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DEPARTMENT OF REAL ESTATE
BY: *Asy*

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

In the Matter of the Accusation of)
)
GLOBAL MORTGAGE FUNDING INC.)
doing business as Inforte)
Financial; and HENRY PERPULI)
SOLIS, individually and as)
designated officer of Global)
Mortgage Funding Inc.,)
)
Respondents)
)
)
)
)

No. H-32957 LA

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on July 14, 2008, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent GLOBAL MORTGAGE FUNDING INC.'s and HENRY PERPULI SOLIS' express admissions; (2) affidavits; and (3) Department Audit Report LA 030470 and LA 040112 (4) other evidence.

FACTUAL FINDINGS

1.

On May 25, 2006, Janice Waddell made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed by certified mail, to Respondents. On June 7, 2006, a Notice of Defense was filed herein within the time prescribed by Section 11506 of the Government Code. On February 15, 2008, the noticed Hearing was called by Administrative Law Judge Humberto Flores. After proper service, Respondents failed to appear. Respondents' default was entered herein.

2.

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

LICENSE HISTORY

3.

A. At all times mentioned, GLOBAL MORTGAGE FUNDING INC. ("GLOBAL MORTGAGE") and HENRY PERPULI SOLIS were licensed or had license rights issued by the Department of Real Estate ("Department") as real estate brokers.

B. At all times mentioned, GLOBAL MORTGAGE was licensed by the Department as a corporate real estate broker by and through SOLIS, as the designated officer and broker responsible, pursuant to Code Section 10159.2 for supervising the activities requiring a real estate license conducted on behalf GLOBAL MORTGAGE of by GLOBAL MORTGAGE's officers, agents and employees, including SOLIS. GLOBAL MORTGAGE was originally licensed on May 28, 2002.

C. At all times mentioned, HENRY PERPULI SOLIS ("SOLIS") was licensed or had license rights issued by the Department as a real estate broker. On January 27, 1994, SOLIS was originally licensed as a real estate broker. At all times mentioned, SOLIS was licensed as the designated officer of GLOBAL MORTGAGE.

BROKERAGE

GLOBAL MORTGAGE FUNDING INC.

4.

At all times mentioned, in the City of Newport Beach, County of Orange, GLOBAL MORTGAGE and SOLIS acted as real estate brokers conducting licensed activities within the meaning of:

A. Code Section 10131(a) by operating a residential resale brokerage; and

B. Code Section 10131(d) by operating a mortgage loan brokerage dba Inforte Financial; and

C. In addition, GLOBAL MORTGAGE conducted broker-controlled escrows through its escrow division, U.S. Escrow Express.

FIRST CAUSE OF ACTION
GLOBAL MORTGAGE FUNDING INC.
AUDIT

5.

On February 25, 2005, the Department completed an audit examination of the books and records of GLOBAL MORTGAGE pertaining to the mortgage and loan activities described in Finding 4, which require a real estate license. The audit examination covered a period of time beginning on May 1, 2003 to August 31, 2004. The audit examination revealed violations of the Code and the Regulations as set forth in the following Findings, and more fully discussed in Audit Report LA 030470/LA 040112 and the exhibits and workpapers attached to said audit report.

TRUST ACCOUNTS

6.

At all times mentioned, in connection with the activities described in Paragraph 4, above, GLOBAL MORTGAGE accepted or received funds including funds in trust (hereinafter "trust funds") from or on behalf of actual or prospective parties, including lenders, borrowers, homeowners and escrow holders for mortgage

loan transactions handled by GLOBAL MORTGAGE and thereafter made deposits and or disbursements of such funds. From time to time herein mentioned during the audit period, said trust funds were deposited and/or maintained by GLOBAL MORTGAGE in the following bank accounts:

"Global Mortgage Funding Inc. U.S. Escrow Express Trust
Account
Account No. 0013319367"
City National Bank
Portland, OR (T/A #1)

"U.S. Escrow Express, LLC, Trust Account
Account No. 764-5133278"
City National Bank
Portland, OR (T/A #2)

GLOBAL MORTGAGE FUNDING INC.
VIOLATIONS OF THE REAL ESTATE LAW

7.

In the course of activities described in Finding 4 and 6, above, and during the examination period described in Finding 5, Respondents GLOBAL MORTGAGE and SOLIS acted in violation of the Code and the Regulations in that they:

(a)(1) Permitted, allowed or caused the disbursement of trust funds from T/A #1 where the disbursement of funds reduced the total of aggregate funds in T/A #1, to an amount which, on August 31, 2004, was \$29,735.44, less than the existing aggregate trust fund liability of GLOBAL MORTGAGE to every principal who was an owner of said funds, without first obtaining the prior written consent of the owners of said funds, as required by Code Section 10145 and Regulation 2832.1.

(a)(2) Permitted, allowed or caused the disbursement of trust funds from T/A #2 where the disbursement of funds reduced the total of aggregate funds in T/A #2, to an amount which, on July 31, 2004, was \$36,570.44, less than the existing aggregate trust fund liability of GLOBAL MORTGAGE to every principal who was an owner of said funds, without first obtaining the prior written consent of the owners of said funds, as required by Code Section 10145 and Regulation 2832.1.

(b) Failed to maintain a control record in the form of a columnar record in chronological order of all trust funds received, deposited and disbursed from escrow trust accounts T/A #1 and T/A #2, in violation of Code Section 10145 and Regulation 2831.

(c) Failed to maintain a separate record for each beneficiary or transaction, thereby failing to account for all trust funds received, deposited and disbursed from escrow trust accounts T/A #1 and T/A #2, as required by Code Section 10145 and Regulation 2831.1; and

(d) Failed to perform a monthly reconciliation of the balance of all separate beneficiary or transaction records maintained pursuant to Regulation 2831.1 with the record of all trust funds received for the escrow trust accounts and disbursed by the escrow trust accounts - T/A #1 and T/A #2, as required by Code Section 10145 and Regulation 2831.2.

NEGLIGENCE

8.

The overall conduct of Respondents GLOBAL MORTGAGE and SOLIS constitutes negligence pursuant to Code Section 10177(g).

DETERMINATION OF ISSUES

1.

The conduct of Respondents GLOBAL MORTGAGE FUNDING INC. and HENRY PERPULI SOLIS, as described in Findings 7, herein above, are in violation of Code Section 10145 and Regulations 2831, 2831.1, 2831.2 and 2832.1 and are cause for disciplinary action pursuant to Code Sections 10177(d) and 10177(g).

2.

The conduct of Respondents GLOBAL MORTGAGE FUNDING INC. and HENRY PERPULI SOLIS, as described in Finding 8, herein above, constitutes negligence, and is cause for disciplinary action pursuant to Code Section 10177(g).

3.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

The real estate broker license and license rights of Respondent GLOBAL MORTGAGE FUNDING INC. and HENRY PERPULI SOLIS, under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on September 29, 2008

DATED: 8/13/08, 2008

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Bigby
Chief Deputy Commissioner

1 Department of Real Estate
2 320 West 4th Street, Ste. 350
3 Los Angeles, California 90013-1105

4 (213) 576-6982

FILED

JUL 14 2008

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12)
13 GLOBAL MORTGAGE FUNDING INC. doing)
14 business as Inforte Financial; and)
15 HENRY PERPULI SOLIS, individually)
and as designated officer of Global)
Mortgage Funding Inc.,)

No. H-32957 LA

16 Respondents)

17 DEFAULT ORDER

18 Respondents GLOBAL MORTGAGE FUNDING INC. doing
19 business as Inforte Financial; and HENRY PERPULI SOLIS,
20 individually and as designated officer of Global Mortgage
21 Funding Inc., having failed to appear at the hearing scheduled
22 for this matter on February 15, 2008, after filing a Notice of
23 Defense, are now in default. It is, therefore, ordered that a
24 default be entered on the record in this matter.
25

IT IS SO ORDERED

July 14, 2008
JEFF DAVI
Real Estate Commissioner

Dolores Weeks
By: DOLORES WEEKS
Regional Manager

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DEPARTMENT OF REAL ESTATE

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
6
7
8 Telephone: (213) 576-6911 (direct)
9 -or- (213) 576-6982 (office)

By *K. Melebold*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

10
11 In the Matter of the Accusation of) No. H-32957 LA
12 GLOBAL MORTGAGE FUNDING INC. doing) A C C U S A T I O N
13 business as Inforte Financial)
14 and HENRY PERPULI SOLIS,)
15 individually and as)
16 designated officer of)
17 Global Mortgage Funding Inc.,)
18 Respondents.)

18 The Complainant, Janice Waddell, a Deputy Real Estate
19 Commissioner of the State of California, for cause of Accusation
20 against GLOBAL MORTGAGE FUNDING INC. dba Inforte Financial and
21 HENRY PERPULI SOLIS, individually and as designated officer of
22 Global Mortgage Funding Inc., alleges as follows:

23 ///
24 ///
25 ///
26 ///

1.

1 The Complainant, Janice Waddell, acting in her official
2 capacity as a Deputy Real Estate Commissioner of the State of
3 California, makes this Accusation against GLOBAL MORTGAGE FUNDING
4 INC. and HENRY PERPULI SOLIS.
5

2.

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

11 LICENSE HISTORY

3.

12 A. At all times mentioned, GLOBAL MORTGAGE FUNDING
13 INC. ("GMFI") was licensed or had license rights issued by the
14 Department of Real Estate ("Department") as a real estate broker.
15 On November 9, 1999, GMFI was originally licensed as a real
16 estate broker.
17

18 B. At all times mentioned, HENRY PERPULI SOLIS
19 ("SOLIS") was licensed or had license rights issued by the
20 Department of Real Estate (Department) as a real estate broker.
21 On February 24, 1989, SOLIS was originally licensed as a real
22 estate salesperson. On January 27, 1994, SOLIS was originally
23 licensed as a real estate broker. On June 13, 2003, SOLIS' real
24 estate broker license expired. SOLIS renewed said license on
25 September 4, 2003.

26 C. At all times material herein, GMFI was licensed by
27 the Department of Real Estate of the State of California

1 (hereinafter "Department") as a corporate real estate broker by
2 and through SOLIS, as the designated officer and broker
3 responsible, pursuant to Code Section 10159.2 of the Business and
4 Professions Code for supervising the activities requiring a real
5 estate license conducted on behalf GMFI of by GMFI's officers,
6 agents and employees, including SOLIS.

7 BROKERAGE

8 4.

9 At all times mentioned, in the City of Newport Beach,
10 County of Orange, GMFI acted as a real estate broker and
11 conducted licensed activities within the meaning of:

12 A. Code Section 10131(a). GMFI operated a residential
13 resale brokerage;

14 B. Code Section 10131(d). GMFI operated a mortgage and
15 loan brokerage; and

16 C. In addition, GMFI conducted broker-controlled
17 escrows through its escrow division, U.S. Escrow Express.
18

19 AUDIT EXAMINATION

20 5.

21 On February 25, 2005, the Department completed an audit
22 examination of the books and records of GMFI pertaining to the
23 mortgage and loan and broker-escrow activities described in
24 Paragraph 4, that require a real estate license. The audit
25 examination covered a period of time beginning on May 1, 2003 to
26 August 31, 2004. The audit examination revealed violations of
27

1 the Code and the Regulations as set forth in the following
2 paragraphs, and more fully discussed in Audit Report LA 030470
3 and LA 040112 and the exhibits and workpapers attached to said
4 audit reports.

5 TRUST ACCOUNTS

6 6.

7 At all times mentioned, in connection with the activities
8 described in Paragraph 4, above, GMFI accepted or received funds
9 including funds in trust (hereinafter "trust funds") from or on
10 behalf of actual or prospective parties to transactions handled
11 by GMFI and thereafter made deposits and or disbursements of such
12 funds. From time to time herein mentioned during the audit
13 period, said trust funds were deposited and/or maintained by GMFI
14 in the bank accounts as follows:

15
16 "Global Mortgage Funding Inc. U.S. Escrow Express Trust Account
17 0013319367
18 City National Bank
19 Portland, Oregon 97228-6695 ("T/A #1")

20 "U.S. Escrow Express, LLC. Trust Account
21 764-5133278
22 Wells Fargo Bank
23 Portland, Oregon 97228-6695 ("T/A #2")

24 VIOLATIONS

25 7.

26 In the course of activities described in Paragraphs 4
27 and 6, above, and during the examination period described in

1 Paragraph 5, Respondents GMFI and SOLIS, acted in violation of
2 the Code and the Regulations in that they:

3 (a) (1) Permitted, allowed or caused the disbursement of
4 trust funds from the T/A #1, where the disbursement of funds
5 reduced the total of aggregate funds in T/A #1, to an amount
6 which, on August 31, 2004, was \$29,735.44, less than the existing
7 aggregate trust fund liability of GMFI to every principal who was
8 an owner of said funds, without first obtaining the prior written
9 consent of the owners of said funds, as required by Code Section
10 10145 and Regulations 2832.1, 2950(d), 2950(g) and 2951.

11 (a) (2) Permitted, allowed or caused the disbursement of
12 trust funds from the escrow trust account where the disbursement
13 of funds reduced the total of aggregate funds in T/A #2, to an
14 amount which, on July 31, 2004, was \$36,570.44, less than the
15 existing aggregate trust fund liability of GMFI to every
16 principal who was an owner of said funds, without first obtaining
17 the prior written consent of the owners of said funds, as
18 required by Code Section 10145 and Regulations 2832.1, 2950(d),
19 2950(g) and 2951.

21 (b) Used the fictitious name of "U.S. Express", to
22 conduct licensed activities including broker-controlled escrows
23 without holding a license bearing said fictitious business name,
24 in violation of Code Section 10159.5 and Regulation 2731.

25 (c) Failed to perform a monthly reconciliation of the
26 balance of all separate beneficiary or transaction records
27

1 maintained pursuant to Regulation 2831.1, with the control record
2 of all trust funds received and disbursed by the trust accounts,
3 T/A #1 and T/A #2, as required by Regulation 2831, in violation
4 of Code Section 10145 and Regulations 2831.2, 2950(d) and 2951.

5 (d) Failed to maintain an accurate and complete control
6 record in the form of a columnar record in chronological order of
7 all trust funds received, deposited and disbursed by the trust
8 accounts, T/A #1 and T/A #2, in violation of Code Section 10145
9 and Regulations 2831, 2950(d) and 2951.

10 (e) Failed to maintain a separate record for each
11 beneficiary or transaction, thereby failing to account for all
12 trust funds received, deposited into and disbursed from T/A #1,
13 as required by Code Section 10145 and Regulation 2831.1, 2950(d)
14 and 2951.

15 (f) Permitted an unlicensed and unbonded person, Cary
16 Leonard, to be an authorized signatory on the T/A #1 and SOLIS
17 was not an authorized signatory on the T/A #1, in violation of
18 Code Section 10145 and Regulation 2834.

19 (g) (1) Failed to retain a true and correct copy of a
20 Department of Real Estate approved Mortgage Loan Disclosure
21 Statement signed by the broker for borrowers James Dao, Wilbet
22 Clarke, Raquel Carmen Taj-Taj and Bruce Williams, in violation of
23 Code Section 10240 and 10241 and Regulation 2840; and
24

25 (g) (2) Failed to disclose yield spread premium lender
26 rebates on the Mortgage Loan Disclosure Statement for the
27

1 aforesaid borrowers, in violation of Code Section 10240, 10241
2 and Regulation 2840.

3 (h) Failed to disclose in writing to all parties of
4 GMFI's financial interest and ownership of GMFI's escrow division
5 "U.S. Escrow Express" as required by Code Section 10145 and
6 Regulation 2950(h).

7 8.

8 The conduct of Respondents GMFI and SOLIS, described in
9 Paragraph 7, above, violated the Code and the Regulations as set
10 forth below:

11 PARAGRAPH

PROVISIONS VIOLATED

12
13 7(a)(1).

Code Section 10145 and Regulations
2832.1, 2950(d), 2950(g), and 2951

14
15 7(a)(2)

Code Section 10145 and Regulations
2832.1, 2950(d), 2950(g), and 2951

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17 7(b)

Code Section 10159.5 and
Regulation 2731

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19 7(c)

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

20
21 7(d)

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

22
23 7(e)

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

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25 7(f)

Code Section 10145 and Regulation
2834

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7(g) (1)&(2)

Code Section 10240 and 10241 and Regulation 2840

7(h)

Code Section 10145 and Regulation 2950(h)

The foregoing violations constitutes cause for the suspension or revocation of the real estate license and license rights of GMFI and SOLIS under the provisions of Code Sections 10177(d) and/or 10177(g).

9.

The overall conduct of Respondents GMFI and SOLIS constitutes negligence or incompetence. This conduct and violation are cause for the suspension or revocation of the real estate license and license rights of Respondents GMFI and SOLIS pursuant to Code Section 10177(g).

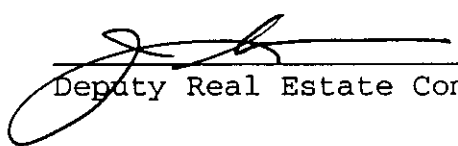
10.

The conduct, acts and/or omissions of SOLIS, in causing, allowing, or permitting GMFI to violate the Real Estate Law, as described, herein above, constitutes failure on the part of Respondent SOLIS, as the officer designated by a corporate broker licensee, to exercise the reasonable supervision and control over the licensed activities of GMFI, as required by Code Section 10159.2 and Regulation 2725. Said conduct is cause to suspend or revoke the real estate licenses and license rights of SOLIS pursuant to the provisions of Code Sections 10177(d) and/or and 10177(h).

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 the license and license rights of Respondents
5 GLOBAL MORTGAGE FUNDING INC. and HENRY PERPULI SOLIS, under the
6 Real Estate Law (Part 1 of Division 4 of the Business and
7 Professions Code) and for such other and further relief as may be
8 proper under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this *25 May 2006*

11 
12 Deputy Real Estate Commissioner

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24 cc: Global Mortgage Funding Inc.
25 c/o Henry Perpuli Solis D.O.
26 Janice Waddell
27 Sacto
Audits - Darryl M. Thomas