

**FILED**

**FEB 11 2020**

**BUREAU OF REAL ESTATE**

**By: ASelbow**

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of ) No. H-41597 LA  
)  
HOME LOAN ENTERPRISE, )  
) ACCUSATION  
Respondent. )  
\_\_\_\_\_ )

The Complainant, Chika Sunquist, a Supervising Special Investigator of the State of California, for cause of Accusation against HOME LOAN ENTERPRISE ("Respondent"), is informed and alleges as follows:

1.

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

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a corporate real estate broker, Department of Real Estate ("Department") license ID 01471871.

ACCUSATION



1 material misstatement in an application for a license endorsement or license endorsement  
2 renewal.”

3 6.

4 Section 10177 of the Code provides, “The commissioner may suspend or revoke  
5 the license of a real estate licensee, delay the renewal of a license of a real estate licensee, or  
6 deny the issuance of a license to an application, who has done any of the following, or may  
7 suspend or revoke the license of a corporation, delay the renewal of a license of a corporation,  
8 or deny the issuance of a license to a corporation, if an officer, director, or person owning or  
9 controlling 10 percent or more of the corporation’s stock has done any of the following:

10 ...

11 (f) Acted or conducted himself or herself in a manner that would have warranted  
12 the denial of his or her application for a real estate license, or either had a license denied or had  
13 a license issued by another agency of this state, another state, or the federal government  
14 revoked, surrendered, or suspended for acts that, if done by a real estate licensee, would be  
15 grounds for the suspension or revocation of a California real estate license, if the action of  
16 denial, revocation, surrender, or suspension by the other agency or entity was taken only after  
17 giving the licensee or applicant fair notice of the charges, an opportunity for a hearing, and  
18 other due process protections...”

19 7.

20 Section 10186.2(a)(1) of the Code provides, “A licensee shall report any of the  
21 following to the department:

22 ...

23 (C) Any disciplinary action taken by another licensing entity or authority of this  
24 state or of another state or an agency of the federal government.”

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ACCUSATION

1 FIRST CAUSE OF ACCUSATION

2 (LICENSE DISCIPLINE BY ANOTHER AGENCY)

3 8.

4 On or about July 10, 2019, the California Department of Business Oversight  
5 (“DBO”), issued an Order revoking Respondent’s California Residential Mortgage Lending Act  
6 (“CRMLA”) license, license no. 41DBO-59635, pursuant to Financial Code section 50327. As  
7 more fully set forth in the Order Revoking California Residential Mortgage Lender License  
8 Pursuant to Financial Code Section 50327, the DBO found that Respondent failed to timely file  
9 an audited financial statement for the fiscal years 2016 and 2017 as required by Financial Code  
10 section 50200, subdivision (d).

11 9.

12 On or about January 19, 2018, the Oregon Department of Consumer and  
13 Business Services, Division of Financial Regulation (“Division”) in Case No. M-17-0134,  
14 issued an Order demanding Respondent cease and desist from violating any provision of the  
15 Oregon Mortgage Lender Law, suspending Respondent’s Oregon mortgage banker/broker  
16 license number ML 50-78 for one month, effective February 1, 2018, and subjecting  
17 Respondent to a civil penalty of \$10,000. As more fully set forth in the Order to Cease and  
18 Desist, Final Order Suspending License, Final Order Assessing Civil Penalty, and Consent to  
19 Entry of Order, the Department of Consumer and Business Services found that Respondent  
20 violated the Oregon Revised Statute, including but not limited to failing to make a timely filing  
21 of Mortgage Call Reports in seven (7) instances from 2014 through 2017 in violation of Oregon  
22 Revised Statute 86A.239(2), failing to ensure its employee serving as a mortgage loan officer  
23 was licensed in Oregon to engage as a mortgage loan originator in violation of Oregon  
24 Administrative Rules 441-860-0040(1), and failing to timely file financial reports and  
25 information relating to the Department of Consumer and Business Services’ examination in  
26 violation of Oregon Revised Statute 86A.112(2).

27 ACCUSATION

1 10.

2 The prior license actions against Respondent, as alleged in Paragraphs 8 and 9  
3 above, constitute cause for the suspension or revocation of the license, license rights, and  
4 license endorsement of Respondent under Business and Professions Code sections 10166.051  
5 and 10177(f).

6 SECOND CAUSE OF ACCUSATION

7 (FAILURE TO REPORT DISCIPLINE BY ANOTHER AGENCY)

8 11.

9 Pursuant to Business and Professions Code section 10186.2 a licensee shall  
10 report, in writing, "any disciplinary action taken by another licensing entity or authority of this  
11 state or of another state or an agency of the federal government" to the Department within 30  
12 days of the disciplinary action. Respondent failed to report in writing to the Department the  
13 disciplinary action described in Paragraphs 8 and 9, within 30 days of the disciplinary action.

14 12.

15 Respondent's failure to timely report its prior license discipline constitutes cause  
16 under Section 10186.2 of the Code for the suspension or revocation of the license, license  
17 rights, and license endorsement of Respondent under the Real Estate Law.

18 COST RECOVERY

19 (INVESTIGATION AND ENFORCEMENT COSTS)

20 13.

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

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27 ACCUSATION

1                   WHEREFORE, Complainant prays that a hearing be conducted on the  
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing  
3 disciplinary action against all the licenses, license rights, and license endorsement of  
4 Respondent HOME LOAN ENTERPRISE under the Real Estate Law (Part 1 of Division 4 of  
5 the Business and Professions Code) for the cost of investigation and enforcement as permitted  
6 by law, and for such other and further relief as may be proper under other applicable provisions  
7 of law.

8  
9 Dated at Sacramento, California this 17<sup>th</sup> day of January, 2020.

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13 **Chika Sunquist**  
14 **Supervising Special Investigator**

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26 cc: HOME LOAN ENTERPRISE  
Chika Sunquist  
27 Sacto.

ACCUSATION