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**FILED**

FEB 21 2012

DEPARTMENT OF REAL ESTATE

BY: 

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8  
9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of ) No. H- 37901 LA  
13 )  
14 NEW AMERICAN LENDING INC., and ) A C C U S A T I O N  
15 JEFFREY CHRISTOPHER SPRANKLE, )  
16 individually, and as desig- )  
17 nated officer for New )  
18 American Lending Inc., )  
19 Respondents. )  
20 )

21 The Complainant, Sylvia Yrigollen, a Deputy Real  
22 Estate Commissioner of the State of California, for cause of  
23 Accusation against NEW AMERICAN LENDING INC. ("NEW AMERICAN")  
24 JEFFREY CHRISTOPHER SPRANKLE ("SPRANKLE") alleges as follows:

25 1.

26 The Complainant, Sylvia Yrigollen, a Deputy Real  
27 Estate Commissioner of the State of California, makes this  
Accusation in her official capacity.

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2.

Respondent NEW AMERICAN 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 corporation.

3.

Respondent SPRANKLE is presently licensed and/or has license rights under the Real Estate Law as a real estate broker and designated broker-officer of Respondent NEW AMERICAN.

4.

(CRIMINAL CONVICTION)

On or about December 6, 1996, in the United States District Court, Southern District of California, in Case No. 95-1808, Respondent SPRANKLE was convicted of violating 18 U.S.C. 1343 (Wire Fraud), a felony. The underlying facts of this crime bear a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

5.

(FAILURE TO REVEAL CONVICTION ON INDIVIDUAL BROKER APPLICATION)

On or about March 23, 2004, in response to Question 20 of Respondent SPRANKLE's individual broker license application, to wit: "HAVE YOU EVER BEEN CONVICTED OF ANY VIOLATION OF LAW? CONVICTIONS EXPUNGED UNDER PENAL CODE SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT MINOR TRAFFIC CITATIONS WHICH DO NOT CONSTITUTE A MISDEMEANOR OR FELONY OFFENSE," Respondent

1 SPRANKLE answered "No," and failed to reveal the conviction  
2 described in Paragraph 4, above.

3 6.

4 Respondent SPRANKLE's failure to reveal the conviction  
5 set forth herein in Paragraph 4, above, in his individual broker  
6 license application constitutes knowingly making a false  
7 statement of material fact required to be revealed in said  
8 application, which would have been grounds for the denial of the  
9 issuance of a license under Business and Professions Code  
10 Sections 475(a)(2); 480(a)(1) and/or 10177(b).

11 7.

12 Respondent SPRANKLE's failure to reveal the conviction  
13 set forth herein in Paragraph 4, above, in his individual broker  
14 license application is cause to suspend or revoke the present  
15 real estate broker license and license rights of Respondent  
16 SPRANKLE pursuant to Business and Professions Code Sections 498  
17 and/or 10177(a).

18 8.

19 (FAILURE TO REVEAL CONVICTION ON BROKER LICENSE APPLICATION OF  
20 RESPONDENT NEW AMERICAN)

21 On or about April 25, 2005, Respondent SPRANKLE made  
22 application for the issuance to Respondent NEW AMERICAN of a  
23 corporate real estate broker license. Question 17 of the  
24 application requires a response by the corporate officer  
25 submitting the application on the corporation's behalf, and  
26 provides as follows: "HAVE YOU EVER BEEN CONVICTED OF ANY  
27

1 VIOLATION OF LAW? CONVICTIONS EXPUNGED UNDER PENAL CODE SECTION  
2 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT MINOR TRAFFIC  
3 CITATIONS WHICH DO NOT CONSTITUTE A MISDEMEANOR OR FELONY  
4 OFFENSE," Respondent SPRANKLE answered "No," and failed to  
5 reveal the conviction described in Paragraph 4, above.

6 9.

7 Respondent SPRANKLE's failure to reveal the conviction  
8 set forth herein in Paragraph 4, above, in the corporate broker  
9 license application of Respondent NEW AMERICAN constitutes  
10 knowingly making a false statement of material fact required to  
11 be revealed in said application, which would have been grounds  
12 for the denial of the issuance of a license under Business and  
13 Professions Code Sections 475(a)(2); 480(a)(1) and/or 10177(b).  
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15 10.

16 Respondent SPRANKLE's failure to reveal the conviction  
17 set forth herein in Paragraph 4, above, in the corporate broker  
18 license application of Respondent NEW AMERICAN is cause to  
19 suspend or revoke the present real estate broker license and  
20 license rights of Respondent NEW AMERICAN pursuant to Business  
21 and Professions Code Sections 498 and/or 10177(a).

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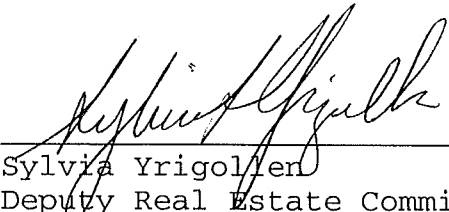
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1                   WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against all licenses and/or license rights under the Real  
5 Estate Law (Part 1 of Division 4 of the California Business and  
6 Professions Code) of Respondents NEW AMERICAN LENDING INC. and  
7 JEFFREY CHRISTOPHER SPRANKLE, for the cost of investigation and  
8 enforcement as permitted by law, and for such other and further  
9 relief as may be proper under other provisions of law.  
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11 Dated at Sacramento, California

12 this 15th day of February, 2012.

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Sylvia Yrigollen  
Deputy Real Estate Commissioner  
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26 CC: NEW AMERICAN LENDING INC.  
27 JEFFREY CHRISTOPHER SPRANKLE  
Sylvia Yrigollen  
Sacto.