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FILED

NOV - 8 2006

DEPARTMENT OF REAL ESTATE
BY: *Jana B. Dean*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Application of)	NO. H-32657 LA
ABC LENDING INC. and)	
PETER MICHAEL DOWNING,)	
Broker-officer,)	
Respondent.)	

ORDER DENYING APPLICATION FOR A REAL ESTATE LICENSE

The Real Estate Commissioner, in conformity with Section 10152, Division 4, Business and Professions Code of the State of California, required further proof of the honesty and truthfulness of ABC LENDING INC. and PETER MICHAEL DOWNING, (hereinafter Respondents), in connection with Respondents application for a real estate corporate broker license filed on April 29, 2005, and in relation thereto, filed a Statement of Issues on April 6, 2006.

Said Statement of Issues was properly served on Respondents on or about April 6, 2006, and Respondents have, to

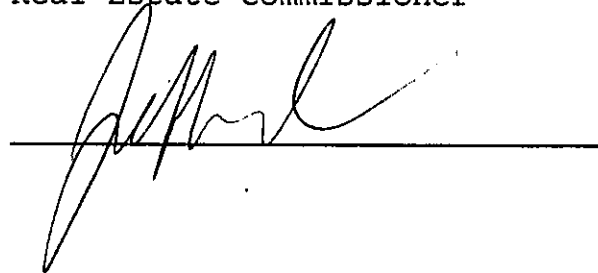
1 date, failed to file a Notice of Defense, request a hearing or
2 otherwise establish that they are entitled to the license sought.

3 IT IS THEREFORE ORDERED, pursuant to the authority
4 granted under Section 11520 of the Government Code of the State
5 of California, that the application of ABC LENDING, INC. and
6 PETER MICHAEL DOWNING, for a real estate corporate broker license
7 is hereby denied.

8 This Order is effective immediately.

9 DATED: 10-29-06

11 JEFF DAVI
12 Real Estate Commissioner

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*facts
file*

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7

FILED
APR 6 2008
DEPARTMENT OF REAL ESTATE

By *Jana B. [Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)	No. H-32657 LA
12 ABC LENDING INC. AND PETER)	
13 MICHAEL DOWNING, broker-)	<u>STATEMENT OF ISSUES</u>
14 officer)	
15 Respondent.)	

16 The Complainant, Maria Suarez, a Deputy Real Estate
17 Commissioner of the State of California, for Statement of
18 Issues against ABC LENDING INC. AND PETER MICHAEL DOWNING,
19 broker-officer ("Respondents") alleges as follows:

20 I

21 Respondents made application to the Department of
22 Real Estate of the State of California for a corporate real
23 estate broker license on or about April 29, 2005.

24 II

25 Complainant, Maria Suarez, a Deputy Real Estate
26 Commissioner of the State of California, makes this Statement
27 of Issues in her official capacity.

(PRIOR LICENSE DISCIPLINE)

FIRST CAUSE FOR DENIAL

III

On or about October 31, 2002, the Department of Real Estate, State of California, filed an Accusation, Case No. H-29760, entitled In the Matter of the Accusation Against CTC Funding Inc. dba Coast to Coast Funding; and PETER MICHAEL DOWNING, individually and as designated officer of CTC Funding Inc. (hereinafter CTC and DOWNING)

On or about July 18, 2003, Respondents CTC and DOWNING entered into a Stipulation and Agreement with an effective date of August 7, 2003. Said Stipulation suspended the Respondent's broker's license for ninety (90 days), with sixty (60) days stayed for two (2) years. Respondent CTC also paid a monetary penalty of seven thousand (\$7,000.00) dollars, while Respondent DOWNING paid a monetary penalty of five thousand (\$5,000.00) dollars.

IV

The CTC and DOWNING's real estate brokers licenses were suspended on the following grounds:

1) CTC and DOWNING were subject to disciplinary action under Business and Professions Code (Code) Section 10137 in that between June 10, 2000 and July 16, 2001, CTC employed George Habib Saddic ("Saddic") and allowed him to solicit and negotiate four (4) separate loans for four different borrowers.

1 Saddic engaged in these activities despite not having a valid
2 real estate salesperson or broker license during this time
3 period. Saddic violated Section 10131(d) of the code by
4 soliciting and negotiating these four loans without holding a
5 valid real estate license.

6 2) Because Saddic was employed by CTC FUNDING INC. and
7 PETER MICHAEL DOWNING, both CTC Funding and DOWNING were found
8 to have violated Sections 10137 and 10177(d) of the Code for
9 allowing Saddic to engaged in the unlicensed real estate
10 activity.

11 SECOND CAUSE FOR DENIAL

12 V

13 On or about March 14, 2005, the Department of Real
14 Estate, State of California, filed an Accusation, entitled In The
15 Matter Of The Accusation Against FIDELITY NATIONAL MORTGAGE INC,
16 dba FNMC; and PETER MICHAEL DOWNING, individually and as
17 designated officer of FNMC (hereinafter FNMC and DOWNING), Case
18 No. H-31751 LA.

19 The filing of the Accusation resulted because a
20 Department audit completed May 7, 2003 determined that Respondent
21 was in violation of the Real Estate Law. The audit revealed the
22 following violations:
23

24 ///

25 ///

26 ///

27

VIII

1
2 Respondent DOWNING's conduct which led to the prior
3 suspension of his real estate license and the licenses of FNMC
4 and CTC, is cause to deny Respondent ABC LENDING INC, and PETER
5 MICHAEL DOWNING's corporate real estate broker's license
6 application pursuant to Code Section 10177(f).

7 These proceedings are brought under the provisions of
8 Section 10100, Division 4 of the Business and Professions Code
9 of the State of California and Sections 11500 through 11528 of
10 the Government Code.

11 WHEREFORE, the Complainant prays that the above-
12 entitled matter be set for hearing and, upon proof of the
13 charges contained herein, that the Commissioner refuse to
14 authorize the issuance of, and deny the issuance of, a real
15 estate salesperson license to Respondent, ABC LENDING INC. AND
16 PETER MICHAEL DOWNING, broker-officer, and for such other and
17 further relief as may be proper in the premises.
18

19 Dated at Los Angeles, California

20 this 31st day of April 2006.

21
22 
23 Maria Suarez
24 Deputy Real Estate Commissioner

25 cc: ABC Lending Inc.
26 Peter Michael Downing
27 Maria Suarez
Sacto.