

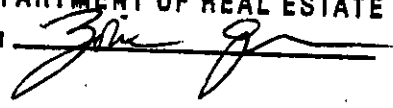
Sacto flag

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

FILED

MAR 01 2012

DEPARTMENT OF REAL ESTATE

BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	NO. H-34179 LA
ADAMS FINANCIAL SERVICES, INC.)	
and ANTONIO SANTILLAN,)	
individually and as designated)	
officer of Adams Financial)	
Services, Inc.,)	
Respondents.)	

ORDER VACATING ORDER OF SUSPENSION

An ORDER SUSPENDING REAL ESTATE LICENSE of Respondents ADAMS FINANCIAL SERVICES, INC. and ANTONIO SANTILLAN was filed on February 3, 2012, against Respondents.

Good cause appearing therefor, the ORDER SUSPENDING REAL ESTATE LICENSES is hereby vacated.

IT IS SO ORDERED this 21st day of February, 2012.

BARBARA J. BIGBY
Acting Real Estate Commissioner



Sachs
Flag

FILED

FEB 03 2012

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-34179 LA
ADAMS FINANCIAL SERVICES INC.)	
and ANTONIO SANTILLAN,)	
individually and as designated)	
officer of Adams Financial)	
Services Inc.,)	
Respondents.)	

ORDER SUSPENDING REAL ESTATE LICENSE

To: ADAMS FINANCIAL SERVICES, INC.
ANTONIO SANTILLAN
5055 E. Calle San Raphael, Suite A4
Palm Springs, CA 92262

On October 30, 2008, the real estate broker licenses of Respondents were suspended for 90 days stayed for two years on terms and conditions including pay for a follow up audit as set forth in the Real Estate Commissioner's Decision in Case No. H-34179 LA, effective October 30, 2008. The Commissioner has

1 determined that Respondents have failed to satisfy this condition
2 by not paying for the remaining balance of the follow up audit
3 costs in the amount of \$1,584.40.

4 NOW, THEREFORE, IT IS ORDERED under that the real
5 estate broker licenses heretofore issued to Respondents and the
6 exercise of any privileges thereunder are hereby suspended until
7 such time as Respondents provide proof satisfactory to the
8 Department of having paid for the audit referred to above or
9 pending final determination made after hearing (see "Hearing
10 Rights" set forth below).

11 IT IS FURTHER ORDERED that all license certificates and
12 identification cards issued by the Department of Real Estate
13 which are in the possession of Respondents be immediately
14 surrendered by personal delivery or by mailing in the enclosed
15 self-addressed envelope to:

16 DEPARTMENT OF REAL ESTATE
17 Attention: Flag Section
18 Post Office Box 187000
19 Sacramento, CA 95818-7000

20 HEARING RIGHTS: you have the right to a hearing to
21 contest the Commissioner's determination that you are in
22 violation of the condition that you pay for the follow up audit.
23 If you desire a hearing, you must submit a written request. The
24 request may be in any form as long as it is in writing and
25 indicates that you want a hearing. Unless a written request for
26 a hearing, signed by or on behalf of you, is delivered or mailed
27 to the Department at 320 West Fourth Street, Suite 350, Los
Angeles, California 90013, within 20 days after the date that

1 This Order was mailed to or served on you, the Department will
2 not be obligated or requir4ed to provide you with a hearing.

3 This Order shall be effective immediately.

4 DATED: 1/9/12

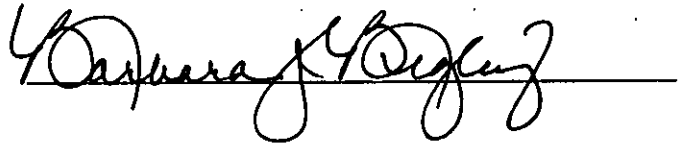
5

6

BARBARA J. BIGBY
Acting Real Estate Commissioner

7

8



Handwritten signature of Barbara J. Bigby over a horizontal line.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

facts

FILED

SEP 30 2008

1 Department of Real Estate
2 320 West 4th Street, Ste. 350
3 Los Angeles, California 90013-1105
4 Telephone: (213) 576-6982 (office)

DEPARTMENT OF REAL ESTATE
BY: *Spredy*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-34179 LA
)	
ADAMS FINANCIAL SERVICES INC.)	
and ANTONIO SANTILLAN,)	<u>STIPULATION</u>
individually and as designated)	<u>AND</u>
officer of Adams Financial)	<u>AGREEMENT</u>
Services Inc.,)	
)	
)	
Respondents.)	

16 It is hereby stipulated by and between Respondents
17 ADAMS FINANCIAL SERVICES INC., a corporate real estate broker,
18 and ANTONIO SANTILLAN, individually and as designated officer of
19 Adams Financial Services Inc. (sometimes collectively referred
20 to as "Respondents"), represented by Steven Gourley, Esq. of
21 Malek & Malek, and the Complainant, acting by and through Elliott
22 Mac Lennan, Counsel for the Department of Real Estate, as follows
23 for the purpose of settling and disposing of the Accusation
24 ("Accusation") filed on August 10, 2007, in this matter:

- 25 1. All issues which were to be contested and all
- 26 evidence which was to be presented by Complainant and Respondents
- 27

1 at a formal hearing on the Accusation, which hearing was to be
2 held in accordance with the provisions of the Administrative
3 Procedure Act ("APA"), shall instead and in place thereof be
4 submitted solely on the basis of the provisions of this
5 Stipulation and Agreement ("Stipulation").

6 2. Respondents have received, read and understand the
7 Statement to Respondent, the Discovery Provisions of the APA and
8 the Accusation filed by the Department of Real Estate in this
9 proceeding.

10 3. Respondents timely filed a Notice of Defense
11 pursuant to Section 11506 of the Government Code for the purpose
12 of requesting a hearing on the allegations in the Accusation.
13 Respondents hereby freely and voluntarily withdraw said Notice of
14 Defense. Respondents acknowledge that they understand that by
15 withdrawing said Notice of Defense they thereby waive their right
16 to require the Commissioner to prove the allegations in the
17 Accusation at a contested hearing held in accordance with the
18 provisions of the APA and that they will waive other rights
19 afforded to them in connection with the hearing such as the right
20 to present evidence in their defense and the right to cross-
21 examine witnesses.
22

23 4. This Stipulation is based on the factual
24 allegations contained in the Accusation. In the interest of
25 expedience and economy, Respondents choose not to contest these
26 allegations, but to remain silent and understand that, as a
27

1 result thereof, these factual allegations, without being admitted
2 or denied, will serve as a prima facie basis for the disciplinary
3 action stipulated to herein. The Real Estate Commissioner shall
4 not be required to provide further evidence to prove said factual
5 allegations.

6 5. This Stipulation and Respondents decision not to
7 contest the Accusation is made for the purpose of reaching an
8 agreed disposition of this proceeding and is expressly limited to
9 this proceeding and any other proceeding or case in which the
10 Department of Real Estate ("Department"), the state or federal
11 government, or any agency of this state, another state or federal
12 government is involved.

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

24 7. The Order or any subsequent Order of the Real
25 Estate Commissioner made pursuant to this Stipulation shall not
26 constitute an estoppel, merger or bar to any further
27

1 administrative or civil proceedings by the Department of Real
2 Estate with respect to any matters which were not specifically
3 alleged to be causes for Accusation in this proceeding but do
4 constitute a bar, estoppel and merger as to any allegations
5 actually contained in the Accusations against Respondent herein.

6 8. Respondents understand that by agreeing to this
7 Stipulation, Respondents agree to pay, pursuant to Business and
8 Professions Code Section 10148, the cost of the audit which led
9 to this disciplinary action. The amount of said cost for the
10 audit is \$6,448.35.

11 9. Respondents have received, read, and understand the
12 "Notice Concerning Costs of Subsequent Audit". Respondents
13 further understand that by agreeing to this Stipulation, the
14 findings set forth below in the Determination of Issues become
15 final, and the Commissioner may charge Respondents for the cost
16 of any subsequent audit conducted pursuant to Business and
17 Professions Code Section 10148 to determine if the violations
18 have been corrected. The maximum cost of the subsequent audit
19 will not exceed \$6,448.35.
20

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27

DETERMINATION OF ISSUES

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

4 I.

5 The conduct, acts or omissions of ADAMS FINANCIAL
6 SERVICES INC. and ANTONIO SANTILLAN, as described in Paragraph 4,
7 above, is in violation of Section 10145, 10231.1, 10238(k)(2) of
8 the Business and Professions Code ("Code") and Sections 2831,
9 2831.2 and 2950(d) of Title 10, Chapter 6 of the California Code
10 of Regulations ("Regulations") and is a basis for the suspension
11 or revocation of Respondent's license and license rights as a
12 violation of the Real Estate Law pursuant to Code Section
13 10177(d).

14 II.

15 The conduct, acts or omissions of ANTONIO SANTILLAN, as
16 described in Paragraph 4, constitutes a failure to keep Adams
17 Financial Services Inc. in compliance with the Real Estate Law
18 during the time that he was the officer designated by a corporate
19 broker licensee in violation of Section 10159.2 of the Code.
20 This conduct is a basis for the suspension or revocation of
21 Respondent's license pursuant to Code Section 10177(h).

22
23 ///

24 ///

25 ///

26 ///

27

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

A. All licenses and licensing rights of Respondents
ADAMS FINANCIAL SERVICES INC. and ANTONIO SANTILLAN under the
Real Estate Law are suspended for a period of ninety (90) days
from the effective date of this Decision; provided, however, that
sixty (60) days of said suspension shall be stayed for two (2)
years upon the following terms and conditions:

1. Respondents shall obey all laws, rules and
regulations governing the rights, duties and responsibilities of
a real estate licensee in the State of California.

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

B. The initial thirty (30) day portion of said ninety
(90) day suspension shall commence on the effective date of this
Decision; provided, however, that if Respondents petition, said
suspension shall be stayed upon condition that:

///

1 1. Pursuant to Section 10175.2 of the Business and
2 Professions Code, Respondents shall pay a monetary penalty of One
3 Hundred Sixty Six dollars and Sixty Seven cents (\$166.67) per day
4 or Five Thousand Dollars (\$5,000) each, totaling Ten Thousand
5 Dollars (\$10,000) for both Respondents.

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

10 3. No further cause for disciplinary action against
11 the real estate license of Respondents occur within two (2) years
12 from the effective date of the Decision in this matter.

13 4. If Respondents fail to pay the monetary penalty in
14 accordance with the terms and conditions of the Decision, the
15 Commissioner may, without a hearing, order the immediate
16 execution of all or any part of the stayed suspension in which
17 event Respondents shall not be entitled to any repayment nor
18 credit, prorated or otherwise, for money paid to the Department
19 under the terms of this Decision.

20 5. If Respondents pay the monetary penalty and
21 provides evidence as required, above, and if no further cause for
22 disciplinary action against the real estate licenses of
23 Respondents occurs within two (2) years from the effective date
24 of the Decision, the stay hereby granted shall become permanent.

25
26 ///

II.

1
2 Pursuant to Section 10148 of the Business and
3 Professions Code, Respondents ADAMS FINANCIAL SERVICES INC. and
4 ANTONIO SANTILLAN shall pay the Commissioner's reasonable cost
5 for (a) the audit which led to this disciplinary action (b) a
6 subsequent audit to determine if Respondents are now in
7 compliance with the Real Estate Law. The cost of the audit which
8 led to this disciplinary action is \$6,448.35. In calculating the
9 amount of the Commissioner's reasonable cost, the Commissioner
10 may use the estimated average hourly salary for all persons
11 performing audits of real estate brokers, and shall include an
12 allocation for travel time to and from the auditor's place of
13 work. Said amount for the prior and subsequent audits shall not
14 exceed \$12,896.70.

15
16 Respondents shall pay such cost within 60 days of
17 receiving an invoice from the Commissioner detailing the
18 activities performed during the audit and the amount of time
19 spent performing those activities.

20 The Commissioner may suspend the license of Respondents
21 pending a hearing held in accordance with Section 11500, et seq.,
22 of the Government Code, if payment is not timely made as provided
23 for herein, or as provided for in a subsequent agreement between
24 the Respondent and the Commissioner. The suspension shall remain
25 in effect until payment is made in full or until Respondents
26 enter into an agreement satisfactory to the Commissioner to
27

1 provide for payment, or until a decision providing otherwise is
2 adopted following a hearing held pursuant to this condition.

3 III.

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

15 IV.

16 Respondent SANTILLAN shall within six months from the
17 effective date of the decision, take and pass the Professional
18 Responsibility Examination administered by the Department
19 including the payment of the appropriate examination fee. If
20 respondent fails to satisfy this condition, the Commissioner may
21 order suspension of Respondent SANTILLAN's license until
22 respondent passes the examination.
23

24
25 DATED: 6-30-08

26 E L L I O T T
27 ELLIOTT MAC LENNAN, Counsel for
the Department of Real Estate

* * *

EXECUTION OF THE STIPULATION

We have read the Stipulation and discussed it with our counsel. Its terms are understood by us and are agreeable and acceptable to us. We understand that we are waiving rights given to us by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and we 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 we would have the right to cross-examine witnesses against us and to present evidence in defense and mitigation of the charges.


MAILING AND FACSIMILE

Respondents (1) shall mail the original signed signature page of the stipulation herein to Elliott Mac Lennan: Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105. Additionally, Respondents shall also (2) facsimile a copy of signed signature page, to the Department at the following telephone/fax number: (213) 576-6917, Attention: Elliott Mac Lennan.

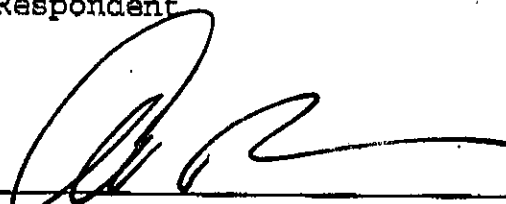
A facsimile constitutes acceptance and approval of the terms and conditions of this stipulation. Respondents agree, acknowledge and understand that by electronically sending to the

1 Department a facsimile copy of Respondents' actual signature as
 2 it appears on the stipulation that receipt of the facsimile copy
 3 by the Department shall be as binding on Respondents as if the
 4 Department had received the original signed stipulation.

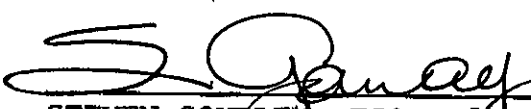
5
 6
 7 DATED: 5/30/08


 ADAMS FINANCIAL SERVICES INC., a
 corporate real estate broker,
 BY: ANTONIO SANTILLAN D.O.,
 Respondent

8
 9
 10
 11
 12 DATED: 5/30/08


 ANTONIO SANTILLAN, individually and
 as designated officer of Adams
 Financial Services Inc., Respondent

13
 14
 15
 16 DATED: 5/30/08


 STEVEN GOURLEY, ESQ. of Malek &
 Malek, Attorney for Respondents
 Approved as to form

17
 18
 19 ///
 20 ///
 21 ///
 22 ///
 23 ///
 24 ///
 25 ///
 26 ///
 27

ELLIOTT MAC LENNAN, SBN 66674
Department of Real Estate
320 West 4th Street, Ste. 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6911 (direct)
-or- (213) 576-6982 (office)

FILED

AUG 10 2007

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of

ADAMS FINANCIAL SERVICES INC.
and ANTONIO SANTILLAN,
individually and as designated
officer of Adams Financial
Services Inc.,

Respondents.

No. H-34179 LA

A C C U S A T I O N

The Complainant, Janice Waddell, a Deputy Real Estate
Commissioner of the State of California, for cause of Accusation
against ADAMS FINANCIAL SERVICES INC. and ANTONIO SANTILLAN,
individually and as designated officer of Adams Financial
Services Inc., alleges as follows:

///

///

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 ADAMS FINANCIAL
4 SERVICES INC. and ANTONIO SANTILLAN.
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

LICENSE HISTORY

3.

11
12 A. ADAMS FINANCIAL SERVICES INC. At all times
13 mentioned, ADAMS FINANCIAL SERVICES INC. ("AFSI") was licensed or
14 had license rights issued by the Department of Real Estate
15 ("Department") as a real estate broker. On January 14, 1985,
16 AFSI was originally licensed as a real estate broker. ANTONIO
17 SANTILLAN was the designated officer.
18

19 B. ANTONIO SANTILLAN. At all times mentioned,
20 ANTONIO SANTILLAN ("SANTILLAN") was licensed or had license
21 rights issued by the Department of Real Estate (Department) as a
22 real estate broker. On January 14, 1977, SANTILLAN was
23 originally licensed as a real estate broker. On January 14,
24 1985, SANTILLAN was licensed as the designated officer of AFSI.

25 C. On August 6, 1996, in Case No. H-26696 LA, a Desist
26 and Refrain Order was filed again AFSI and SANTILLAN, as set
27 forth below in Paragraph 9, below.

1 D. At all times material herein, AFSI was licensed by
2 the Department of Real Estate of the State of California
3 (hereinafter "Department") as a corporate real estate broker by
4 and through SANTILLAN, as the designated officer and broker
5 responsible, pursuant to Code Section 10159.2 of the Business and
6 Professions Code for supervising the activities requiring a real
7 estate license conducted on behalf AFSI of by AFSI's officers,
8 agents and employees, including SANTILLAN.

9 BROKERAGE

10 ADAMS FINANCIAL SERVICES INC.

11 4.

12 At all times mentioned, in the City and County of Los
13 Angeles, AFSI acted as a real estate broker and conducted
14 licensed activities within the meaning of:

15 A. Code Section 10131(d). AFSI operated a mortgage and
16 loan brokerage and loan servicing brokerage, and

17 B. In addition, AFSI conducted broker-controlled
18 escrows through its escrow division, Coastal Escrow, under the
19 exemption set forth in California Financial Code Section
20 17006(a)(4) for real estate brokers performing escrows incidental
21 to a real estate transaction where the broker is a party and
22 where the broker is performing acts for which a real estate
23 license is required.
24

25 ///

26 ///

27

AUDIT EXAMINATION

ADAMS FINANCIAL SERVICES INC.

5.

On November 16, 2005, the Department completed an audit examination of the books and records of AFSI pertaining to the mortgage and loan, loan servicing and broker-escrow activities described in Paragraph 4, that require a real estate license. The audit examination covered a period of time beginning on August 1, 2003 to July 31, 2005. The audit examination revealed violations of the Code and the Regulations as set forth in the following paragraphs, and more fully discussed in Audit Report LA 050051 and LA 050086 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, AFSI accepted or received funds including funds in trust (hereinafter "trust funds") from or on behalf of actual or prospective parties to transactions handled by AFSI 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 AFSI in the bank accounts as follows:

///

///

1 "Adams Financial Services Inc. Loan Servicing Trust Account
(T/A #1)
2 Account No. 23431-01888"
Bank of America
3 Beverly & San Vincente Branch
Los Angeles, California

4
5 "Adams Financial Services Inc. Escrow Trust Account
Account No. 23439-01889"
6 Bank of America
Beverly & San Vincente Branch
7 Los Angeles, California

8
9 VIOLATIONS OF THE REAL ESTATE LAW

10 7.

11 In the course of activities described in Paragraphs 4
12 and 6, above, and during the examination period described in
13 Paragraph 5, Respondents AFSI and SANTILLAN, acted in violation
14 of the Code and the Regulations in that they:

15 (a) Failed to maintain an adequate control record in
16 the form of a columnar record in chronological order of all trust
17 funds received, deposited and disbursed by the escrow trust fund,
18 as required by Code Section 10145 and Regulations 2950(d) and
19 2951. The escrow trust account had an unaccounted/unidentified
20 fund discrepancy in the amount of \$2,272.62 as of July 31, 2005.

21 (b) Delinquently filed the Business Activity Report for
22 2004, in violation of Code Sections 10232.2(c) and Regulation
23 2846.7(b).

24 (c) Failed to maintain an adequate control record in
25 the form of a columnar record in chronological order of all trust
26 funds received, deposited and disbursed by the loan servicing
27

1 trust fund, as required by Code Section 10145 and Regulation
2 2831.

3 (d) Failed to perform a monthly reconciliation of the
4 balance of all separate beneficiary or transaction records
5 maintained pursuant to Regulation 2831.1 with the record of all
6 trust funds received and disbursed by the trust accounts, as
7 required by Code Section 10145 and Regulations 2831.2, 2950(d)
8 and 2951.

9 (e) Accumulated loan and/or escrow fees remained in the
10 escrow trust account in the amount of \$15.53, where said fees
11 were not disbursed from the escrow trust account within twenty-
12 five (25) days of deposit, as required by Code Section 10145 and
13 Regulations 2835, 2950(d) and 2951.

14 (f) (1) Failed to provide and/or maintain a statement in
15 writing containing all the information required by Code Section
16 10241 to various borrowers including but not limited to Sullivan
17 and Espinoza before these borrowers became obligated to perform
18 under the terms of their respective loans, as required by Code
19 Sections 10240, 10241 and Regulation 2840.

20 (f) (2) Rebates from lenders for Yield Spread Premiums
21 were not timely disclosed in the Mortgage Loan Disclosure
22 Statements/Good Faith Estimates provided to the aforesaid
23 borrowers, Sullivan and Espinoza, as required by Code Sections
24 10240, 10241 and Regulation 2840.

25 (g) failed to retain a statement wherein the investors
26
27

1 indicated whether or not the investment in the multi-investor
2 Haines loan the exceeded ten (10%) of the investors net worth, as
3 required by Code Section 10238(f).

4 (h) Failed to provide Consumer Caution and Home
5 Ownership Counseling Notice no later than three business days
6 prior to signing of the loan documents in the Cooper covered loan
7 transaction, in violation of Financial Code Section 4973(k)(1).

8 (i) Charged financed points and fees in excess of
9 \$1,000 or 6% of the original principal balance, exclusive of
10 points and fees, in the Cooper covered loan transaction, in
11 violation of Financial Code Section 4979.6.

12 (j) Failed to disburse trust funds received within
13 twenty-five (25) days for loan #200501S, originated and escrowed
14 by AFSI for the Carmen Carrera and Ruthie Coleman loan
15 transactions, as required by Code Section 10231.1 and
16 10238(k)(2).

17 (k) Failed to notify the Department of the employment
18 of salesperson Xavier Flores, as required by Code Section 10161.8
19 and Regulation 2752.
20

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27

8.

The conduct of Respondents AFSI, SANTILLAN and FIERRO, described in Paragraph 7, above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
7(a)	Code Section 10145 and Regulations 2950(d) and 2951
7(b)	Code Section 10232.2(c) and Regulation 2846.7(b)
7(c)	Code Section 10145 and Regulation 2831
7(d)	Code Section 10145 and Regulations 2831.2, 2950(d) and 2951
7(e)	Code Section 10145 and Regulation 2835, 2950(d) and 2951
7(f)	Code Sections 10240, 10241 and Regulation 2840
7(g)	Code Section 10238(f)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

7(h) Financial Code Section 4973(k)(1)

7(i) Financial Code Section 4949.6

7(j) Code Sections 10231.1 and
10238(k)(2)

7(k) Code Sections 10161.8 and
Regulation 2752

The foregoing violations constitutes cause for the suspension or revocation of the real estate license and license rights of AFSI and SANTILLAN, under the provisions of Code Sections 10177(d) and/or 10177(g) and 10177(h) and Financial Code Section 4975.

PRIOR DEPARTMENT ACTION

9.

On August 6, 1996, in Case No. H-26696 LA, an ORDER TO DESIST AND REFRAIN was filed against Respondents AFSI and SANTILLAN, under Section 10086 of the Code (Engaging in Prohibited Activity, Order to Desist and Refrain) for violations of Code Section 10145 and Sections 2831 and 2831.2 of Title 10, Chapter 6, California Code of Regulations.

10.

The overall conduct of Respondents AFSI and SANTILLAN constitutes negligence or incompetence. This conduct and violation are cause for the suspension or revocation of the real

1 estate license and license rights of Respondents AFSI and
2 SANTILLAN pursuant to Code Section 10177(g).

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

11 Dated at Los Angeles, California

12 this

29 June 2007

13 
14 Deputy Real Estate Commissioner

15
16
17
18
19
20
21
22
23
24 cc: Adams Financial Services Inc.
25 c/o Antonio Santillan D.O.
26 Janice Waddell
27 Sacto
Audits - Manijeh Khazrai