


7-067

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

4 Telephone: (213) 576-6982

FILED

OCT 20 2010

DEPARTMENT OF REAL ESTATE
BY: 

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	NO. H-36663 LA
)	L-2010070972
MORRIS FINANCIAL SERVICES)	
INC., doing business as)	
Priam Financial Services;)	<u>STIPULATION AND AGREEMENT</u>
and GREGORY SCOTT MORRIS,)	
individually, and as desig-)	
nated officer for Morris)	
Financial Services Inc.,)	
)	
)	
Respondents.)	
)	

It is hereby stipulated by and between MORRIS FINANCIAL SERVICES INC., doing business as Priam Financial Services, and GREGORY SCOTT MORRIS, individually, and as designated broker-officer for Morris Financial Services Inc. ("Respondents") and the Complainant, acting by and through Cheryl Keily, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on June 3, 2010, in this matter.

1
2 1. All issues which were to be contested and all
3 evidence which was to be presented by Complainant and
4 Respondents at a formal hearing on the Accusation, which hearing
5 was to be held in accordance with the provisions of the
6 Administrative Procedure Act (APA), shall instead and in place
7 thereof be submitted solely on the basis of the provisions of
8 this Stipulation and Agreement.
9

10 2. Respondents have received, read and understood the
11 Statement to Respondent, the Discovery Provisions of the APA and
12 the Accusation filed by the Department of Real Estate
13 ("Department") in this proceeding.
14

15 3. On June 17, 2010, Respondents filed a Notice of
16 Defense, pursuant to Section 11506 of the Government Code for
17 the purpose of requesting a hearing on the allegations in the
18 Accusation. Respondents hereby freely and voluntarily withdraw
19 said Notice of Defense. Respondents acknowledges that they
20 understand that by withdrawing said Notice of Defense they will
21 thereby waive their right to require the Commissioner to prove
22 the allegations in the Accusation at a contested hearing held in
23 accordance with the provisions of the APA and that they will
24 waive other rights afforded to them in connection with the
25 hearing, such as the right to present evidence in defense of the
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1 allegations in the Accusation and the right to cross-examine
2 witnesses.

3 4. This Stipulation is based on the factual
4 allegations contained in the Accusation. In the interest of
5 expedience and economy, Respondents choose not to contest these
6 allegations, but to remain silent and understand that, as a
7 result thereof, these factual allegations, without being
8 admitted or denied, will serve as a prima facie basis for the
9 disciplinary action stipulated to herein. The Real Estate
10 Commissioner shall not be required to provide further evidence
11 to prove said factual allegations.
12

13 5. This Stipulation is made for the purpose of
14 reaching an agreed disposition of this proceeding and is
15 expressly limited to this proceeding and any other proceeding
16 or case in which the Department, the state or federal
17 government, or any agency of this state, another state or
18 federal government is involved, and otherwise shall not be
19 admissible in any other criminal or civil proceedings.
20
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22 6. The Order or any subsequent Order of the Real
23 Estate Commissioner made pursuant to this Stipulation and
24 Agreement shall not constitute an estoppel, merger or bar to any
25 further administrative or civil proceedings by the Department
26 with respect to any matters which were not specifically alleged
27 to be causes for accusation in this proceeding.

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

5
6 DATED: Oct 5, 2018

Cheryl D. Keily
7 CHERYL D. KEILY, Counsel
8 DEPARTMENT OF REAL ESTATE

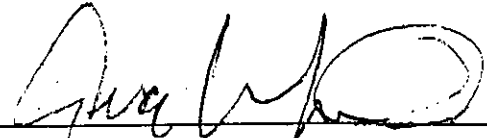
9 * * *

10 I have read the Stipulation and Agreement, and its
11 terms are understood by me and are agreeable and acceptable to
12 me. I understand that I am waiving rights given to me by the
13 California Administrative Procedure Act (including but not
14 limited to Sections 11506, 11508, 11509 and 11513 of the
15 Government Code), and I willingly, intelligently and
16 voluntarily waive those rights, including the right of
17 requiring the Commissioner to prove the allegations in the
18 Accusation at a hearing at which I would have the right to
19 cross-examine witnesses against me and to present evidence in
20 defense and mitigation of the charges.

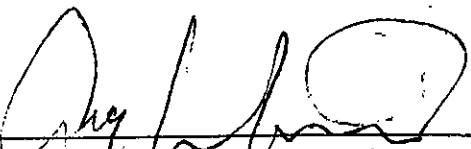
21
22 Respondents can signify acceptance and approval of
23 the terms and conditions of this Stipulation and Agreement by
24 faxing a copy of its signature page, as actually signed by
25 Respondents, to the Department at the following telephone/fax
26 number (213) 576-6917. Respondent agrees, acknowledges, and
27

1 understands that by electronically sending to the Department a
 2 fax copy of his actual signature as it appears on the
 3 Stipulation and Agreement, that receipt of the faxed copy by
 4 the Department shall be as binding on Respondent as if the
 5 Department had received the original signed Stipulation and
 6 Department had received the original signed Stipulation and
 7 Agreement.

8 DATED: 9/28/10


 MORRIS FINANCIAL SERVICES INC.
 Respondent

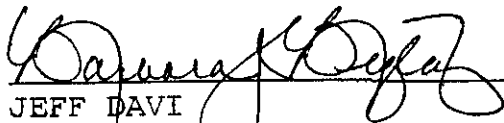
11 DATED: 9/28/10


 GREGORY SCOTT MORRIS
 Respondent

14 * * *

15 The foregoing Stipulation and Agreement is hereby
 16 adopted as my Decision in this matter and shall become
 17 effective at 12 o'clock noon on NOV 09 2010, 2010.

19 IT IS SO ORDERED 10/13, 2010.

21 
 JEFF DAVI
 Real Estate Commissioner

24 BY: Barbara J. Bigby
 Chief Deputy Commissioner

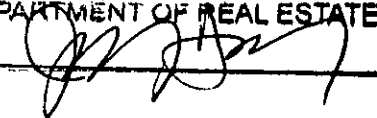
FLAG

1 CHERYL D. KEILY, SNB# 94008
2 Department of Real Estate
3 320 West Fourth Street, Ste. 350
4 Los Angeles, California 90013

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

FILED

JUN - 3 2010

DEPARTMENT OF REAL ESTATE
BY: 

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9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * * * *

12 In the Matter of the Accusation No. H-36663 LA

13 MORRIS FINANCIAL SERVICES) A C C U S A T I O N
14 INC., doing business as)
15 Priam Financial Services;)
16 and GREGORY SCOTT MORRIS,)
17 individually, and as desig-)
18 nated officer for Morris)
19 Financial Services Inc.,)
20 Respondents.)
21 _____)

22 The Complainant, Robin Trujillo, a Deputy Real Estate
23 Commissioner of the State of California, for cause of Accusation
24 against MORRIS FINANCIAL SERVICES INC. ("MORRIS FINANCIAL") and
25 GREGORY SCOTT MORRIS ("MORRIS") is informed and alleges as
26 follows:

27 1.

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

1 her official capacity.

2 2.

3 Respondent MORRIS FINANCIAL is presently licensed
4 and/or has license rights under the Real Estate Law (Part 1 of
5 Division 4 of the Business and Professions Code, hereinafter
6 "Code"), as a real estate corporation acting by and through
7 Respondent MORRIS as its designated broker-officer.

8 3.

9 Respondent MORRIS is presently licensed and/or has
10 license rights under the Real Estate Law as a real estate broker
11 and designated broker-officer of Respondent MORRIS FINANCIAL.

12 4.

13 All further references to respondents herein include
14 Respondents MORRIS FINANCIAL and MORRIS, and also include
15 officers, directors, employees, agents and real estate licensees
16 employed by or associated with MORRIS FINANCIAL and MORRIS, and
17 who at all times herein mentioned were engaged in the furtherance
18 of the business or operations of Respondents MORRIS FINANCIAL and
19 MORRIS, and who were acting within the course and scope of their
20 authority and employment.

21 5.

22 At all times relevant herein Respondent MORRIS, as the
23 officer designated by Respondent MORRIS FINANCIAL pursuant to
24 Section 10211 of the Code, was responsible for the supervision
25 and control of the activities conducted on behalf of Respondent
26 MORRIS FINANCIAL by its officers and employees as necessary to
27 secure full compliance with the Real Estate Law as set forth in

1 Section 10159.2 of the Code.

2 6.

3 Respondent MORRIS ordered, caused, authorized or
4 participated in the conduct of Respondent MORRIS FINANCIAL, as is
5 alleged in this Accusation.

6 FIRST CAUSE OF ACCUSATION
7 (Advance Fee Violation)

8 7.

9 At all times mentioned herein, in the State of
10 California, Respondent engaged in the business of claiming,
11 demanding, charging, receiving, collecting or contracting for the
12 collection of advance fees, within the meaning of Code Section
13 10026, including, but not limited to, the following loan
14 modification activities with respect to loans which were secured
15 by liens on real property:

16 a. On or about November 8, 2008, Respondents MORRIS
17 FINANCIAL and MORRIS, using the fictitious business name "Priam
18 Financial Services," collected an advance fee of \$1,995 from Dr.
19 Maha Hetata pursuant to the provisions of a written agreement
20 pertaining to loan modification services to be provided by
21 Respondent with respect to a loan secured by the real property
22 located at 10220 Overhill Drive, Santa Ana, California 92705.

23 b. On or about December 22, 2008, Respondents MORRIS
24 FINANCIAL and MORRIS, using the fictitious business name "Priam
25 Financial Services," collected an advance fee of \$1,500 from Raul
26 San Jose pursuant to the provisions of a written agreement
27 pertaining to loan modification services to be provided by

1 Respondent with respect to a loan secured by the real property
2 located at 8300 Topeka Drive, Northridge, California 91324.

3 c. On or about January 5, 2009, Respondents MORRIS
4 FINANCIAL and MORRIS, using the fictitious business name "Priam
5 Financial Services," collected an advance fee of \$1,500 from
6 Glenn and Deanna Luttrell pursuant to the provisions of a written
7 agreement pertaining to loan modification services to be provided
8 by Respondent with respect to a loan secured by the real property
9 located at 34333 Via Buena Drive, Yucaipa, California 92399.

10 8.

11 Respondents collected the advance fees described in
12 Paragraph 7, above, pursuant to the provisions of a written
13 agreement which constitutes an advance fee agreement within the
14 meaning of Code Section 10085.

15 9.

16 Respondents failed to submit the written agreement
17 referred to in Paragraphs 7 and 8, above, to the Commissioner ten
18 days before using it in violation of Code Section 10085 and
19 Section 2970, Title 10, Chapter 6, Code of Regulations
20 ("Regulations").

21 10.

22 The conduct, acts and/or omissions of Respondents, as
23 set forth above, are cause for the suspension or revocation of
24 the licenses and license rights of Respondent pursuant to Code
25 Sections 10085, 10177(d) and/or 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 all licenses and license rights of Respondent
5 MORRIS FINANCIAL SERVICES INC. and GREGORY SCOTT MORRIS,
6 individually, and as designated broker officer of Morris
7 Financial Services Inc., under the Real Estate Law (Part 1 of
8 Division 4 of the California Business and Professions Code) and
9 for such other and further relief as may be proper under other
10 applicable provisions of law.

11 Dated at Los Angeles, California
12 this 2 day of June, 2010

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15 
16 Robin Trujillo
17 Deputy Real Estate Commissioner
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25 cc: Morris Financial Services Inc.
26 Gregory Scott Morris
27 Robin Trujillo
Sacto.