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**FILED**  
**MAY 24 2023**  
**DEPT. OF REAL ESTATE**  
By John Aguirre

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of ) No. H-42421 LA  
12 )  
13 HOWARD BRUCE HENDLER, and ) ACCUSATION  
14 JEREMY ETHAN FEINSTEIN, )  
15 Respondents. )

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17 The Complainant, Ruth Corral, a Supervising Special Investigator of the State of  
18 California, for cause of Accusation against HOWARD BRUCE HENDLER and JEREMY  
19 ETHAN FEINSTEIN (collectively “Respondents”) alleges as follows:

20 1.

21 The Complainant, Ruth Corral, a Supervising Special Investigator of the State of  
22 California, makes this Accusation in her official capacity.

23 2.

24 All references to the “Code” are to the California Business and Professions  
25 Code and all references to “Regulations” are to Title 10, Chapter 6, California Code of  
26 Regulations.

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2 LICENSE HISTORY

3 3.

4 (HOWARD BRUCE HENDLER)

5 (a) Respondent HOWARD BRUCE HENDLER (“HENDLER”) is presently  
6 licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the  
7 California Business and Professions Code, as a real estate broker (“REB”), Department license  
8 ID 02100156.

9 (b) The Department originally issued HENDLER’s REB license on or about  
10 August 22, 2019.

11 (c) HENDLER’s license is scheduled to expire on August 21, 2023, unless  
12 renewed.

13 (d) According to the Department’s records, HENDLER does not and did not  
14 maintain any authorized fictitious business names with the Department.

15 4.

16 (JEREMY ETHAN FEINSTEIN)

17 (a) Respondent JEREMY ETHAN FEINSTEIN (“FEINSTEIN”) is presently  
18 licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the  
19 California Business and Professions Code, as a REB, Department license ID 00854620.

20 (b) The Department originally issued FEINSTEIN’s REB license on or about  
21 November 29, 2021.

22 (c) FEINSTEIN’s license is scheduled to expire on November 28, 2025, unless  
23 renewed.

24 (d) According to the Department’s records, FEINSTEIN was a real estate  
25 salesperson from September 23, 1983 to November 28, 2021. FEINSTEIN was employed as a  
26 salesperson under HENDLER from approximately August 21, 2021 to November 28, 2021.

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2 (e) According to the Department's records, FEINSTEIN, since December 20,  
3 2021, has maintained an authorized fictitious business name, "Spreo Capital Partners", with the  
4 Department.

5 (f) According to the Department's records, FEINSTEIN has been the designated  
6 officer of Spreo Capital Partners, Inc. since February 7, 2022.

7 LICENSED ACTIVITIES

8 5.

9 At all times relevant herein Respondents were engaged in the business of, acted  
10 in the capacity of, advertised or assumed to act as a real estate corporation, within the meaning  
11 of Section 10131 (d) of the Code. Respondents' activities included, but not limited to, the  
12 soliciting of borrowers or lenders for or negotiating loans or collecting payments or performing  
13 services for borrowers or lenders or note owners in connection with loans secured directly or  
14 collaterally by liens on real property or on a business opportunity.

15 (AUDIT LA210100)

16 6.

17 On or about June 30, 2022, the Department completed an audit examination of  
18 the books and records of HENDLER pertaining to the mortgage loan activities described in  
19 Paragraph 5 above. The audit examination covered the period of time from January 1, 2021  
20 through December 31, 2021 ("audit period"). The primary purpose of the examination was to  
21 determine whether Respondents conducted real estate activities complied with the Real Estate  
22 Law. The audit examination revealed violations of the Code and the Regulations as set forth in  
23 the following paragraphs, and more fully discussed in Audit No. LA210100, and the exhibits  
24 and work papers attached to said audit report.

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2 Violations of the Real Estate Law

3 7.

4 The audit examination revealed violations of the Code and the Regulations, as  
5 set forth in the following paragraphs, and more fully discussed in Audit Report No. LA210100,  
6 and the exhibits and work papers attached to the audit report:

7 (a) **Failure to Provide a Lender/Purchaser Disclosure Statement (Code**  
8 **sections 10232.4, 10232.5, and Regulations 2846)**. Based on an examination of the loan  
9 transactions files as a part of the Audit, Respondents failed to provide Lender Purchaser  
10 Disclosure Statements to the lenders during the audit period in violation of Code sections  
11 10232.4, 10232.5, and Regulations 2846.

12 (b) **Written Disclosure Statement / Nontraditional Mortgage Loan Product**  
13 **(Code sections 10240(c), 10240.3, and Regulations 2840 and 2842)**. Based on an  
14 examination of the loan transactions files as a part of the Audit, the Loan Estimate did not  
15 satisfy the requirements of Code section 10240, in that, it did not disclose that the Loan  
16 Estimate does not constitute a loan commitment and include the Department's licensing  
17 information telephone number or website in violation of Code sections 10240(c), 10240.3, and  
18 Regulations 2840 and 2842.

19 In addition, Respondents negotiated nontraditional mortgages loan products in  
20 some of the files.

21 (c) **Disclosure of the Department's Telephone Number in Disclosure**  
22 **Statements (Code section 10236.4)**. Based on an examination of the loan transactions files as  
23 a part of the Audit, Respondents failed to disclose the Department's telephone number in the  
24 Loan Estimate in violation of Code sections 10236.4.

25 (d) **Investor Questionnaires / Suitability (Code section 10232.45)**. Based on  
26 an examination of the loan transactions files as a part of the Audit, Respondents failed to obtain  
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ACCUSATION

1 and retain a signed for RE 870 (Investor Questionnaire) from the lenders in violation of Code  
2 sections 10232.45.

3 (e) **Threshold Notification (Code section 10232(e))**. Based on an examination  
4 of the loan transactions files as a part of the Audit, in 2021, Respondents failed to file with the  
5 Department a Threshold Notification within 30 days in violation of Code sections 10232(e).

6 (f) **Branch Office (Code section 10163)**. Based on an examination of the loan  
7 transactions files as a part of the Audit, in 2021, Respondents conducted real estate activities in  
8 more than one location, but failed to apply with the Department a branch office in violation of  
9 Code sections 10163.

10 (g) **Use of False or Fictitious Business Name (Code section 10159.5 and**  
11 **Regulations 2731)**. During the audit period, Respondents used the unlicensed fictitious  
12 business name “Spreo Capital Partners” without first obtaining a license from the Department  
13 in violation of Code section 10159.5 and Regulations 2731.

14 (h) **Broker Supervision (Code section 10177(h) and Regulations 2725)**.  
15 Based on the violations in Paragraphs 7 (a)-(g) above, Respondent HENDLER failed to  
16 exercise adequate supervision and control over the mortgage loan activities conducted by his  
17 employees and provide established policies, rules, procedures, and systems to review, oversee,  
18 inspect, and manage transactions requiring a real estate license and the handling of trust funds  
19 in violation of Code section 10177(h) and Regulations 2725.

20 **Additional Violations of the Real Estate Law**

21 8.

22 The overall conduct of Respondents violates the Real Estate Law and constitutes  
23 cause for the suspension or revocation of their real estate license and license rights under the  
24 provisions of **Code Section 10177(g)** for negligence and **Code Section 10177(d)** for willful  
25 disregard of the Real Estate Law.

26 9.

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1 Each of the foregoing violations in Paragraphs 7 (a)-(h) above constitute cause  
2 for the suspension or revocation of the real estate license and/or license rights of Respondents  
3 under the provisions of Code sections 10177(d), 10177(g), and 10177(h) (as to HENDLER).

4 COSTS

5 (AUDIT COSTS)

6 10.

7 Section 10148(b) of the Code, provides, in pertinent part, that the Real Estate  
8 Commissioner shall charge a real estate broker for the costs of any audit if the Commissioner  
9 has found in a final decision, following a disciplinary hearing, that the broker has violated  
10 Section 10145 of the Code or a regulation or rule of the Commissioner interpreting said Code  
11 section.

12 (INVESTIGATION AND ENFORCEMENT COSTS)

13 11.

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

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5 PRAYER

6 WHEREFORE, Complainant prays that a hearing be conducted on the  
7 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing  
8 disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1  
9 of Division 4 of the California Business and Professions Code) of Respondent HOWARD  
10 BRUCE HENDLER and JEREMY ETHAN FEINSTEIN, for the cost of investigation and  
11 enforcement as permitted by law, and for such other and further relief as may be proper under  
12 applicable provisions of law.

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14 Dated at Sacramento, California on May 4, 2023.

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Ruth Corral  
Supervising Special Investigator

18 cc: HOWARD BRUCE HENDLER  
19 JEREMY ETHAN FEINSTEIN  
20 Sacto.  
Audits – Isabel Beltran

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