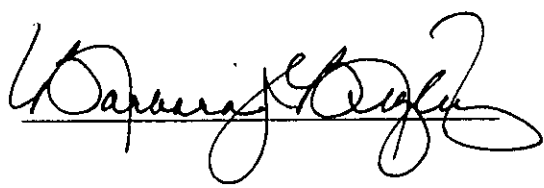


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This Order shall be effective immediately.

DATED: 10/14/2010.

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Bigby
Chief Deputy Commissioner

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

4 Telephone: (213) 576-6982

FILED

JAN 7 2010

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

8 STATE OF CALIFORNIA

9 DEPARTMENT OF REAL ESTATE

11 To:

12 CLICKANDLIST REALTY INC. doing
13 business as Click and List Escrow, EZ to
14 Approve Financial and First Choice Financial;
15 LEROY MITCHELL SENNETTE,
16 individually and as designated officer
17 of ClickandList Realty Inc.;
18 NEELAM BHATIA, JOHN JOSEPH
19 NICSINGER and ANOOP BHATIA,

No. H- 36406 LA

ORDER TO DESIST AND
REFRAIN
(B&P Code Section 10086)

20 The Commissioner (Commissioner) of the California Department of Real Estate

21 (Department) caused an investigation to be made of the activities of CLICKANDLIST REALTY
22 INC. dba Click and List Escrow, EZ to Approve Financial and First Choice Financial (CLRI),
23 LEROY MITCHELL SENNETTE (SENNETTE), individually and as designated officer of
24 ClickandList Realty Inc., NEELAM BHATIA aka Nancy Bhatia (NEELAM), JOHN JOSEPH
25 NICSINGER (NICSINGER) and ANOOP BHATIA aka Steve Bhatia (ANOOP).
26

27 ///

1 Based on that investigation, the Commissioner has determined that CLRI and
2 SENNETTE have engaged in, are engaging in, or are attempting to engage in, acts or practices
3 constituting violations of the California Business and Professions Code (Code) and/or Title 10,
4 Chapter 6, California Code of Regulations (Regulations). Furthermore, based on the
5 investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of
6 Law, and Desist and Refrain Order under the authority of Code Section 10086.

7
8 Whenever acts referred to below are attributed to CLRI, those acts are alleged to have
9 been done by CLRI, acting by itself, or by and/or through one or more agents, associates,
10 affiliates, and/or co-conspirators, including, but not limited to SENNETTE, NEELAM,
11 NICSINGER or ANOOP, or other names or fictitious names unknown at this time.

12 CLRI is the sister corporation and successor in interest to Rodeo Towne Center Realty
13 Inc., pursuant to the Departmental action in H-36378 LA.

14 FINDINGS OF FACT

- 15
- 16 1. CLRI has been licensed by the Department as a corporate real estate broker since
17 May 12, 2008, by and through SENNETTE, as CLRI's designated real estate broker.
 - 18 2. SENNETTE has been licensed by the Department as a real estate broker since
19 September 29, 1985.
 - 20 3. NEELAM has been licensed by the Department as a real estate salesperson since
21 July 3, 1991.
 - 22 4. NICSINGER has been licensed by the Department as a real estate broker since June
23 6, 1984.
 - 24 5. ANOOP is an unlicensed person holding himself out to be "Vice President of Sales"
25 of Rodeo Towne Center Realty Inc. and CLRI.
26
27

1 NICSINGER and ANOOP advised the buyers and assisted them in the purchase of Via Cellini.

2 CLRI conducted the broker-controlled escrow for Via Cellini.

3 8(c) On April 14, 2009, the buyers hand delivered to NEELAM check number 2769, in
4 the amount of \$42,000, in satisfaction of part of the down payment for Via Cellini. At
5 NEELAM's and ANOOP's direction, the check was made payable to "Click and List Escrow," to
6 wit CLRI's escrow trust account Click and List.com, Account No. 1893054062" or
7 "1893135598," Comerica Bank, Woodland Hills, California.
8

9 8(d) Buyer's \$42,000 deposit check was endorsed by SENNETTE and deposited into
10 CLRI's general business and Operations Account (Account No. #65035611) at the Bank of the
11 West instead of being deposited into Click and List escrow trust account. The Operations
12 Account was used for CLRI's general business operations and not for escrowed trust funds of
13 beneficiaries. It was not designated as a trust account.
14

15 8(e) On August 18, 2009, buyers effected a wire transfer in the amount of \$198,000, in
16 satisfaction of the down payment requirement of \$240,000. NEELAM, NICSINGER and
17 ANOOP, directed the buyers to make the wired down payment payable to JP Morgan Chase
18 Bank, Account No. 8853547782. Said JP Morgan Chase Bank, Account 8853547782 is an
19 unknown account, unrelated to the Via Cellini escrow.
20

21 8(f) Ticor Title Company received a total of three checks from CLRI presumably in
22 partial payment and satisfaction of the \$240,000 down payment requirement for Via Cellini. All
23 three checks bore the same check number, 1595. Yet each check was made for a different date,
24 different amount, to wit, \$10,000, \$40,000 and \$50,000, and each check bore an altered routing
25 number. Check number 1595 was altered three times. All three checks were returned Non-
26 Sufficient Funds.
27

1 8(g) The first lender, represented by Ticor Title Company declined to fund Via Cellini.
2 A second lender, represented by Netco Title Company, also declined to fund Via Cellini, due to
3 the presentment of three altered checks subsequently returned Non-Sufficient Funds.

4 8(h) Neither of buyer's down payments of \$42,000 or \$198,000, were deposited into
5 CLRI's escrow trust account nor ever accounted for by Respondents. In response to several
6 inquiries from the buyers as to status of the supposed escrowed deposit, NICSINGER informed
7 the buyers that their deposit monies were safe in CLRI's escrow. This statement was false.

8
9 8(i) To date, buyers have not received a return of their \$240,000 deposit for the Via
10 Cellini purchase from Respondents CLRI, SENNETTE, NEELAM, NICSINGER and ANOOP
11 who misrepresented the status of the buyer's \$240,000 deposit for Via Cellini which they
12 converted.

13 The Eaton Avenue Purchase Investigation

14
15 9(a) During 2009, buyer Stuart Bogartz (buyer) purchased a real property situated at
16 11043 Eaton Avenue, Chatsworth, California (Eaton Avenue).

17 9(b) CLRI Escrow Division was the escrow holder.

18 9(c) NEELAM, on behalf of CLRI, was the listing agent.

19
20 9(d) After close of escrow, buyer Bogartz encountered several problems the first of
21 which was the lack of delivery to him of a closing statement from the escrow holder, CLRI
22 Escrow Division. Second, CLRI's check to buyer Bogartz in the amount of \$1,517.93 was
23 returned Non-Sufficient Funds. Third, the termite inspection was not completed nor the gas
24 shut-off valve restorral effected, as per escrow instructions. Buyer Bogartz' attempts to rectify
25 remaining post escrow closing problems were ignored by CLRI.
26
27

Conversion of Escrow Trust Funds

1
2 10. Respondents CLRI, SENNETTE, NEELAM, NICSINGER, and ANOOP, an
3 unlicensed person, engaged in misrepresentation and conversion from CLRI's escrow which
4 belong to CLRI's clients and trust account beneficiaries, including but not limited to, buyers
5 Amir Bidgoli and Fatemeh Houshmand's earnest money deposit of \$240,000 (Via Cellini), and
6 buyer Stuart Bogartz' (Eaton Avenue) \$1,517.93 escrow payment.
7

8 11. The overall conduct of Respondents CLRI, SENNETTE, NEELAM and
9 NICSINGER constitutes negligence. This conduct and violation are cause for suspension or
10 revocation of the real estate license and license rights of said Respondents pursuant to Code
11 Section 10177(g).
12

13 12. The overall conduct of Respondent SENNETTE constitutes a failure on
14 Respondent's part, as officer designated by a corporate broker licensee, to exercise the
15 reasonable supervision and control over the licensed activities including CLRI's escrow division
16 and trust fund handling as required by Code Section 10159.2, and to keep CLRI in compliance
17 with the Real Estate Law.
18

CONCLUSIONS OF LAW

19
20 13. Based on the findings of fact contained in findings 1 through 8, CLRI, acting by
21 itself, or by and/or through one or more loan agents, associates, affiliates, and/or co-
22 conspirators, including, but not limited to SENNETTE, NEELAM, NICSINGER and ANOOP,
23 and using the names EZ to Approve Financial and First Choice Financial, Click and List.com
24 Escrow Division, or other names or fictitious names unknown at this time, performed residential
25
26
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1 resales, mortgage loan refinancing and broker-controlled escrow services in connection with
2 loans secured directly or collaterally by one or more liens on real property.

3 14. Based on the findings of fact contained in findings 1 through 10 based on the
4 Departmental investigation CLRI, SENNETTE, NEELAM and NICSINGER, violated Code
5 Sections 10145, 10176(a), 10176(b), 10176(c) (CLRI and SENNETE only), 10176(i), 10177(d)
6 and 10177(g) and Regulations 2832(a), 2950(d) and 2951 with respect to the Via Cellini and the
7 Eaton A escrows.
8

9 15. Based on the findings of fact contained in finding 11 based on the Departmental
10 investigation CLRI, SENNETTE, NEELAM and NICSINGER violated Code Section 10177(g).

11 16. Based on the findings of fact contained in finding 12 based on the Departmental
12 investigation SENNETTE violated Code Sections 10159.2, 10177(d), 10177(h) and 10177(g).

13 17. Based on the findings of fact contained in finding 8 based on the Departmental
14 investigation ANOOP violated Code Section 10130 for unlicensed activity.
15

16 DESIST AND REFRAIN ORDER

17 Based on the Findings of Fact and Conclusions of Law stated herein, you,
18 CLICKANDLIST REALTY INC., LEROY MITCHELL SENNETTE, NEELAM BHATIA and
19 JOHN JOSEPH NICSINGER, whether doing business under your own names, or any other
20 names or fictitious names including Click and List Escrow, EZ to Approve Financial and First
21 Choice Financial, Click and List.com Escrow, ARE HEREBY ORDERED to
22

23 1. Immediately desist and refrain from performing any acts requiring a real estate license
24 in California unless and until you are in compliance with the Real Estate Law as set forth in this
25 Order.
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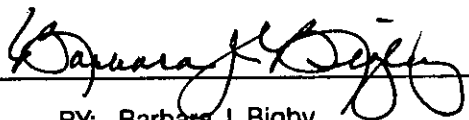
1 2. Restore the Via Cellini earnest money deposit to buyers Amir Bidgoli and Fatemeh
2 Houshmand in the amount of \$240,000, and provide an accounting to said buyers.

3 3. Restore the Eaton Avenue funds in the amount of \$1,517.93 to buyer Stuart Bogartz
4 and provide an accounting to said buyer.

5 Based on the Findings of Fact and Conclusions of Law stated herein, you, ANOOP
6 BHATIA, whether doing business under your own names, or any other names or fictitious
7 names including Click and List Escrow, EZ to Approve Financial and First Choice Financial,
8 Click and List.com Escrow, ARE HEREBY ORDERED to immediately desist and refrain from
9 performing any acts requiring a real estate license in California for which a real estate license is
10 required, within the meaning of Code Section 10131, unless and until you obtain a real estate
11 license from the Department.
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17 DATED: 1/4, 2010

18 JEFF DAVI
19 Real Estate Commissioner

20 By 
21 BY: Barbara J. Bigby
22 Chief Deputy Commissioner

23 Notice: Business and Professions Code Section 10139 provides that "Any person acting as a
24 real estate broker or real estate salesperson without a license or who advertises using words
25 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
26 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
27 imprisonment in the county jail for a term not to exceed six months, or by both fine and
imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
(\$60,000)."

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cc: ClickandList Realty Inc.
c/o Leroy Mitchell Sennette D.O.
17636 Chatsworth St.
Granada Hills, CA 91344

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