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MAY 17 2012

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DEPARTMENT OF REAL ESTATE
BY: *Quotahredulencia*

8 STATE OF CALIFORNIA

9 DEPARTMENT OF REAL ESTATE

11 To:

12 HOME CLUB INTERNATIONAL INC, and HAIM J.
13 BABILA, as former designated officer of Home Club
14 International Inc

) No. H-38146 LA

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

15
16 The Commissioner (Commissioner) of the California Department of Real Estate
17 (Department) caused an investigation to be made of the activities of HOME CLUB
18 INTERNATIONAL INC, ("HCI") and HAIM J. BABILA ("BABILA"). Based on that
19 investigation, the Commissioner has determined that HCI and BABILA have violated the
20 exemption for real estate brokers performing in house escrows for their own brokered sales and
21 loans pursuant to California Financial Code Section 17006(a)(4) (Financial Code).
22 Furthermore, based on the investigation, the Commissioner hereby issues the following Findings
23 of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Business and
24 Professions Code (Code) Section 10086.
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1 Whenever acts referred to below are attributed to HCI or BABILA, those acts are
2 alleged to have been done by HCI or BABILA, acting by themselves, or by and/or through one or
3 more agents, associates, affiliates, and/or co-conspirators, or other names or fictitious names
4 unknown at this time.

5 FINDINGS OF FACT
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7 1. HCI has been licensed by the Department as a corporate real estate broker since
8 January 28, 2010.

9 2. BABILA has been licensed by the Department as a real estate broker since
10 February 1, 2007. From May 17, 2010 to October 28, 2010, BABILA was licensed as the
11 designated officer of HCI.

12 3. On or about July 25, 2010, HCI, conducted a third-party escrow for
13 purchaser Peter W., wherein HCI was not performing acts in the course of, or incidental to, a real
14 estate transaction in which HCI was an agent or party to the transaction and in which HCI was
15 performing acts for which a real estate license is required.

16 4. On or about August 25, 2010, HCI and BABILA conducted a third party
17 escrow for the purchasers Rick and Paulina C., wherein HCI and BABILA were not performing
18 acts in the course of, or incidental to, a real estate transaction in which HCI and BABILA were
19 agents or parties to the transaction and in which HCI and BABILA were performing acts for
20 which a real estate license is required.

21 CONCLUSIONS OF LAW
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23 5. Based on the Findings of Fact contained in Findings 1 through 4, HCI acting
24 by itself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,
25 or other names or fictitious names unknown at this time conducted broker-controlled escrow
26 services. Said escrow services were not conducted incidental to real estate transactions where the
27

1 broker was a party or agent and where the broker was performing acts for which a real estate
2 license is required, in violation of Financial Code Section 17006(a)(4).

3 6. Based on the Findings of Fact contained in Findings 1, 2 and 4, BABILA
4 acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-
5 conspirators, or other names or fictitious names unknown at this time conducted broker-
6 controlled escrow services. Said escrow services were not conducted incidental to real estate
7 transactions where the broker was a party or agent and where the broker was performing acts for
8 which a real estate license is required, in violation of Financial Code Section 17006(a)(4).

9 DESIST AND REFRAIN ORDER

10 Based on the Findings of Fact and Conclusions of Law stated herein, HOME CLUB
11 INTERNATIONAL INC and HAIM J. BABILA, whether doing business under your own names,
12 or any other names or fictitious names, ARE HEREBY ORDERED to immediately desist and
13 refrain from performing any acts requiring a real estate license in California unless and until you
14 are in compliance with California Financial Code Section 17006(a)(4).

15
16 DATED: 4/22/2012

17 REAL ESTATE COMMISSIONER

18
19
20 By: 

21 By WAYNE S. BELL
22 Chief Counsel

23
24 cc: HOME CLUB INTERNATIONAL INC
25 HAIM J. BABILA
26 13223 Ventura Boulevard, Suite G
27 Studio City, CA 91604