

**FILED**

MAY 21 2009

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-34816 LA
	)	
ON LINE FUNDING, a California	)	
corporate real estate broker,	)	
	)	
Respondent	)	
	)	
	)	
	)	
	)	

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 April 27, 2009, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent ON LINE FUNDING'S express admissions; (2) affidavits; (3) Department Audit Report LA 070052; (4) other evidence.

FACTUAL FINDINGS

1.

On April 8, 2008, Robin Trujillo 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 Respondent's last known mailing addresses on file with the Department on April 10, 2008 by certified mail and on May 6, 2008 by regular mail.

2.

On April 27, 2009, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent ON LINE FUNDING'S default was entered herein.

#### LICENSE HISTORY

3.

At all times mentioned, ON LINE FUNDING was licensed or had license rights issued by the Department of Real Estate ("Department") as a real estate broker. On June 24, 2004, ON LINE FUNDING was originally licensed as a corporate real estate broker.

#### BROKERAGE

4.

At all times mentioned, in the City of Inglewood, County of Los Angeles, ON LINE FUNDING acted as a real estate broker and conducted licensed activities within the meaning of Business and Professions Code ("Code") Section 10131(d). ON LINE FUNDING operated a mortgage and loan brokerage and engaged in activities with the public wherein lenders and borrowers were solicited for loans secured directly or collaterally by liens on real property, wherein such loans were arranged, negotiated, processed and consummated on behalf of others for compensation or in expectation of compensation for fees often collected in advance.

#### AUDIT EXAMINATION

5.

On December 12, 2007, the Department completed an audit examination of the books and records of ON LINE FUNDING 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 July 1, 2005 to August 31, 2007. The audit examination revealed violations of the Code and Title 10, Chapter 6, California Code of Regulations ("Regulations") as set forth in the following Findings, and more fully discussed in Audit Report LA 070052 and the exhibits and work papers attached to said audit report.

## VIOLATION OF THE REAL ESTATE LAW

6.

In the course of activities described in Finding 4, above, Respondent ON LINE FUNDING acted in violation of the Code and the Regulations in that Respondent abandoned its office located at 3915 West 102<sup>nd</sup> Street, Inglewood, California, without notification to the Department, in violation of Code Section 10162 and Regulation 2715.

### NEGLIGENCE

7.

The overall conduct of Respondent ON LINE FUNDING in abandoning ON LINE FUNDING office constitutes negligence. Said conduct is cause for discipline, including suspension or revocation, of ON LINE FUNDING's real estate license and license rights of pursuant to Code Section 10177(g).

### DETERMINATION OF ISSUES

1.

The conduct of Respondent ON LINE FUNDING, as described in Finding 6, herein above, is in violation of Business and Professions Code Section 10162 and Section 2715 of Title 10, Chapter 6, California Code of Regulations, and is cause for disciplinary action pursuant to Business and Professions Code Sections 10165, 10177(d), and 10177(g).

2.

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

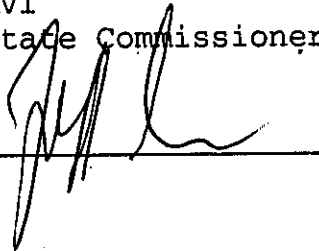
ORDER

The real estate broker license and license rights  
of Respondent ON LINE FUNDING, 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 June 10, 2009

DATED: S-15, 2009

JEFF DAVI  
Real Estate Commissioner

A handwritten signature in black ink, appearing to read 'Jeff Davi', is written over a horizontal line.

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

4 (213) 576-6982

**FILED**

APR 27 2009

DEPARTMENT OF REAL ESTATE

BY: *D. Weeks*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )

No. H-34816 LA

12 ON LINE FUNDING, a California )  
13 corporate real estate broker )

14 Respondent. )  
15 )  
16 )

17 DEFAULT ORDER

18 Respondent ON LINE FUNDING, a California corporate  
19 real estate broker, having failed to file a Notice of Defense  
20 within the time required by Section 11506 of the Government  
21 Code, is now in default. It is, therefore, ordered that a  
22 default be entered on the record in this matter.

23 IT IS SO ORDERED

*April 27, 2009*  
JEFF DAVI

Real Estate Commissioner

24 *Dolores Weeks*  
25 By: DOLORES WEEKS  
26 Regional Manager  
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**

APR 10 2008

DEPARTMENT OF REAL ESTATE

BY: *J. Fred*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of

No. H-34816 LA

ON LINE FUNDING, a California  
corporate real estate broker

A C C U S A T I O N

Respondent.

The Complainant, Robin Trujillo, a Deputy Real Estate  
Commissioner of the State of California, for cause of Accusation  
against ON LINE FUNDING, a California corporate real estate  
broker, alleges as follows:

1.

The Complainant, Robin Trujillo, acting in her official  
capacity as a Deputy Real Estate Commissioner of the State of  
California, makes this Accusation against ON LINE FUNDING.

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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, ON LINE FUNDING was licensed or had license rights issued by the Department of Real Estate ("Department") as a corporate real estate broker. On June 25, 2004, ON LINE FUNDING was originally licensed as a real estate broker.

B. At all times material herein, ON LINE FUNDING was licensed by the Department as a corporate real estate broker by and through DONEL, DOUGLAS and DUNCAN, as the designated officer and broker responsible, pursuant to Code Section 10159.2 of the Business and Professions Code for supervising the activities requiring a real estate license conducted on behalf ON LINE FUNDING of by ON LINE FUNDING's officers, agents and employees. On or about December 25, 2006, ON LINE FUNDING ceased operations.

#### BROKERAGE

4.

At all times mentioned, in the City of Inglewood, County of Los Angeles, ON LINE FUNDING acted as a real estate broker and conducted licensed activities within the meaning of Code Section 10131(d). ON LINE FUNDING operated a mortgage and

1 loan brokerage and engaged in activities with the public wherein  
2 lenders and borrowers were solicited for loans secured directly  
3 or collaterally by liens on real property, wherein such loans  
4 were arranged, negotiated, processed and consummated on behalf of  
5 others for compensation or in expectation of compensation and for  
6 fees often collected in advance.

7 AUDIT

8 5.

9 On December 12, 2007, the Department completed an audit  
10 examination of the books and records of ON LINE FUNDING  
11 pertaining to the mortgage and loan activities described in  
12 Paragraph 4, which require a real estate license. The audit  
13 examination covered a period of time beginning on July 1, 2005 to  
14 August 31, 2007. The audit examination revealed violations of  
15 the Code and the Regulations as set forth in the following  
16 paragraphs, and more fully discussed in Audit Report LA 070052  
17 and the exhibits and work papers attached to said audit report.  
18

19 VIOLATIONS OF THE REAL ESTATE LAW

20 6.

21 In the course of activities described in Paragraphs 4  
22 and 5, above, Respondent ON LINE FUNDING acted in violation of  
23 the Code and the Regulations in that ON LINE FUNDING:

24 (a) On or about December 25, 2006, abandoned ON LINE  
25 FUNDING's office located at 3915 W. 102<sup>nd</sup> Street, Inglewood,  
26 California, without notification to the Department, in violation  
27



of Code Section 10162 and Regulation 2715.

7.

The conduct of Respondent ON LINE FUNDING described in Paragraph 6, above, violated the Code and the Regulations as set forth below:

PARAGRAPH

PROVISIONS VIOLATED

6(a)

Code Section 10162 and Regulation  
2715

The foregoing violations constitute cause for the suspension or revocation of the real estate license and license rights of ON LINE FUNDING under the provisions of Code Section 10165, 10177(d) and/or 10177(g).

NEGLIGENCE

8.

The overall conduct of Respondent ON LINE FUNDING, constitutes negligence. Respondent ON LINE FUNDING's conduct and violation are cause for discipline, including suspension or revocation, of its real estate license and license rights of pursuant to Code Section 10177(g).

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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 the license and license rights of Respondent ON  
5 LINE FUNDING under the Real Estate Law (Part 1 of Division 4 of  
6 the Business and Professions Code) and for such other and further  
7 relief as may be proper under other applicable provisions of law.

8 Dated at Los Angeles, California

9 this 8 day of April 2008. Rob Trujillo  
10 Deputy Real Estate Commissioner  
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14  
15  
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19  
20  
21  
22  
23  
24

25 cc: On Line Funding  
26 Robin Trujillo  
27 Sacto  
Marcus Beltramo  
Chona T. Soriano