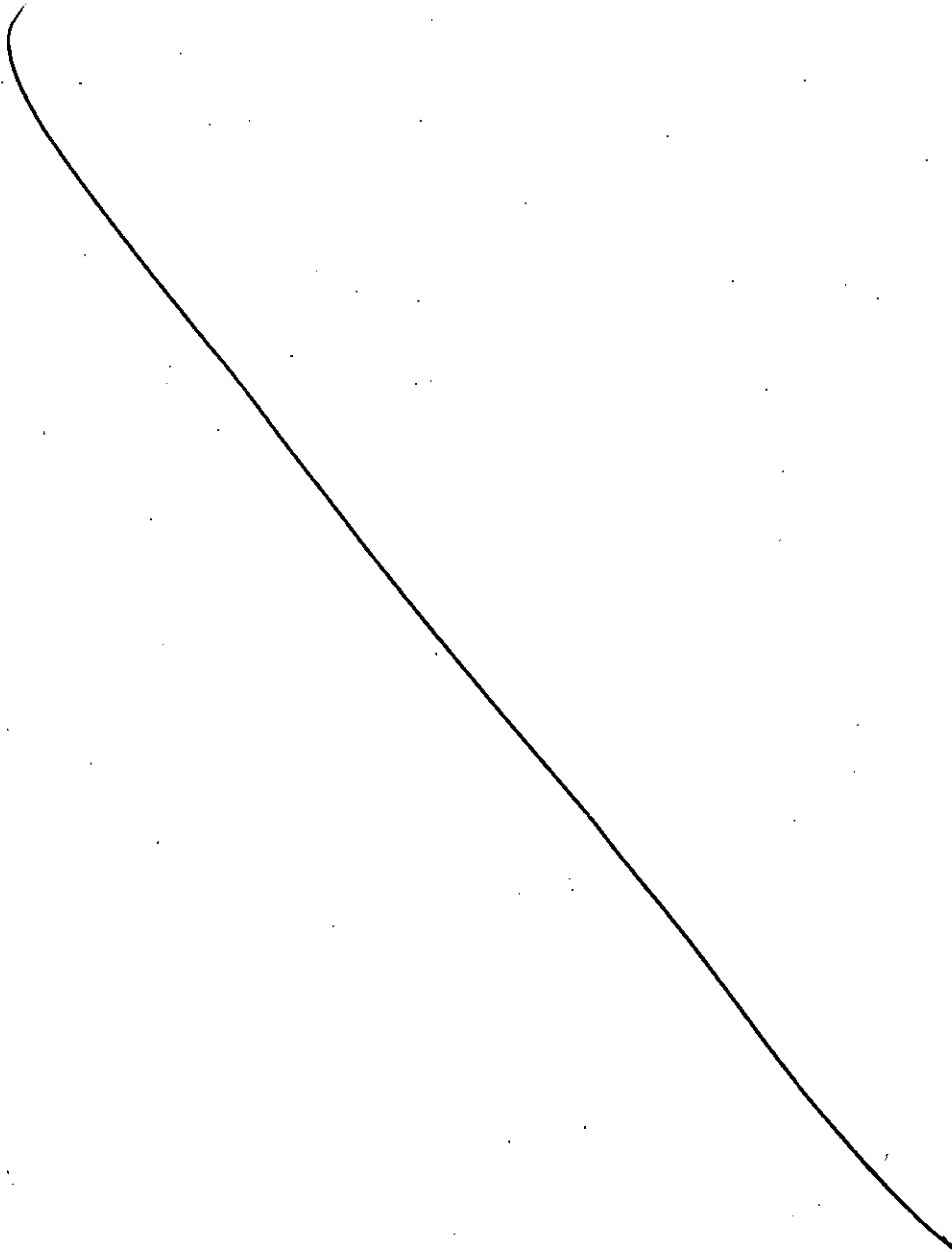


4 Date and Place

JAMES ANTHONY AVINA

5 4/30/2005

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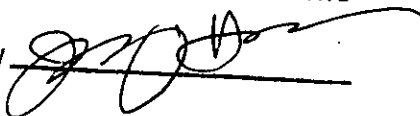


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1 KELVIN K. LEE, Counsel (SBN 152867)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6905

FILED
APR 12 2005
DEPARTMENT OF REAL ESTATE

By 

7 BEFORE THE DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 * * *

10	In the Matter of the Accusation of)	No. H- 31814 LA
11	JAMES ANTHONY AVINA,)	<u>A C C U S A T I O N</u>
12	Respondent.)	
13	_____)	

14 The Complainant, Janice Waddell, a Deputy Real Estate
15 Commissioner of the State of California, for cause of Accusation
16 against JAMES ANTHONY AVINA ("Respondent") alleges as follows:

17 1.

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

21 2.

22 Respondent is presently licensed and/or has license
23 rights under the Real Estate Law, Part 1 of Division 4 of the
24 California Business and Professions Code ("Code"), as a real
25 estate broker.

26 //

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3.

1 Respondent was originally licensed by the Department
2 as a real estate broker on July 1, 1999. His license expired on
3 June 30, 2003.
4

5 4.

6 On or about May 14, 2004, in the Superior Court of
7 California, County of Los Angeles, in case no. VA082389, the
8 Respondent was convicted of one (1) count of violating
9 California Penal Code 496, subdivision (a), (Receiving Stolen
10 Property). This crime involves moral turpitude and bear a
11 substantial relationship under Section 2910, Title 10, Chapter
12 6, California Code of Regulations to the qualifications,
13 functions, or duties of a real estate licensee.

14 5.

15 On or about March 29, 2004, in the Superior Court of
16 California, County of Orange, in case no. 03HF1602, the
17 Respondent was convicted of one (1) count of violating Penal
18 Code 459 and 460, Second Degree Commercial Burglary, Penal Code
19 487, Grand Theft, and Penal Code 530.5, subdivision (a),
20 Identity Theft. These crimes all involve moral turpitude and
21 bear a substantial relationship under Section 2910, Title 10,
22 Chapter 6, California Code of Regulations to the qualifications,
23 functions, or duties of a real estate licensee.

24 6.

25 On or about March 29, 2004, in the Superior Court of
26 California, County of Orange, in case no. 04HF0105, the
27 Respondent was convicted of one (1) count of violating

California Health and Safety Code 11377, subdivision
(a), (Possession of a Controlled Substance) and one (1) count of
Penal Code 12022.1 subdivision (a), an penalty enhancement for
committing a felony while being released from custody before
final judgment on a prior felony. These crimes involve moral
turpitude and bear a substantial relationship under Section
2910, Title 10, Chapter 6, California Code of Regulations to the
qualifications, functions, or duties of a real estate licensee.

7

On or about November 5, 2003, in the Superior Court of
California, County of San Bernardino, in case no. MWV084184, the
Respondent was convicted of one (1) count of violating
California Health and Safety Code 11550, subdivision (a), Being
Under the Influence of a Controlled Substance. This crime
involves moral turpitude and bears a substantial relationship
under Section 2910, Title 10, Chapter 6, California Code of
Regulations to the qualifications, functions, or duties of a
real estate licensee.

8.

The crimes of which Respondent were convicted, as
described in Paragraphs 4, 5, 6 and 7 above, constitute cause
under Sections 490 and 10177(b) of the Code for the suspension
or revocation of the license and license rights of Respondent
under the Real Estate Law.

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

1 action against all the licenses and license rights of
2 Respondent, JAMES ANTHONY AVINA, under the Real Estate Law (Part
3 1 of Division 4 of the Business and Professions Code) and for
4 such other and further relief as may be proper under other
5 applicable provisions of law.

6 Dated at Los Angeles, California
7 this 7th day of April, 2005.

8 
9 Janice Waddell
10 Deputy Real Estate Commissioner

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14 cc: JAMES ANTHONY AVINA
15 Janice Waddell
16 Sacto.
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LICENSE CERTIFICATION

RE 599 (Rev. 10/89)

LICENSEE NAME	LICENSE ID#	LICENSE TYPE
James Anthony Avina	01204002	Broker
DATE DOCUMENT RECEIVED (if applicable)	LICENSE CHANGE TRANSACTION	

Salesperson license originally issued in the employ of Dynamic Investments, Inc., 10 North Barranca Avenue, Suite 430, West Covina 91791 as of 08-12-96;

Mailing address is 7846 Maple Avenue, Fontana 92336 as of 08-12-96

08-15-96 Mailing address changed to 8019 Tuscanny Street, Fontana 92336 as of 08-15-96

12-02-97 Employing broker changed to New Millenium Investments, Inc., 8019 Tuscanny, Fontana 92336 as of 11-26-97

Salesperson license terminated as of 07-01-99

Broker license originally issued as of 07-01-99;

Main office and mailing address is 13677 Foothill Boulevard, Suite N, Fontana 92335 as of 07-01-99

Broker license expired 06-30-03

License issued as officer of New Millenium Investments, Inc. as of 07-12-99;

Main office and mailing address is 13677 Foothill Boulevard, Suite N, Fontana 92335 as of 07-12-99;

Dbas; New Millenium Financial
Millenium Properties

06-11-01 Mailing address changed to 13677 Foothill Boulevard, Suite O, Fontana 92335 as of 06-11-01

07-23-01 Mailing address changed to 13677 Foothill Boulevard, Suite N, Fontana 92335 as of 07-23-01

Officer license expired 08-11-01

LICENSE CERTIFICATION

RE 599 (Rev. 10/89)

LICENSEE NAME	LICENSE ID#	LICENSE TYPE
James Anthony Avina	01204002	Broker
DATE DOCUMENT RECEIVED (if applicable)	LICENSE CHANGE TRANSACTION	

07-23-01

Officer license issued as of 08-12-01;

Main office and mailing address is 13677 Foothill Boulevard, Suite N, Fontana 92335
as of 08-12-01

06-28-02

Dba www.nmfloans.com added as of 06-28-02

Officer license expires 08-11-05

License issued as officer of Sea Side Holding, Inc. as of 12-06-01;

Main office and mailing address is 19059 Valley Boulevard, Suite 404, Bloomington
92316 as of 12-06-01;

Dba Sea Side Mortgage Company added as of 12-06-01

09-10-02

Main office address changed to 575 North Villa Court, #100, Palm Springs 92262 as of
09-10-02

Officer license expires 12-05-05

I, Thomas R. Hensley, the Official Custodian of Records, hereby certify the foregoing is true and correct as extracted from the records of the Department of Real Estate this 1st day of July, 2005.

Deputy Real Estate Commissioner
of the State of California