

BEFORE THE DEPARTMENT OF REAL ESTATE

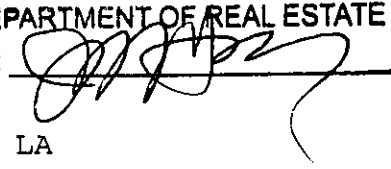
FILED

STATE OF CALIFORNIA

SEP 02 2010

* * * *

DEPARTMENT OF REAL ESTATE

BY: 

In the Matter of the Accusation of)

ISAAC DARYL SENY,)

Respondent.)

NO. H-36162 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 19, 2010 and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision suspends or revokes one or more real estate licenses on the ground of violation of the Real Estate Law (commencing with section 10000 of the Business and Professions Code (Code)) Chapter 1 (commencing with Section 11000 of the Code) of Part 2 or the rules and regulations of the commissioner for the administration and enforcement of the Real Estate Law and Chapter 1 (commencing with section 11000 of the Code) of Part 2.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of the Respondent.

FINDINGS OF FACT

I

On August 3, 2009, 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 address on file with the Department on August 6, 2009, and September 17, 2009.

Respondent failed to file a Notice of Defense within the time required by Section 11506 of the Government Code. Respondent's default was entered herein.

II

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, hereinafter "Code") as a real estate broker.

III

In connection with Respondents' activities as a real estate broker, Respondent acted in violation of the Real Estate Law, the Code and California Code of Regulations (hereinafter "Regulations"), Title 10, Chapter 6, as follows:

(a) Respondent knowingly advertised, printed, displayed, published, distributed, or caused or permitted to be advertised, printed, displayed, published, distributed, statements or representations with regard to the rates, terms, or conditions for making, purchasing, or negotiating loans on real property which were false, misleading, or deceptive, in violation of Code Section 10235 and Section 2848, subdivision (16), of the Regulations.

(b) Respondent placed one or more advertisements disseminated primarily in the State of California for the making or arranging of a loan, including a solicitation for borrowers or potential investors, that failed to disclose within the printed text of the advertisement, or the oral text in the case of a radio or television advertisement, the real estate broker license number under which the loan would be made or arranged, in violation of Code Section 10236.4 and Section 2847.3 of the Regulations.

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DETERMINATION OF ISSUES

I

Respondent is in violation of Code Sections 10235 and 10236.4 and Sections 2847.3 and 2848 of the Regulations. Cause for disciplinary action against Respondent exists pursuant to Code Sections 10176(a), 10177(d) and 10177(g).

II

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

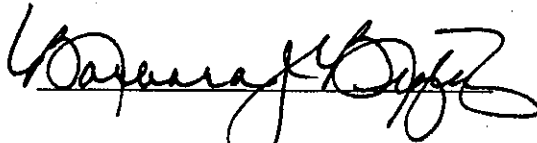
ORDER

The license and license rights of Respondent ISAAC DARYL SENY 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 SEP 22 2010.

DATED: 8/24/2010

JEFF DAVI
Real Estate Commissioner



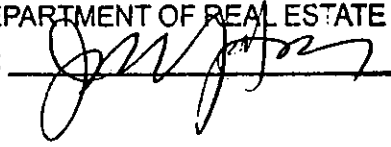
BY: Barbara J. Bigby
Chief Deputy Commissioner

FILED

JUL 19 2010

Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, CA 90013

(213) 576-6982

DEPARTMENT OF REAL ESTATE
BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	NO. H-36162 LA
ISAAC DARYL SENY,)	<u>DEFAULT ORDER</u>
)	)
)	)
)	)
Respondent.)	)

Respondent ISAAC DARYL SENY, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED

JULY 19, 2010.

JEFF DAVI
Real Estate Commissioner

By:


PHILLIP INDE
Regional Manager

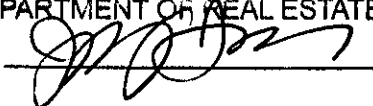
1 CHERYL D. KEILY SBN# 94008
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6905

FILED

AUG - 6 2009

DEPARTMENT OF REAL ESTATE

BY: 

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9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-36162 LA
13 ISAAC DARYL SENY,)
14) A C C U S A T I O N
15)
16 Respondent.)
17)

18 The Complainant, Robin Trujillo, a Deputy Real Estate
19 Commissioner of the State of California, for cause of Accusation
20 against ISAAC DARYL SENY, individually, and doing business as AV
21 Realty and Power Mortgage (hereinafter referred to as
22 "Respondent"), is informed and alleges as follows:

23 1.

24 The Complainant, Robin Trujillo, a Deputy Real Estate
25 Commissioner of the State of California, makes this Accusation
26 in her official capacity.
27

2.

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

3.

At all times herein mentioned, Respondent, acting on behalf of others and in expectation of compensation, engaged in the business, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of Section 10131(d) of the Code, including soliciting borrowers and lenders and negotiating loans on real property.

4.

In connection with Respondents' activities as a real estate broker, as described above, Respondent acted in violation of the Real Estate Law, the Code and California Code of Regulations (hereinafter Regulations), Title 10, Chapter 6, as follows:

(a) Respondents knowingly advertised, printed, displayed, published, distributed, or caused or permitted to be advertised, printed, displayed, published, distributed, statements or representations with regard to the rates, terms, or conditions for making, purchasing, or negotiating loans on real property which were false, misleading, or deceptive in

1 violation of Code Section 10235 and Section 2848, subdivision
2 (16), of the Regulations.

3 (b) Respondents placed one or more
4 advertisements disseminated primarily in the State of California
5 for the making or arranging of a loan, including a solicitation
6 for borrowers or potential investors, that failed to disclose
7 within the printed text of the advertisement, or the oral text
8 in the case of a radio or television advertisement, the real
9 estate broker license number under which the loan would be made
10 or arranged in violation of Code section 10236.4 and Section
11 2847.3 of the Regulations.

12 5.

13 The conduct, acts and/or omissions of Respondent, as
14 set forth above, are cause for the suspension or revocation of
15 the licenses and license rights of Respondent pursuant to Code
16 Sections 10176(a), 10177(d) and/or 10177(g).

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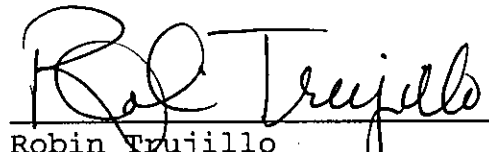
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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all the licenses and license rights of Respondent
5 ISAAC DARYL SENY, under the Real Estate Law (Part 1 of Division
6 4 of the Business and Professions Code), and for such other and
7 further relief as may be proper under other applicable
8 provisions of law.
9

10 Dated at Los Angeles, California
11 this 3 day of August, 2009.
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16 Robin Trujillo
17 Deputy Real Estate Commissioner
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26 cc: ISAAC DARYL SENY
27 Robin Trujillo
Sacto.