

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

6 (213) 576-6911

FILED
AUG 29 2008
DEPARTMENT OF REAL ESTATE

By *R. McLeach*

7 BEFORE THE DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 * * *

10 In the Matter of the Accusation of) NO. H-32347 LA
11)
12 FIRST UNITED HOME LOANS,)
13 a California corporation)
14 doing business as Bill Green)
15 Loan Specialist, Heather Sinclair)
16 Loan Specialist, Jim Wilson)
17 Loan Specialist, Paul Sanders)
18 Loan Specialist, Sara Carpenter)
19 Loan Specialist, Steve Palmer)
20 Loan Specialist, First United)
21 Home Loans Escrow Division,)
22 Loan Experts OnLine; and,)
23 MARK DAVID CHISICK, individually)
24 and as designated officer of)
25 First United Home Loans,)
26 Respondents.)
27)

STIPULATION
AND
AGREEMENT

20 It is hereby stipulated by and between Respondents
21 FIRST UNITED HOME LOANS a corporate real estate broker, and MARK
22 DAVID CHISICK, individually and as designated officer of FIRST
23 UNITED HOME LOANS (sometimes collectively referred to as
24 "Respondents"), represented by Daniel Nassie, Esq., and the
25 Complainant, acting by and through Elliott Mac Lennan, Counsel
26 for the Department of Real Estate, as follows for the purpose of
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1 settling and disposing of the Accusation ("Accusation") filed on
2 December 14, 2005, in this matter:

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

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

14 3. Respondents timely filed a Notice of Defense
15 pursuant to Section 11506 of the Government Code for the purpose
16 of requesting a hearing on the allegations in the Accusation.
17 Respondents hereby freely and voluntarily withdraw said Notice of
18 Defense. Respondents acknowledge that they understand that by
19 withdrawing said Notice of Defense they thereby waive their right
20 to require the Commissioner to prove the allegations in the
21 Accusation at a contested hearing held in accordance with the
22 provisions of the APA and that they will waive other rights
23 afforded to them in connection with the hearing such as the right
24 to present evidence in their defense the right to cross-examine
25 witnesses.
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1 4. This Stipulation is based on the factual
2 allegations contained in the Accusation. In the interest of
3 expedience and economy, Respondents choose not to contest these
4 allegations, but to remain silent and understand that, as a
5 result thereof, these factual allegations, without being admitted
6 or denied, will serve as a prima facie basis for the disciplinary
7 action stipulated to herein. The Real Estate Commissioner shall
8 not be required to provide further evidence to prove said factual
9 allegations.

10 5. This Stipulation and Respondents' decision not to
11 contest the Accusation is made for the purpose of reaching an
12 agreed disposition of this proceeding and is expressly limited to
13 this proceeding and any other proceeding or case in which the
14 Department of Real Estate ("Department"), the state or federal
15 government, or any agency of this state, another state or federal
16 government is involved, and otherwise shall not be admissible in
17 any other criminal or civil proceedings.

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

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

11 8. Respondents understand that by agreeing to this
12 Stipulation, Respondents agree to pay, pursuant to Business and
13 Professions Code Section 10148, the cost of audit which led to
14 this disciplinary action. The amount of said cost for the audit
15 is \$6,510.96. (Audit Reports LA 020339 and LA 020396).

16 9. Respondents have received, read, and understand the
17 "Notice Concerning Costs of Subsequent Audit". Respondents
18 further understand that by agreeing to this Stipulation, the
19 findings set forth below in the Determination of Issues become
20 final, and the Commissioner may charge Respondents for the cost
21 of any subsequent audit conducted pursuant to Business and
22 Professions Code Section 10148 to determine if the violations
23 have been corrected. The maximum cost of the subsequent audit
24 will not exceed \$6,510.96.
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DETERMINATION OF ISSUES

1 By reason of the foregoing, it is stipulated and agreed
2 that the following determination of issues shall be made:
3

I.

4 The conduct, acts or omissions of FIRST UNITED HOME
5 LOANS, as described in Paragraph 4, above, is in violation of
6 Sections 10145 and 10240 of the Business and Professions Code
7 ("Code") and Sections 2831, 2831.1, 2831.2, 2832(e), 2840 and
8 2950(d) of Title 10, Chapter 6 of the California Code of
9 Regulations ("Regulations") and is a basis for the suspension or
10 revocation of Respondent's license and license rights as a
11 violation of the Real Estate Law pursuant to Code Sections
12 10177(d) and 10177(g).
13

II.

14 The conduct, acts or omissions of MARK DAVID CHISICK,
15 as described in Paragraph 4, constitutes a failure to keep FIRST
16 UNITED HOME LOANS in compliance with the Real Estate Law during
17 the time that he was the officer designated by a corporate broker
18 licensee in violation of Section 10159.2 of the Code. This
19 conduct is a basis for the suspension or revocation of
20 Respondent's license pursuant to Code Section 10177(h).
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ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

All licenses and licensing rights of Respondents
FIRST UNITED HOME LOANS and MARK DAVID CHISICK under the Real
Estate Law are suspended for a period of ninety (90) days from
the effective date of this Decision; provided, however, that if
Respondents request, the initial thirty (30) days of said
suspension (or a portion thereof) shall be stayed upon condition
that:

A 1. Respondents each pay a monetary penalty pursuant
to Section 10175.2 of the Business and Professions Code of \$3,750
(at the rate of \$125 per day for each day of the suspension) for
a monetary penalty of \$3,750 each or \$7,500 in total.

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

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

4. If Respondents fail to pay the monetary penalty in
accordance with the terms of the Decision, the Commissioner may,
without a hearing, order the immediate execution of all or any

1 part of the stayed suspension, in which event the Respondents
2 shall not be entitled to any repayment nor credit, prorated or
3 otherwise, for money paid to the Department under the terms of
4 this Decision.

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

10 B. The remaining sixty (60) days of the ninety (90)
11 day suspension shall be stayed for two (2) years upon the
12 following terms and conditions:

13 (a) Respondents shall obey all laws, rules and
14 regulations governing the rights, duties and responsibilities of
15 a real estate licensee in the State of California; and
16

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

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2 II.

3 Pursuant to Section 10148 of the Business and
4 Professions Code, Respondents FIRST UNITED HOME LOANS and MARK
5 DAVID CHISICK shall pay the Commissioner's reasonable cost for
6 (a) the audit which led to this disciplinary action (b) a
7 subsequent audit to determine if Respondents are now in
8 compliance with the Real Estate Law. The cost of the audit which
9 led to this disciplinary action is \$6,510.96. In calculating the
10 amount of the Commissioner's reasonable cost, the Commissioner
11 may use the estimated average hourly salary for all persons
12 performing audits of real estate brokers, and shall include an
13 allocation for travel time to and from the auditor's place of
14 work. Said amount for the prior and subsequent audits shall not
15 exceed \$13,021.92

16
17 Respondents shall pay such cost within 60 days of
18 receiving an invoice from the Commissioner detailing the
19 activities performed during the audit and the amount of time
20 spent performing those activities.

21 The Commissioner may suspend the license of Respondents
22 pending a hearing held in accordance with Section 11500, et seq.,
23 of the Government Code, if payment is not timely made as provided
24 for herein, or as provided for in a subsequent agreement between
25 the Respondent and the Commissioner. The suspension shall remain
26 in effect until payment is made in full or until Respondents
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1 enter into an agreement satisfactory to the Commissioner to
2 provide for payment, or until a decision providing otherwise is
3 adopted following a hearing held pursuant to this condition.

4 III.

5 All licenses and licensing rights of Respondent MARK
6 DAVID CHISICK are indefinitely suspended unless or until
7 Respondent provides proof satisfactory to the Commissioner, of
8 having taken and successfully completed the continuing education
9 course on trust fund accounting and handling specified in
10 paragraph (3) of subdivision (a) of Section 10170.5 of the
11 Business and Professions Code. Proof of satisfaction of this
12 requirement includes evidence that respondent has successfully
13 completed the trust fund account and handling continuing
14 education course within 120 days prior to the effective date of
15 the Decision in this matter.

16 IV.

17 Prior to the effective of the Decision herein,
18 Respondent shall provide evidence satisfactory to the
19 Commissioner that the trust fund deficits set forth in the
20 Accusation and in Audit Report LA 020339 and 020396, have been
21 cured, including the identification of the source of funds used
22 to cure the deficits.

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26 DATED: 6-27-06

EL
27 ELLIOTT MAC LENNAN, Counsel for
the Department of Real Estate

1 * * *

2 EXECUTION OF THE STIPULATION

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

15 Respondents can signify acceptance and approval of the
16 terms and conditions of this Stipulation by faxing a copy of its
17 signature page, as actually signed by Respondents, to the
18 Department at the following telephone/fax number: Elliott Mac
19 Lennan at (213) 576-6917. Respondents agree, acknowledge and
20 understand that by electronically sending to the Department a fax
21 copy of Respondents' actual signature as they appear on the
22 Stipulation, that receipt of the faxed copy by the Department
23 shall be as binding on Respondents as if the Department had
24 received the original signed Stipulation.
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DATED: 7-5-06



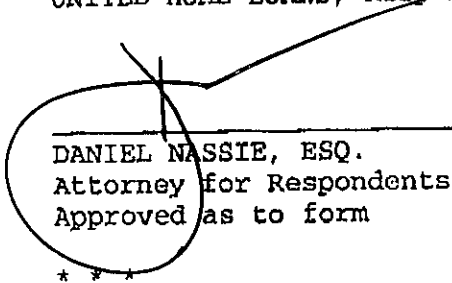
FIRST UNITED HOME LOANS, a
corporate real estate broker,
BY: MARK DAVID CHISICK, D.O.,
Respondent

DATED: 7-5-06



MARK DAVID CHISICK individually and
as designated officer of FIRST
UNITED HOME LOANS, Respondent

DATED: 7-12-06



DANIEL NASSIE, ESQ.
Attorney for Respondents
Approved as to form

* * *

The foregoing Stipulation and Agreement is hereby
adopted as my Decision as to Respondents FIRST UNITED HOME LOANS
and MARK DAVID CHISICK, individually and as designated officer of
FIRST UNITED HOME LOANS and shall become effective at 12 o'clock
noon on _____, 2006.

IT IS SO ORDERED _____, 2006.

JEFF DAVI
Real Estate Commissioner

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DATED: _____

FIRST UNITED HOME LOANS, a
corporate real estate broker,
BY: MARK DAVID CHISICK, D.O.,
Respondent

DATED: _____

MARK DAVID CHISICK individually and
as designated officer of FIRST
UNITED HOME LOANS, Respondent

DATED: _____

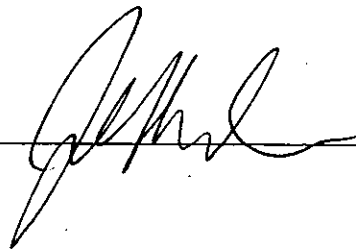
DANIEL NASSIE, ESQ.
Attorney for Respondents
Approved as to form

* * *

The foregoing Stipulation and Agreement is hereby
adopted as my Decision as to Respondents FIRST UNITED HOME LOANS
and MARK DAVID CHISICK, individually and as designated officer of
FIRST UNITED HOME LOANS and shall become effective at 12 o'clock
noon on SEP 18, 2006.

IT IS SO ORDERED 8-15, 2006.

JEFF DAVI
Real Estate Commissioner



Janice Waddell

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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11 (213) 576-6911

FILED
DEC 14 2005
DEPARTMENT OF REAL ESTATE

By *R. Niederhols*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

11 In the Matter of the Accusation of) NO. H-32347 LA
12)
13 FIRST UNITED HOME LOANS,) ACCUSATION
14 a California corporation)
15 doing business as Bill Green)
16 Loan Specialist, Heather Sinclair)
17 Loan Specialist, Jim Wilson)
18 Loan Specialist, Paul Sanders)
19 Loan Specialist, Sara Carpenter)
20 Loan Specialist, Steve Palmer)
21 Loan Specialist, First United)
Home Loans Escrow Division,)
Loan Experts OnLine; and,)
MARK DAVID CHISICK individually and)
as designated officer of)
First United Home Loans,)
Respondents.)

22 The Complainant, Janice Waddell, a Deputy Real Estate
23 Commissioner of the State of California, for cause of Accusation
24 against FIRST UNITED HOME LOANS, a California corporation dbas
25 Bill Green Loan Specialist, Heather Sinclair Loan Specialist,
26 Jim Wilson Loan Specialist, Paul Sanders Loan Specialist, Sara
27

1 Carpenter Loan Specialist, Steve Palmer Loan Specialist, First
2 United Home Loans Escrow Division, Loan Experts online; and MARK
3 DAVID CHISICK, individually and as designated officer of First
4 United Home Loans, alleges as follows:

5 1.

6 The Complainant, Janice Waddell, acting in her
7 official capacity as a Deputy Real Estate Commissioner of the
8 State of California, makes this Accusation against FIRST UNITED
9 HOME LOANS, a California corporation ("FUHL") and MARK DAVID
10 CHISICK, individually as designated officer of First United Home
11 Loans ("CHISICK").

12 2.

13 All references to the "Code" are to the California
14 Business and Professions Code and all references to
15 "Regulations" are to Title 10, Chapter 6, California Code of
16 Regulations.

17 3.

18 FUHL and CHISICK (sometimes hereinafter referred to as
19 Respondents) are presently licensed or have license rights under
20 the Real Estate Law (Part 1 of Division 4 of the Business and
21 Professions Code, hereinafter "Code").

22 4.

23 At all time herein mentioned, CHISICK was licensed by
24 the Department as the designated officer of FUHL to qualify it
25 and to act for it as a real estate broker and, as provided by
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1 Code Section 10159.2, was responsible for the supervision and
2 control of the activities conducted on behalf of FUHL by its
3 officers, managers and employees as necessary to secure full
4 compliance with the provisions of the Real Estate Law including
5 the supervision of the salespersons licensed to the corporation
6 in the performance of acts for which a real estate license is
7 required. FUHL'S corporate real estate broker license was
8 originally issued on May 10, 2000. CHISICK was originally
9 licensed as a real estate salesperson on February 2, 1988.
10 CHISICK was originally licensed as a real estate broker on March
11 26, 1990. CHISICK has been the designated officer of FUHL since
12 its incorporation.

13 5.

14 Whenever reference is made in an allegation in the
15 Accusation to an act or omission of FUHL, such allegation shall
16 be deemed to mean that the officers, directors, managers,
17 employees, agents and real estate licensees employed by or
18 associated with FUHL, including MARK DAVID CHISICK, committed
19 such act or omission while engaged in the furtherance of FUHL's
20 business or operation and while acting within the course and
21 scope of FUHL's corporate authority, agency and employment.

22 6.

23 At all times herein mentioned in the City of Orange,
24 California, FUHL engaged in the business as a real estate broker
25 within the meaning of:

26 A. Code Section 10131(d). FUHL operated as a
27 mortgage and loan broker using the fictitious business names of

1 Bill Green Loan Specialist, Heather Sinclair Loan Specialist,
2 Jim Wilson Loan Specialist, Paul Sanders Loan Specialist, Sara
3 Carpenter Loan Specialist, Steve Palmer Loan Specialist, and
4 Loan Experts OnLine" including soliciting borrowers and lenders
5 and negotiating and servicing loans on real property; and

6 B. Conducted broker-controlled escrows through its
7 escrow operation, First United Home Loans Escrow Division, under
8 the exemption set forth in California Financial Code Section
9 17006(a)(4) for real estate brokers performing escrows
10 incidental to a real estate transaction where the broker is a
11 party and where the broker is performing acts for which a real
12 estate license is required.

13 FIRST CAUSE OF ACTION

14 (Audit violations)

15 7.

16 On October 30, 2003, the Department completed an audit
17 examination of the books and records of FUHL pertaining to its
18 mortgage loan brokerage and broker-escrow activities, requiring
19 a real estate license as described in Paragraph 6. The audit
20 examination covered a period of time beginning on January 1,
21 2002 to March 31, 2003. The audit examination revealed
22 violations of the Code and the Regulations as set forth below,
23 and more fully discussed in Audit Report LA 020339/ 020396 and
24 the exhibits and workpapers attached to said audit report.

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1 At all times mentioned, in connection with the
2 activities described in Paragraph 6, above, FUHL accepted or
3 received funds in trust (trust funds) from or on behalf of
4 borrowers and lenders, and thereafter made disposition of such
5 funds. Respondent FUHL maintained the following trust accounts
6 during the audit period into which were deposited certain of
7 these funds at Pri Vest Bank, 1 Macarthur Place, Ste. 110, South
8 Coast Metro, CA 92707:

9
10 "First United Home Loans Escrow Division Trust Account
11 ("T/A #1")
Account No. 1306042"

12
13 "First United Home Loans California Disbursement Trust Account
14 ("T/A #2")
Account No. 1307321"

15
16 "First United Home Loans California Disbursement Trust Account
17 ("T/A #3")
18 Account No. 1306059"

19
20 "First United Home Loans Colorado Disbursement Trust Account
21 ("T/A #4")
Account No. 1307339"

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2 With respect to the trust funds referred to in
3 Paragraph 8, it is alleged that FUHL:

4 (a) Permitted, allowed or caused the disbursement of
5 trust funds from trust account set forth below where the
6 disbursement of funds reduced the total of aggregate funds in
7 the trust accounts, to an amount which, on March 31, 2003, was
8 less than the existing aggregate trust fund liability of FUHL to
9 every principal who was an owner of said funds, without first
10 obtaining the prior written consent of the owners of said funds,
11 as required by Code Section 10145 and Regulations 2832.1,
12 2950(d), 2950(g) and 2951:

13 T/A#1 - \$25,470.13 shortage

14 T/A#2 - \$9,421,40 shortage

15 T/A#3 - \$1,847.54 shortage
16

17 (b) Failed to maintain an adequate control record in
18 the form of a columnar record in chronological order of all
19 trust funds received for T/A #1 - T/A #4, as required by Code
20 Section 10145 and Regulations 2831, 2950(d) and 2951.

21 (c) Failed to maintain an adequate separate record for
22 each beneficiary or transaction, thereby failing to account for
23 all trust funds received, deposited into, and disbursed from
24 T/A #1 - T/A #4, as required by Code Section 10145 and
25 Regulations 2831.1, 2950(d) and 2951.
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1 (d) Failed to perform a monthly reconciliation of the
2 balance of all separate beneficiary or transaction records
3 maintained pursuant to Regulation 2831.1 with the control record
4 of all trust funds received and disbursed by from T/A #1 - T/A
5 #4, as required by Regulation 2831, in violation of Code Section
6 10145 and Regulation 2831.2.

7 (e) While acting in the capacity of an escrow holder in
8 four purchase and sale transactions, failed to place trust funds,
9 including earnest money deposits, accepted on behalf of another
10 into the hands of the owner of the funds, a neutral escrow
11 depository or into a trust fund account in the name of the broker
12 at a bank or other financial institution not later than the next
13 business day following receipt of the funds by the broker or by
14 the broker's salesperson, as required by Code Section 10145 and
15 Regulations 2832(e), 2950(d) and 2951.

16 (f) Failed to maintain books, records and accounts in
17 accordance with accepted principles of accounting and good
18 business practice with respect to FUHL's escrow division, First
19 United Home Loans Escrow Division, as required by Code Section
20 10145 and Regulation 2950(d) and 2951.

21 (g) Commingled trust funds between T/A #1 - T/A #4,
22 and FUHL's account for funds handled pursuant to FUHL's
23 Department of Corporations Consumer Finance Lending license.
24 FUHL deposited trust funds handled pursuant to its Department of
25 Real Estate license into the Consumer Finance Lending account.
26
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1 Additionally, Department of Real Estate trust funds were
2 shuttled back and forth between the Department of Real Estate
3 trusts accounts and the Department of Corporation Consumer
4 Finance Lending account and back and forth again, in violation
5 of Code Section 10176(e) and Regulations 2950(d) and 2951.

6 (h) Failed to provide and/or maintain a statement in
7 writing, a Mortgage Loan Disclosure Statement ("MLDS") containing
8 all the information required by Code Section 10241 to various
9 Colorado borrowers including but not limited to borrowers
10 Vallejo, Schelde, Vigil and Bertsch before these borrowers became
11 obligated to perform under the terms of their respective loans,
12 as required by Code Section 10240 and Regulation 2840.

13 10.

14 The conduct of Respondent FUHL, described in Paragraph
15 9, violated the Code and the Regulations as set forth below:

16 PARAGRAPH

17 PROVISIONS VIOLATED

18
19 9(a)

Code Section 10145 and
20 Regulations 2831, 2950(d),
21 2050(g) and 2951

22
23 9(b)

Code Section 10145 and
24 Regulations 2831, 2950(d) and
25 2951

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9(c)

Code Section 10145 and
Regulations 2831.1, 2950(d)
and 2951

9(d)

Code Section 10145 and
Regulations 2831.2, 2950(d)
and 2951

9(e)

Code Section 10145 and
Regulations 2832(e), 2950(d)
and 2951

9(f)

Code Section 10145 and
Regulations 2950(d) and 2951

9(g)

Code Section 10176(e),
2950(d) and 2951

9(h)

Code Sections 10240, 10241
and Regulation 2840

Each of the foregoing violations separately constitutes cause
for the suspension or revocation of the real estate license and
license rights of FUHL under the provisions of Code Sections
10176(e), 10177(d) and/or 10177(g).

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2 SECOND CAUSE OF ACTION

3 (Negligence)

4 11.

5 The overall conduct of Respondents FUHL and
6 CHISICK constitutes negligence or incompetence and is cause for
7 the suspension or revocation of the real estate license and
8 license rights of Respondents FUHL and CHISICK pursuant to the
9 provisions of Code Section 10177(g).

10 THIRD CAUSE OF ACTION

11 (Failure to Supervise)

12 12.

13 The overall conduct of Respondent CHISICK constitutes
14 a failure on his part, as officer designated by a corporate
15 broker licensee, to exercise the reasonable supervision and
16 control over the licensed activities of FUHL as required by Code
17 Section 10159.2, and to keep FUHL in compliance with the Real
18 Estate Law, and is cause for the suspension or revocation of the
19 real estate license and license rights of CHISICK pursuant to
20 the provisions of Code Sections 10177(d), 10177(g) and 10177(h).

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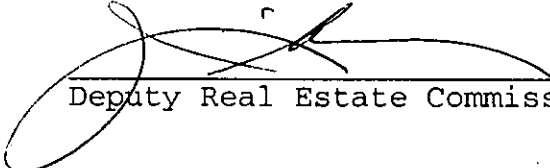
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1 WHEREFORE, complainant prays that a hearing be
2 conducted on the allegations of this Accusation and, that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and licensing rights of Respondents
5 FIRST UNITED HOME LOANS, a California corporation and MARK DAVID
6 CHISICK, individually and as designated officer of First United
7 Home Loans under the Real Estate Law (Part 1 of Division 4 of
8 the Business and Professions Code) and for such other and
9 further relief as may be proper under other applicable
10 provisions of law.

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12 Dated at Los Angeles, California

13 this

10 August 2005

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17 Deputy Real Estate Commissioner
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24 cc: First United Homes Loans, a California Corporation
25 c/o Mark David Chisick
26 Janice Waddell
27 Sacto
JN
Audits - Manijeh Khazrai