

DEC 30 2011

BY: John J. [Signature]

STATE OF CALIFORNIA

* * *

No. H-36586 LA

Respondents.

On December 1., 2010, a Stipulation and Agreement was rendered herein. The Stipulation and Agreement, which became effective on December 30, 2010, was subject to certain limitations, conditions and restrictions, including the following:

1

1 of the appropriate examination fee. If Respondent
2 CRAIG H. MORSE fails to satisfy this condition, the
3 Commissioner may order suspension of Respondent CRAIG
4 H. MORSE's license until Respondent passes the
5 examination."

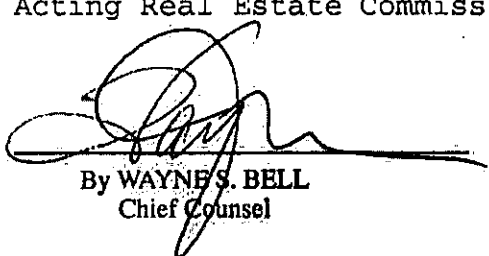
6 Good cause having been shown, the time during which
7 Respondent was to complete the condition described above was
8 extended to December 30, 2011.

9 On December 23, 2011, Respondent submitted a request
10 to further extend the time to complete the condition described
11 above. Good cause having been shown, the time during which
12 Respondent must complete the condition described above is
13 hereby extended to June 30, 2012.

14 This Order shall be effective immediately.

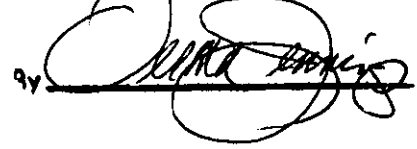
15 DATED: 12/29/2011

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17 BARBARA J. BIGBY
18 Acting Real Estate Commissioner

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21 By WAYNE S. BELL
22 Chief Counsel
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FILED
JUN 27 2011
DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-36586 LA
)
)
EMERITUS MORTGAGE INC., a)
Corporate real estate broker;)
and CRAIG H. MORSE, individually,)
and as former designated officer)
of Emeritus Mortgage Inc.)
Respondents.)

ORDER EXTENDING TIME

On December 10, 2010, a Stipulation and Agreement was rendered herein. The Stipulation and Agreement, which became effective on December 30, 2010, was subject to certain limitations, conditions and restrictions, including the following:

"Respondent CRAIG H. MORSE shall within six (6) months from the effective date of this Decision, take and pass the Professional Responsibility Examination administered by the Department, including the payment

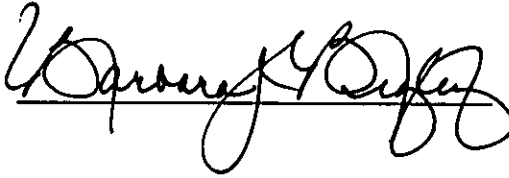
1 of the appropriate examination fee. If Respondent
2 CRAIG H. MORSE fails to satisfy this condition, the
3 Commissioner may order suspension of Respondent CRAIG
4 H. MORSE's license until Respondent passes the
5 examination."

6 Good cause having been shown, the time during which
7 Respondent must complete the condition described above is
8 hereby extended to December 30, 2011.

9 This Order shall be effective immediately.

10 DATED: 6/20, 2011

11 BARBARA J. BIGBY
12 Acting Real Estate Commissioner

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On December 2, 2010, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent EMERITUS's default was entered herein.

2.

EMERITUS is presently licensed or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code as a corporate real estate broker. EMERITUS was first licensed by the Department of Real Estate of the State of California on or about March 6, 2007.

3.

The current business address maintained by EMERITUS with the Department is 21004 Nordhoff Street, Chatsworth, CA, 91311. EMERITUS does not maintain an office at this address nor has Respondent informed the Real Estate Commissioner of any new address.

4.

On October 19, 2009, EMERITUS was personally served with a subpoena duces tecum alleging sufficient cause to require Respondent to produce materials connected with a transaction or transactions for which a real estate broker license is required. EMERITUS failed to retain any records relating to trust funds, columnar records showing receipt and disbursement of funds and any records of employee compensation.

5.

The Secretary of State for the State of California currently lists the corporate entity powers of EMERITUS as dissolved.

DETERMINATION OF ISSUES

1.

The conduct, acts and/or omissions of Respondent EMERITUS, as set forth above, is in violation of Business and Profession Code Sections 10148 and 10162 and Sections 2715 and 2742 of Title 10 in the California Code of Regulations. There is cause for the suspension or

revocation of the licenses and license rights of Respondent EMERITUS pursuant to Code Sections 10165, 10177(d), 10177(f) and 10177(g).

2.

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

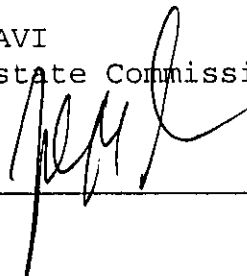
ORDER

The license and license rights of Respondent EMERITUS MORTGAGE INC. 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 MAR 10 2011.

DATED: _____

JEFF DAVI
Real Estate Commissioner

(2/30/2010)


1 Department of Real Estate
2 320 West Fourth Street, Suite 350
3 Los Angeles, CA 90013

4 (213) 576-6982

FILED

DEC -2 2010

DEPARTMENT OF REAL ESTATE
BY: Jane B. Olson

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

10 In the Matter of the Accusation of) No. H-36586 LA
11)
12 EMERITUS MORTGAGE INC., a)
13 corporate real estate broker;)
14 and CRAIG H. MORSE,) DEFAULT ORDER
15 individually, and as former)
designated officer of Emeritus)
Mortgage Inc.,)
Respondents.)

16 Respondent EMERITUS MORTGAGE INC., having failed
17 to file a Notice of Defense within the time required by
18 Section 11506 of the Government Code, is now in default. It
19 is, therefore, ordered that a default be entered on the
20 record in this matter.
21

22 IT IS SO ORDERED December 2, 2010.

23 JEFF DAVI
24 Real Estate Commissioner

25 By: Dolores Weeks
26 DOLORES WEEKS
27 Regional Manager

Gueto

FILED

DEC 10 2010

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

Telephone: (213) 576-6982

DEPARTMENT OF REAL ESTATE
BY: James B. Olson

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

No. H-36586 LA

EMERITUS MORTGAGE INC., a
Corporate real estate broker;
and CRAIG H. MORSE, individually,
and as former designated officer
of Emeritus Mortgage Inc.

STIPULATION
AND
AGREEMENT

Respondents.

It is hereby stipulated by and between Respondent
CRAIG H. MORSE, and the Complainant, acting by and through James
A. Demus, Counsel for the Department of Real Estate, as follows
for the purpose of settling and disposing of the Accusation
("Accusation") filed on April 18, 2010, in this matter:

1. All issues which were to be contested and all
evidence which was to be presented by Complainant and Respondent
at a formal hearing on the Accusation, which hearing was to be
held in accordance with the provisions of the Administrative
Procedure Act ("APA"), shall instead and in place thereof be

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 he understands that by
12 withdrawing said Notice of Defense he thereby waives the 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 he will waive other rights
16 afforded to him in connection with the hearing such as the right
17 to present evidence in his defense of the allegations in the
18 Accusation and the right to cross-examine 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
27

1 not be required to provide further evidence to prove said factual
2 allegations.

3 5.. This Stipulation is made for the purpose of
4 reaching an agreed disposition of this proceeding and is
5 expressly limited to this proceeding and any other proceeding or
6 case in which the Department of Real Estate ("Department"), the
7 state or federal government, or any agency of this state, another
8 state or federal government is a party.

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

20 7. The Order or any subsequent Order of the Real
21 Estate Commissioner made pursuant to this Stipulation shall not
22 constitute an estoppel, merger or bar to any further
23 administrative or civil proceedings by the Department of Real
24 Estate with respect to any matters which were not specifically
25 alleged to be causes for Accusation in this proceeding but do
26 constitute a bar, estoppel and merger as to any allegations
27

1 actually contained in the Accusation against Respondent herein.

2 DETERMINATION OF ISSUES

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

5 The conduct of CRAIG H. MORSE as described in Paragraph
6 4, hereinabove, is a basis for discipline of Respondent's license
7 and license rights as violations of the Real Estate law pursuant
8 to Business and Professions Code ("Code") Sections 10159.2,
9 10165, 10177(d), 10177(g) and 10177(h).

10 ORDER

11 WHEREFORE, THE FOLLOWING ORDER is hereby made:

12 I.

13 All licenses and licensing rights of Respondent CRAIG
14 H. MORSE under the Real Estate Law are suspended for a period of
15 sixty (60) days from the effective date of this Decision;
16 provided, however, that sixty (60) days of said suspension, shall
17 be stayed for one (1) year upon the followings terms and
18 conditions:
19

20 A.

- 21 1. Respondent shall obey all laws, rules and
22 regulations governing the rights, duties and responsibilities of
23 a real estate licensee in the State of California; and
24 2. That no final subsequent determination be made,
25 after hearing or upon stipulation, that cause for disciplinary
26 action occurred within one (1) year of the effective date of this
27

1 Decision. Should such a determination be made, the Commissioner
2 may, in his discretion, vacate and set aside the stay order and
3 reimpose all or a portion of the stayed suspension. Should no
4 such determination be made, the stay imposed herein shall become
5 permanent.

6 B.

7 Respondent CRAIG H. MORSE shall within six (6) months
8 from the effective date of this Decision, take and pass the
9 Professional Responsibility Examination administered by the
10 Department including the payment of the appropriate examination
11 fee. If Respondent CRAIG H. MORSE fails to satisfy this
12 condition, the Commissioner may order suspension of Respondent
13 CRAIG H. MORSE's license until Respondent passes the examination.
14

15 DATED: 11/16/10

16 James A. Demus
17 JAMES A. DEMUS, Counsel for
18 the Department of Real Estate

19 * * *

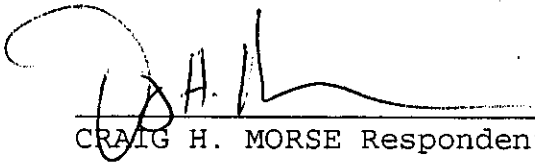
20 EXECUTION OF THE STIPULATION

21 I have read the Stipulation and its terms are
22 understood by me and are agreeable and acceptable to me. I
23 understand that I am waiving rights given to me by the California
24 Administrative Procedure Act (including but not limited to
25 Sections 11506, 11508, 11509 and 11513 of the Government Code),
26 and I willingly, intelligently and voluntarily waive those
27 rights, including the right of requiring the Commissioner to

7
1 prove the allegations in the Accusation at a hearing at which I
2 would have the right to cross-examine witnesses against me and to
3 present evidence in defense and mitigation of the charges.

4 Respondent can signify acceptance and approval of the
5 terms and conditions of this Stipulation by faxing a copy of its
6 signature page, as actually signed by Respondent, to the
7 Department at the following telephone/fax number: James A. Demus
8 at (213) 576-6917. Respondent agrees, acknowledges and
9 understands that by electronically sending to the Department a
10 fax copy of Respondent's actual signature as it appears on the
11 Stipulation, that receipt of the faxed copy by the Department
12 shall be as binding on Respondent as if the Department had
13 received the original signed Stipulation.
14

15
16 DATED: 11/5/10


CRAIG H. MORSE Respondent

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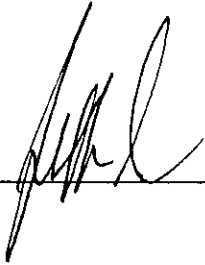
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1 The foregoing Stipulation and Agreement is hereby
2 adopted as my Decision as to Respondent CRAIG H. MORSE and shall
3 become effective at 12 o'clock noon on DEC 30 2010
4 2010.

5 IT IS SO ORDERED 12/1, 2010.

6 JEFF DAVI
7 Real Estate Commissioner

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JAMES DEMUS, Counsel (SBN 225005)
Department of Real Estate
320 West Fourth St., #350
Los Angeles, CA 90013

(213) 576-6982
(213) 576-6910 (direct)

FILED

APR 18 2010

DEPARTMENT OF REAL ESTATE

By K. Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No.H-36586 LA
EMERITUS MORTGAGE INC., a)	
corporate real estate broker;)	
and CRAIG H. MORSE,)	<u>A C C U S A T I O N</u>
individually, and as former)	
designated officer of Emeritus)	
Mortgage Inc.,)	
Respondents.)	

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against EMERITUS MORTGAGE INC. and CRAIG H. MORSE, individually and as former designated officer of Emeritus Mortgage Inc. is informed and alleges as follows:

1.

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

///

1 2.

2 Respondent EMERITUS MORTGAGE INC. (hereinafter
3 "EMERITUS") is presently licensed and/or has license rights
4 under the Real Estate Law (Part 1 of Division 4 of the Business
5 and Professions Code, hereinafter "Code") as a corporate real
6 estate broker. Respondent was originally licensed as a
7 corporate real estate broker by the Department of Real Estate
8 (hereinafter "Department") on or about March 6, 2007.

9 3.

10 Respondent CRAIG H. MORSE (hereinafter "MORSE") is
11 presently licensed and/or has license rights under the Real
12 Estate Law as a real estate broker. Respondent was originally
13 licensed as a real estate broker by the Department on or about
14 October 16, 1992. MORSE was also registered with the
15 Department as the designated officer for EMERITUS from March 6,
16 2007 until December 28, 2009.

17 FIRST CAUSE OF ACCUSATION

18 (Failure to Maintain a Place of Business)

19 4.

20 The current business address maintained by EMERITUS
21 with the Department is 21004 Nordhoff Street, Chatsworth, CA,
22 91311. Respondent does not maintain an office at this address
23 nor has Respondent informed the Real Estate Commissioner of any
24 new address.

25 5.

26 An October 19, 2009 investigation revealed that
27 EMERITUS was not conducting business at the address set forth

1 in Paragraph 4 above. The failure to maintain a place of
2 business for Respondent EMERITUS is in violation Code Section
3 10162 and Section 2715 of Title 10, Chapter 6, California Code
4 of Regulations ("Regulations").

5 6.

6 The conduct, acts, and/or omissions of EMERITUS and
7 MORSE, as described in Paragraphs 4 and 5 above, constitutes
8 cause for the suspension or revocation of all real estate
9 licenses and license rights of Respondents EMERITUS and MORSE
10 under the provisions of Code Sections 10165, 10177(d), and/or
11 10177(g)

12 SECOND CAUSE OF ACCUSATION

13 (Failure to Retain Records)

14 7.

15 On October 19, 2009, EMERITUS and MORSE were personally
16 served with a subpoena duces tecum alleging sufficient cause to
17 require Respondents to produce the following material connected
18 with a transaction or transactions for which a real estate broker
19 license is required: escrow instructions; statements of identity
20 for escrow; copies of checks placed in broker trust accounts;
21 copies of checks not placed in broker trust accounts; cancelled
22 checks for all funds disbursed; memoranda reflecting
23 communications with escrow; Statement of Domestic Stock
24 Corporations; trust fund account records; records of disbursement
25 from trust accounts; bank statements related to trust accounts;
26 all escrow files; columnar records showing funds received and
27 disbursed; records of employee compensation; trust fund records

1 relating to mortgage loan broker activity; and records related to
2 the mortgage loan broker activity for borrower Felicisima Pablo.

3 8.

4 In response to this subpoena duces tecum, EMERITUS and
5 MORSE only provided one escrow file, relating to mortgage loan
6 broker activity for Felisima Pablo. EMERITUS and MORSE failed to
7 retain any records relating to trust funds, columnar records
8 showing receipt and disbursement of funds and any records of
9 employee compensation.

10 9.

11 This failure to retain records by Respondents EMERITUS
12 and MORSE is in violation of Code Section 10148 and is cause for
13 the suspension or revocation of all real estate licenses and
14 license rights of Respondents EMERITUS and MORSE under the
15 provisions of Code Sections 10177(d) and/ or 10177(g).

16 THIRD CAUSE OF ACCUSATION

17 (Lack of Good Standing for Corporation)

18 10.

19 The Secretary of State for the State of California
20 currently lists the corporate entity powers of EMERITUS as
21 dissolved.

22 11.

23 This lack of good standing with the Secretary of
24 State for the State of California is a violation of Section
25 2742 of the Regulations and is cause for the suspension or
26 revocation of the licenses and license rights of EMERITUS
27 pursuant to Code Sections, 10177(f), 10177(d) and/or 10177(g).

1 FOURTH CAUSE OF ACCUSATION

2 (Failure to Supervise)

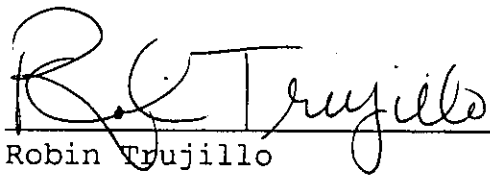
3 12.

4 The conduct, acts and/or omissions of Respondent
5 MORSE as set forth in paragraphs 4 through 9 above, in failing
6 to ensure compliance of the Real Estate Law by EMERITUS, is
7 cause for the suspension or revocation of the licenses and
8 license rights of MORSE pursuant to Code Sections 10159.2,
9 10177(d), 10177(g) and/or 10177(h).

10 WHEREFORE, Complainant prays that a hearing be
11 conducted on the allegations of this Accusation and that upon
12 proof thereof, a decision be rendered imposing disciplinary
13 action against all the licenses and license rights of
14 Respondents EMERITUS MORTGAGE INC and CRAIG H. MORSE under the
15 Real Estate Law, and for such other and further relief as may
16 be proper under other applicable provisions of law.

17 Dated at Los Angeles, California

18 this 5 day of April, 2010

19
20 
21
22 Robin Trujillo
23 Deputy Real Estate Commissioner
24

25 cc: EMERITUS MORTGAGE INC.
26 CRAIG H. MORSE
27 Robin Trujillo
Sacto.