

**FILED**

**MAY 22 2017**

**BUREAU OF REAL ESTATE**

By *AD Salas*

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BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of

PERSONAL TOUCH FINANCE, INC.;  
PEUV PUNG, as designated officer of  
Personal Touch Finance, Inc.; and  
SADRUDIN M. LALANI,

Respondents.

No. H-40646 LA  
ACCUSATION

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, for cause of Accusation against Respondents PERSONAL TOUCH FINANCE, INC. ("PTFI"), PEUV PUNG ("PUNG"), as designated officer of Personal Touch Finance, Inc.; and SADRUDIN M. LALANI aka "Sid" Lalani ("LALANI") (collectively "Respondents"), is informed and alleges as follows:

1.

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, makes this Accusation in her official capacity.

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2.

Unless otherwise specified, all references to the "Code" are to the California Business and Professions Code, and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

3.

a. PERSONAL TOUCH FINANCE, INC.: Respondent PTFI is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Code, as a real estate corporate broker (license no. 01864054). PTFI was originally licensed as a corporate real estate broker on or about May 28, 2009. The designated officer of Personal Touch Finance, Inc. has been Peuv Pung (license no. 01860222) since on or about May 28, 2009.

b. PEUV PUNG: Respondent PUNG is is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Code, as a real estate broker (license no. 01860222). PUNG was originally licensed as a real estate broker on or about March 9, 2009.

c. SADRUDIN M. LALANI: Respondent LALANI is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Code, as a real estate salesperson (license no. 01154564). Respondent has been licensed as a real estate salesperson from on or about February 22, 1993 to February 21, 1997, June 16, 1997 to June 15, 2001, and August 27, 2001 through the present. From on or about June 8, 2009 through the present, LALANI's employing broker has been PTFI. From on or about April 24, 2009 to June 7, 2009, LALANI's employing broker was PUNG.

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1 FIRST CAUSE OF ACCUSATION

2 (FRAUD AND DISHONEST DEALING)

3 4.

4 In 2013, LALANI misrepresented himself as a certified financial advisor  
5 ("CFA") to G.C. and E.C. (husband and wife). As a result, G.C. and E.C. asked for his help to  
6 reduce their debt, create a financial plan, and avoid foreclosure on their property at 6851  
7 Melbourne Dr., Huntington Beach, CA 92647 ("Melbourne Property").<sup>1</sup> LALANI provided  
8 G.C. and E.C. with a business card indicating he was also a "loan consultant," and stated he  
9 was the owner of PTFI.

10 5.

11 G.C. and E.C. had their first mortgage on the Melbourne Property from  
12 Carrington Mortgage Services and their second mortgage and home equity loan both from  
13 Schools First Federal Credit Union ("SFFCU").

14 6.

15 In 2013 and early 2014, upon LALANI's request, G.C. and E.C. provided  
16 LALANI with their personal information, tax documents, and information regarding their  
17 mortgages, bank accounts, and credit card debts, so that LALANI could negotiate with their  
18 creditors to lower their debt and then consolidate the remaining debt into a payment plan.

19 7.

20 In 2013 and early 2014, LALANI advised G.C. and E.C. to stop payments to all  
21 their creditors, including the lenders for their mortgages, to allow him greater leverage in his  
22 negotiations with them. This resulted in creditors filing civil suits against G.C. and E.C. in or  
23 about January 2014.

24 ///

25  
26 \_\_\_\_\_  
27 <sup>1</sup> Some documents errantly refer to the Melbourne Property as 6852 Melbourne Dr., Huntington Beach, CA 92647.

1 8.

2 Upon LALANI's advice, G.C. and E.C. filed for bankruptcy to discharge their  
3 debt and save the Melbourne Property from foreclosure. LALANI informed G.C. and E.C. that  
4 filing for bankruptcy would prevent the foreclosure of the Melbourne Property.

5 9.

6 In or about May 2014, SFFCU notified G.C. and E.C. that it was foreclosing on  
7 the Melbourne Dr. and the auction date was June 4, 2014 unless approximately \$15,000 was  
8 paid to SFFCU. Soon thereafter, LALANI promised G.C. and E.C. he would give G.C. and  
9 E.C. a personal loan with a low interest rate with his own money to pay off SFFCU's loan.

10 10.

11 On or about June 3, 2014, LALANI fraudulently acted as a notary public by  
12 having G.C. and E.C. sign several documents and a notary ledger even though LALANI is not  
13 and has not been a notary public in California. LALANI, G.C., and E.C. were the only people  
14 present at this meeting. Laura Anne Ramirez (notary public commission no. 2053347) was not  
15 present. LALANI did not provide G.C. and/or E.C. with any of the documents that they signed.

16 11.

17 On or about May 28, 2014, PTFI and LALANI on behalf of G.C. and E.C.  
18 opened a loan escrow at Concord Escrow.

19 12.

20 On or about June 4, 2014, loan escrow at Concord Escrow closed. The lender  
21 Dennis Napier (a private party) deposited \$40,022.22 into this escrow account to fund the loan.  
22 \$36,759.24 was disbursed from the loan escrow directly to LALANI, who paid the following  
23 amounts: \$16,253.75 to SFFCU, approximately \$2,500 for bankruptcy fees, approximately  
24 \$450 for the appraisal, approximately \$10,000 to Dennis Napier, and approximately \$6,000 in  
25 commission to LALANI. \$150.00 was also disbursed directly from the escrow account to  
26 Laura Ann Ramirez for a notary fee.

13.

PTFI and LALANI failed to provide a loan application, Mortgage Loan Disclosure Statement/Good Faith Estimate, and/or written commission agreement regarding the loan described above to G.C. and E.C. PTFI and LALANI did not provide any written document disclosing the terms of loan to G.C. and E.C.

14.

PTFI and LALANI's conduct, acts, and/or omissions as described above constitute making substantial misrepresentations and fraud and/or dishonest dealing, and are cause for the suspension or revocation of all real estate licenses and license rights of Respondent under the provisions of Code sections 10137 (compensation paid directly to salesperson), 10142 (failing to deliver a copy of signed agreement to signer), 10240 (written disclosure statement regarding loan secured by real property), 10176(b) (making false promises), 10176(i) (fraud or dishonest dealing), 10177(d) (disregarded or violated Real Estate Law), 10177(g) (negligence), and 10177(j) (fraud or dishonest dealing), and/or Regulations section 2840 (borrower disclosure statements).

## SECOND CAUSE OF ACCUSATION

### (BROKER SUPERVISION)

15.

Based on the above facts, Respondent PUNG did not exercise reasonable control and supervision over the activities conducted on behalf of PTFI and by its employees and/or licensees, including LALANI, as necessary to secure full compliance with real estate laws, which constitutes a breach of fiduciary duty with respect to his real estate consumers and clientele, including property owners and tenants. Respondent PTFI's conduct and violations are cause for the suspension or revocation of the real estate license and license rights of

Respondent PUNG pursuant to Code sections 10159.2 and 10177(h) and Regulations section 2725.

COSTS

16.

Code section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the bureau, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code) of Respondents PERSONAL TOUCH FINANCE, INC., PEUV PUNG, and SADRUDIN M. LALANI for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under applicable provisions of law.

Dated at San Diego, California: May 19, 2017.

V. Kilpatrick  
Veronica Kilpatrick  
Supervising Special Investigator

cc: Personal Touch Finance, Inc.  
Peuv Pung  
Sadrudin M. Lalani  
Veronica Kilpatrick  
Sacto.