

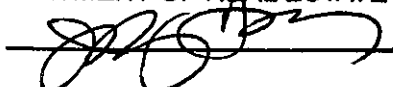
7/20/07
1 Department of Real Estate
2 320 West 4th Street, Ste. 350
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6916 (direct)
5 -or- (213) 576-6982 (office)

FILED

JAN 10 2007

DEPARTMENT OF REAL ESTATE

BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-33078 LA
	)	L-2006090628
SECURED HORIZON FINANCIAL	)	
GROUP INC.,	)	<u>STIPULATION</u>
	)	<u>AND</u>
	)	<u>AGREEMENT</u>
Respondent.	)	

15 It is hereby stipulated by and between Respondent
16 SECURED HORIZON FINANCIAL GROUP INC., (sometimes referred to as
17 "Respondent"), represented by Frank M. Buda, Esq. and the
18 Complainant, acting by and through Alvaro Mejia, Counsel for the
19 Department of Real Estate, as follows for the purpose of settling
20 and disposing of the Accusation ("Accusation") filed on July 26,
21 2006, in this matter:

22 1. All issues which were to be contested and all
23 evidence which was to be presented by Complainant and Respondent
24 at a formal hearing on the Accusation, which hearing was to be
25 held in accordance with the provisions of the Administrative
26 Procedure Act ("APA"), shall instead and in place thereof be
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1 submitted solely on the basis of the provisions of this
2 Stipulation and Agreement ("Stipulation").

3 2. Respondent has received, read and understands the
4 Statement to Respondent, the Discovery Provisions of the APA and
5 the Accusation filed by the Department of Real Estate in this
6 proceeding.

7 3. Respondent timely filed a Notice of Defense
8 pursuant to Section 11506 of the Government Code for the purpose
9 of requesting a hearing on the allegations in the Accusation.
10 Respondent hereby freely and voluntarily withdraws said Notice of
11 Defense. Respondent acknowledges that it understands that by
12 withdrawing said Notice of Defense it thereby waives its right to
13 require the Commissioner to prove the allegations in the
14 Accusation at a contested hearing held in accordance with the
15 provisions of the APA and that it will waive other rights
16 afforded to it in connection with the hearing such as the right
17 to present evidence in its defense the right to cross-examine
18 witnesses.
19

20 4. This Stipulation is based on the factual
21 allegations contained in the Accusation. In the interest of
22 expedience and economy, Respondent chooses not to contest these
23 allegations, but to remain silent and understands that, as a
24 result thereof, these factual allegations, without being admitted
25 or denied, will serve as a prima facie basis for the disciplinary
26 action stipulated to herein. The Real Estate Commissioner shall
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1 not be required to provide further evidence to prove said factual
2 allegations.

3 5. This Stipulation and Respondent's decision not to
4 contest the Accusation is made for the purpose of reaching an
5 agreed disposition of this proceeding and is expressly limited to
6 this proceeding and any other proceeding or case in which the
7 Department of Real Estate ("Department"), the state or federal
8 government, or any agency of this state, another state or federal
9 government is a party, and otherwise shall not be admissible in
10 any other criminal or civil proceeding.

11 6. It is understood by the parties that the Real
12 Estate Commissioner may adopt this Stipulation as his Decision in
13 this matter thereby imposing the penalty and sanctions on
14 Respondent's real estate licenses and license rights as set forth
15 in the "Order" herein below. In the event that the Commissioner
16 in his discretion does not adopt the Stipulation, it shall be
17 void and of no effect and Respondent shall retain the right to a
18 hearing and proceeding on the Accusation under the provisions of
19 the APA and shall not be bound by any stipulation or waiver made
20 herein.
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22 7. The Order or any subsequent Order of the Real
23 Estate Commissioner made pursuant to this Stipulation shall not
24 constitute an estoppel, merger or bar to any further
25 administrative or civil proceedings by the Department of Real
26 Estate with respect to any matters which were not specifically
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1 alleged to be causes for Accusation in this proceeding but do
2 constitute a bar, estoppel and merger as to any allegations
3 actually contained in the Accusations against Respondent herein.

4 DETERMINATION OF ISSUES

5 By reason of the foregoing, it is stipulated and agreed
6 that the following determination of issues shall be made:

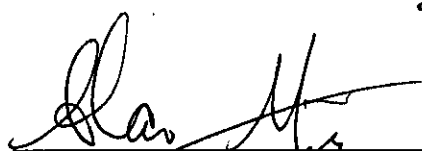
7 The conduct of SECURED HORIZON FINANCIAL GROUP INC., as
8 described in Paragraph 4, above, is in violation of Section 2715
9 of Title 10, Chapter 6 of the California Code of Regulations
10 ("Regulations") and is a basis for the suspension or revocation
11 of Respondent's license and license rights as violations of the
12 Real Estate Law pursuant to Code Section 10177(d).

13 ORDER

14 WHEREFORE, THE FOLLOWING ORDER is hereby made:

15 Respondent SECURED HORIZON FINANCIAL GROUP INC., is publicly
16 reproved.

17
18 DATED: 12/13/06

19 
20 ALVARO MEJIA, Counsel for
the Department of Real Estate

21 * * *

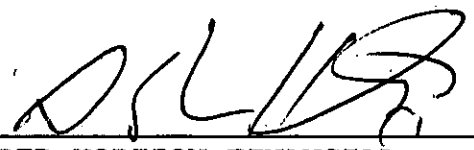
22 EXECUTION OF THE STIPULATION

23 I have read the Stipulation and discussed it with my
24 counsel. Its terms are understood by me and are agreeable and
25 acceptable to me. I understand that I am waiving rights given to
26 me by the California Administrative Procedure Act (including but
27 not limited to Sections 11506, 11508, 11509 and 11513 of the

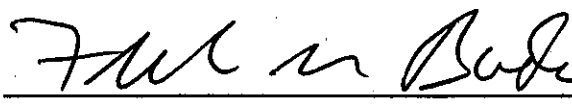
Government Code), and I willingly, intelligently and voluntarily
waive those rights, including the right of requiring the
Commissioner to prove the allegations in the Accusation at a
hearing at which I would have the right to cross-examine
witnesses against me and to present evidence in defense and
mitigation of the charges.

Respondent can signify acceptance and approval of the
terms and conditions of this Stipulation by faxing a copy of its
signature page, as actually signed by Respondent, to the
Department at the following telephone/fax number at
(213) 576-6917. Respondent agrees, acknowledges and understands
that by electronically sending to the Department a fax copy of
Respondent's actual signature as it appears on the Stipulation,
that receipt of the faxed copy by the Department shall be as
binding on Respondent as if the Department had received the
original signed Stipulation.

DATED: 12/23/06


SECURED HORIZON FINANCIAL
GROUP INC., Respondent

DATED: 12-13-06


FRANK M. BUDA, ESQ.
Attorney for Respondent
Approved as to form

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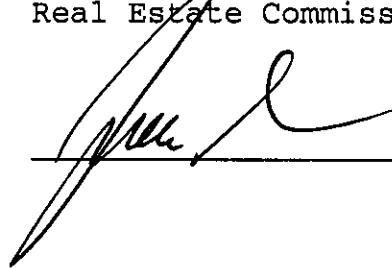
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1 The foregoing Stipulation and Agreement is hereby
2 adopted as my Decision as to SECURED HORIZON FINANCIAL GROUP
3 INC., and shall become effective at 12 o'clock noon on
4 January 30, 2007.
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6 IT IS SO ORDERED 1-4-, 2007

7 JEFF DAVI
8 Real Estate Commissioner
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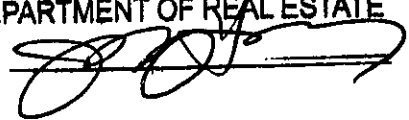
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ALVARO MEJIA, Counsel (SBN 216956)
Department of Real Estate
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Los Angeles, California 90013-1105

Telephone: (213) 576-6982
(Direct) (213) 576-6916

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JUL 26 2006

DEPARTMENT OF REAL ESTATE

BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H- 33078 LA
SECURED HORIZON FINANCIAL)	
GROUP INC.,)	<u>A C C U S A T I O N</u>
Respondent.)	

The Complainant, Janice Waddell, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against SECURED HORIZON FINANCIAL GROUP INC., ("Respondent") alleges as follows:

1.

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

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2.

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

3.

The current business address and mailing address maintained by Respondent with the Department is 10153 1/2 Riverside Dr. #428, Toluca Lake, California 91602. Respondent is no longer at this address nor has Respondent informed the Real Estate Commissioner of any new address nor is Respondent presently maintaining any definite place of business in the State of California, which shall serve as its office for the transaction of business requiring a real estate license.

4.

On or about October 2005, Department Representatives went to the address of Respondent's principal place of business, as indicated in Paragraph 3, above to perform an examination of Respondent's books and records pertaining to its activities as a real estate licensee. The Department representatives determined that Respondent did not occupy or maintain a place of business.

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5.

At a time known to Respondent, but unknown to the Department, Respondent left and/or abandoned its principal place of business, as set forth in Paragraph 3, above; and thereafter, Respondent failed to maintain on file with the Commissioner of the Department a new address for the principal place of business for its real estate brokerage activities, in violation of Title 10, Chapter 6, Section 2715 California Code of Regulations ("Regulations") and Code Section 10162.

6.

The conduct, acts and/or omissions of Respondent, as set forth above, are cause for suspension or revocation of the licenses and license rights of Respondent pursuant to Code Section 10165 and/or 10177(d).

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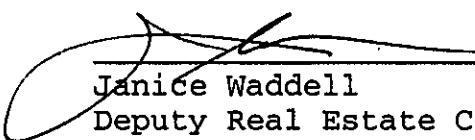
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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all the licenses and license rights of
5 Respondent, SECURED HORIZON FINANCIAL GROUP INC., under the Real
6 Estate Law (Part 1 of Division 4 of the Business and Professions
7 Code) and for such other and further relief as may be proper
8 under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this 24 day of July, 2006.

11 
12 Janice Waddell
13 Deputy Real Estate Commissioner
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26 cc: SECURED HORIZON FINANCIAL GROUP INC.
27 Janice Waddell
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