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1 JAMES R. PEEL, Counsel (SBN 47055)
2 Department of Real Estate
3 320 West Fourth Street, Suite 350
4 Los Angeles, CA 90013-1105

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

5 Telephone: (213) 576-6982
6 -or- (213) 576-6913 (Direct)
7

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

No. H-38016 LA

12)

A C C U S A T I O N

13 INTERSTATE LENDING)

14 GROUP, INC.;)

15 and MARK YOU)

16 individually and as)

17 designated officer of)

18 Interstate Lending)

19 Group, Inc.,)

20)

21 Respondents.)

22)

23 The Complainant, Robin Trujillo, a Deputy Real Estate
24 Commissioner of the State of California, for cause of accusation
25 against INTERSTATE LENDING GROUP, INC., and MARK YOU individually
26 and as designated officer of Interstate Lending Group, Inc.,
27 alleges as follows:

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1 1. The Complainant, Robin Trujillo, acting in her
2 official capacity as a Deputy Real Estate Commissioner of the
3 State of California, makes this Accusation against INTERSTATE
4 LENDING GROUP, INC., and MARK YOU.

5 2. INTERSTATE LENDING GROUP, INC., and MARK YOU
6 individually and as designated officer of said corporation
7 (hereinafter referred to as "Respondents"), are presently
8 licensed and/or have license rights under the Real Estate Law
9 (Part 1 of Division 4 of the Business and Professions Code,
10 hereinafter Code).

11 3. Respondent INTERSTATE LENDING GROUP, INC. was
12 originally licensed as a real estate broker on October 22, 1999.
13 The corporate license expired on October 21, 2011. Pursuant to
14 Code Section 10103, the Department retains jurisdiction.
15 Pursuant to Code Section 10159.2, Respondent MARK YOU was
16 responsible for the supervision and control of the activities
17 conducted on behalf of the corporation by its officers and
18 employees as necessary to secure full compliance with the
19 provisions of the real estate law, including the supervision of
20 salespersons licensed to the corporation in the performance of
21 acts for which a real estate license is required.

22 4. At all times material herein, Eun Young Hur aka
23 Gina Hur and Gina Kim (Hur) was not licensed by the Department of
24 Real Estate.

25 5. At all times material herein, Respondents engaged
26 in the business of, acted in the capacity of, advertised or
27 assumed to act as a real estate broker in the State of

1 California, within the meaning of Section 10131(d) of the Code,
2 including soliciting borrowers and lenders and negotiating loans
3 on real property.

4 6. Respondents and Hur, while employed by Respondents,
5 in expectation of compensation, solicited and negotiated a loan
6 for borrowers Keun Kyu Yoo and Mi Sook Yoo to purchase real
7 property located at 1301 Cherry Tree Circle, La Habra,
8 California.

9 7. Respondents and Hur accepted \$1,070 in advance fees
10 from borrowers.

11 8. Respondents violated Code Section 10146(a) by
12 collecting advance fees from the borrowers and failed to deposit
13 the fees into a real estate broker trust account.

14 9. Respondents misappropriated the funds received from
15 the borrowers without the knowledge or permission of the
16 borrowers.

17 10. When the borrowers questioned Hur regarding the
18 \$8,200 loan origination fee shown on the Estimated Buyer/Borrower
19 Statement, Hur misrepresented to the borrowers that third party
20 VOE Coast will pay the lender PMC Bank. Since this was the
21 borrowers first home purchase they relied on Hur and followed her
22 advice.

23 11. On or about November 16, 2009, escrow closed and
24 the borrowers learned for the first time that they had to pay the
25 \$8,200 loan origination fee. Hur thereafter promised to return
26 the loan origination fee to the borrowers, but later changed her
27 mind and refused any refund to the borrowers.

1 12. At no time during the transaction did Respondents
2 provide the borrowers with the required Mortgage Loan Disclosure
3 Statement per Code Section 10240 and 10241.

4 13. During 2009, Respondent INTERSTATE LENDING GROUP,
5 INC. violated Regulation 2742(c) when it was suspended by the
6 California Secretary of State.

7 14. The conduct, acts and/or omissions of Respondents
8 INTERSTATE LENDING GROUP, INC. and MARK YOU, as alleged above,
9 subjects their real estate licenses and license rights to
10 suspension or revocation pursuant to Code Sections 10176(a),
11 10176(i), 10177(f), and 10177(d) and/or 10177(g) for violation of
12 Code Sections 10137, 10146(a), 10240 and 10241 and Regulation
13 2742(c), Title 10, Chapter 6, California Code of Regulations.

14 15. The conduct, acts and/or omissions of Respondent
15 MARK YOU, in failing to ensure INTERSTATE LENDING GROUP, INC.'s
16 full compliance with the Real Estate Law is in violation of
17 Section 10159.2 of the Code and subjects his real estate licenses
18 and license rights to suspension or revocation pursuant to
19 Sections 10177(d), 10177(g), and/or 10177(h) of the Code.

20 COST RECOVERY

21 Business and Professions Code Section 10106 provides,
22 in pertinent part, that in any order issued in resolution of a
23 disciplinary proceeding before the department, the commissioner
24 may request the administrative law judge to direct a licensee
25 found to have committed a violation of this part to pay a sum not
26 to exceed the reasonable costs of the investigation and
27 enforcement of the case.

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 Respondents
5 INTERSTATE LENDING GROUP, INC., and MARK YOU under the Real
6 Estate Law (Part 1 of Division 4 of the Business and Professions
7 Code), for the cost of investigation and enforcement as permitted
8 by law, and for such other and further relief as may be proper
9 under other applicable provisions of law.

10 Dated at Los Angeles, California

11 this 22 day of February, 2012.

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13 ROBIN TRUJILLO
14 Deputy Real Estate Commissioner
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24 cc: Interstate Lending Group, Inc.
25 Mark You
26 Robin Trujillo
27 Sacto.