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**FILED**

MAR 27 2019

DEPT. 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 Application of ) No. H-41151 LA  
13 ELVIS ABRAMYAN, ) OAH No. 2018090960  
14 Respondent. ) SECOND AMENDED  
15 ) STATEMENT OF ISSUES  
16 ) Mortgage Loan Originator  
17 ) License Endorsement

18 This Second Amended Statement of Issues amends the First Amended Statement  
19 of Issues filed on March 1, 2019. The Complainant, Chika Sunquist, a Supervising Special  
20 Investigator of the State of California, for Statement of Issues against ELVIS ABRAMYAN  
21 ("Respondent"), is informed and alleges as follows:

22 1.

23 The Complainant, Chika Sunquist, acting in her official capacity as a  
24 Supervising Special Investigator of the State of California, makes this Statement of Issues  
25 against ELVIS ABRAMYAN.

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Second Amended Statement of Issues of Elvis Abramyan

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2.

Respondent presently has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real estate salesperson.

3.

On or about June 15, 2017, Respondent made application to the Department of Real Estate ("Department") for an individual mortgage loan originator license endorsement ("MLO license endorsement").

FIRST CAUSE FOR DENIAL

(CRIMINAL CONVICTIONS AND UNDERLYING CONDUCT)

4.

On or about November 17, 2009, Respondent ABRAMYAN pled nolo contendere and was convicted in the Superior Court of California, County of Los Angeles, Case No. GA075336, for violation of California Penal Code section 530.5(a) (Unauthorized Use of Personal Identifying Information), a misdemeanor, and Penal Code section 487(a) (Grand Theft), a misdemeanor. ABRAMYAN was placed on three years of summary probation, and ordered to serve one day in jail and pay restitution, fines and fees. Additionally, ABRAMYAN was ordered to complete 30 days of CalTrans or graffiti removal. On or about December 1, 2010, ABRAMYAN failed to complete the 30 days of CalTrans and was ordered to serve 30 days in jail.

5.

On or about January 12, 2010, Respondent ABRAMYAN pled nolo contendere and was convicted in the Superior Court of California, County of Los Angeles, Case No. 9GN04614, for violation of California Vehicle Code section 12500 (Unlawful to Drive Unless Licensed), a misdemeanor. ABRAMYAN was placed on 12 months of summary probation, and ordered to pay fines and fees.

///

1 6.

2 The facts alleged in Paragraphs 4 and 5 above, and the conduct underlying the  
3 convictions, constitute cause for denial of Respondent's application for a  
4 MLO license endorsement under Code sections 10166.05(c) and 10166.051(b) and  
5 section 2758.3, Title 10, Chapter 6, California Code of Regulations ("Regulations").

6 SECOND CAUSE FOR DENIAL

7 (CIVIL JUDGMENT)

8 7.

9 On or about February 24, 2017, in the Superior Court of California, County of  
10 Los Angeles, Case No. 16A13173, a judgment in the amount of \$6,263.94 was entered against  
11 Respondent.

12 8.

13 The facts alleged in Paragraph 7 above constitute cause for denial of  
14 Respondent's application for a MLO license endorsement under Code sections 10166.05(c) and  
15 10166.051(b) and Regulations section 2758.3(a).

16 THIRD CAUSE FOR DENIAL

17 (MATERIAL MISSTATEMENT AND WITHHOLDING INFORMATION

18 ON RESPONDENT'S OWN APPLICATION)

19 9.

20 In response to Question (D), under the Disclosure Questions section of his  
21 application, to wit, "Do you have any unsatisfied judgments or liens against you?", Respondent  
22 answered "NO," and failed to disclose the civil judgment described in Paragraph 7 above.

23 10.

24 By answering "No" to the application question set forth in Paragraph 9, above,  
25 Respondent withheld information and made a material misstatement as to existence of the civil  
26 judgment described in Paragraph 7 above.

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Second Amended Statement of Issues of Elvis Abramyan

1 11.

2 In response to the Employment History section of his application, for his  
3 position with the company Equitymine, Respondent answered "CEO" when he was not Chief  
4 Executive Officer of Equitymine, and Respondent made a material misstatement.

5 12.

6 The facts alleged in Paragraphs 9 through 11 above constitute cause for denial of  
7 Respondent's application for a MLO license endorsement under Code sections 10166.05(c)  
8 and 10166.051(b).

9 FOURTH CAUSE FOR DENIAL

10 (MATERIAL MISSTATEMENT AND WITHHOLDING INFORMATION  
11 ON COMPANY APPLICATIONS)

12 13.

13 On or about June 28, 2017, Respondent ABRAMYAN filed a Statement of  
14 Information with the Secretary of State of the State of California for Equitymine.  
15 ABRAMYAN was listed as the Secretary and Chief Financial Officer of Equitymine.

16 14.

17 On or about November 7, 2017, Equitymine through Respondent ABRAMYAN  
18 made application to the Department for a company MLO license endorsement.

19 15.

20 On or about June 11, 2018, Equitymine through Respondent ABRAMYAN  
21 made another application to the Department for a company MLO license endorsement.

22 16.

23 In response to the Direct Owners and Executive Officers section of Equitymine's  
24 applications, Equitymine through Respondent ABRAMYAN failed to disclose ABRAMYAN'S  
25 status as Secretary and Chief Financial Officer of Equitymine described in Paragraph 13 above.  
26 ABRAMYAN attested to the applications as "EMPLOYEE" of Equitymine.

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Second Amended Statement of Issues of Elvis Abramyan

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17.

By failing to disclose Respondent ABRAMYAN'S status as Secretary and Chief Financial Officer of Equitymine in the applications set forth in Paragraphs 14 and 15, above, ABRAMYAN withheld information and made a material misstatement.

18.

The instructions for the Direct Owners and Executive Officers section of company MLO license endorsement application provide, "Identify all direct owners and executive officers. If the direct owner or executive officer is a natural person (individual), list their full legal name as first, middle, last, suffix, provide their title and the percentage of ownership. All natural persons listed in the Direct Owners and Executive Officers section of the Company (MU1) Form are required to complete and submit the Individual (MU2) Form." Question (H)(1) under the Disclosure Questions section of Individual (MU2) Form asks, "Have you ever been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to committing or conspiring to commit a misdemeanor involving: (i) financial services or a financial services-related business, (ii) fraud, (iii) false statements or omissions, (iv) theft or wrongful taking of property, (v) bribery, (vi) perjury, (vii) forgery, (viii) counterfeiting, or (ix) extortion?" Respondent ABRAMYAN failed to file an Individual (MU2) Form and failed to disclose in the Individual (MU2) Form ABRAMYAN'S convictions described in Paragraphs 4 and 5 above.

19.

By Respondent ABRAMYAN failing to file an Individual (MU2) Form and failing to disclose in the Individual (MU2) Form ABRAMYAN'S convictions described in Paragraphs 4 and 5 above, ABRAMYAN withheld information.

20.

The facts alleged in Paragraphs 13 through 19 above constitute cause for denial of Respondent's application for a MLO license endorsement under Code sections 10166.05(c) and 10166.051(b).

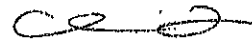
Second Amended Statement of Issues of Elvis Abramyan

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the California Government Code.

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a mortgage loan originator license endorsement to Respondent ELVIS ABRAMYAN and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Sacramento, California

this 27<sup>th</sup> day of March, 2019



Chika Sunquist  
Supervising Special Investigator

cc: ELVIS ABRAMYAN  
Equitymine  
Chika Sunquist  
Sacto.