

FILED

AUG 23 2022

DEPT. OF REAL ESTATE
By *@e Selou*

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9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-42424 LA
13 YEYNI TOMER,) ACCUSATION
14 Respondent.)
15 _____)

16 The Complainant, Ruth Corral, a Supervising Special Investigator of the State of
17 California, for cause of Accusation against TOMER YEYNI, (“Respondent”), alleges as
18 follows:

19 1.

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

22 2.

23 Respondent presently has license rights under the Real Estate Law, Part 1 of
24 Division 4 of the California Business and Professions Code (“Code”), as a real estate
25 salesperson (License ID 01989308). Respondent’s license is scheduled to expire on June 24,
26 2024, unless renewed.

27 //

1 LICENSE HISTORY

2 3.

3 a. Respondent TOMER YEYNI (“YEYNI”) is presently licensed and/or has
4 license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and
5 Professions Code as a real estate salesperson, Department of Real Estate (“Department”)
6 license ID 01989308.

7 b. YEYNI’s license was originally issued on June 25, 2016, and is scheduled to
8 expire on June 24, 2024, unless renewed.

9 c. According to the Department’s records to date, YEYNI held an individual
10 MLO endorsement (NMLS ID 1603612) with the Department from December 7, 2017, through
11 December 31, 2021, when Respondent voluntarily surrendered the MLO License Endorsement.

12 d. Since September 1, 2020, Respondent YEYNI’s employing broker is Option
13 One Lending, Inc. in Sherman Oaks, California (Corporation License ID 01946735).

14 PRIOR LICENSE DISCIPLINE – DEPARTMENT OF REAL ESTATE

15 4.

16 On or about December 8, 2021, the Real Estate Commissioner signed a
17 Settlement Agreement and Consent Order (“Agreement”) regarding Tomer Yeyni, NMLS ID
18 No. 1603612. In the Agreement, the Respondent 1) admitted being a knowing and active
19 participant in the MLO Education Scheme coordinated by and implemented through Danny
20 Yen , d/b/a Real Estate Educational Services, a Nationwide Multistate Licensing System &
21 Registry (“NMLS”) Approved course provider that was assigned an NMLS-Approved course
22 provider identifier number of 1405046 (“REES”); 2) that Respondent had in fact had pre-
23 licensure education (“PE”) and/or continuing education (“CE”) completed by REES on
24 Respondent’s behalf in violation of federal and state law. Specifically, that Respondent had one
25 (1) PE and/or CE completed by REES on Respondent’s behalf under the In-person education
26 scheme; 3) that by participating in the MLO education scheme coordinated by and implemented
27 through REES, Respondent had in fact violated the NMLS Rules of Conduct (“ROC”); and 4)

1 that by participating in the MLO Education Scheme coordinated by and implemented through
2 REES, Respondent violated state and federal laws concerning completing certain PE and/or CE
3 requirements as a mandatory qualification for licensure.

4 In the Agreement, Respondent agreed to the surrender of Respondent's mortgage
5 loan originator license, to go into effect on or about the effective date of the Agreement as
6 process and reflected through the NMLS. Per the NMLS website, the Date of Action of the
7 Agreement is December 31, 2021.

8 Respondent agreed that at any time after a three-month period has lapsed from
9 the Effective Date of the Agreement and Respondent has paid the Administrative Penalty,
10 Respondent may apply for a new mortgage loan originator license, or as applicable, petition for
11 the reinstatement of an MLO Activity Endorsement.

12 CAUSE FOR ACCUSATION

13 (ACTING AS A MORTGAGE LOAN ORIGINATOR WHEN NOT ENDORSED TO ACT AS
14 A MORTGAGE LOAN ORIGINATOR)

15 5.

16 From on or about March 22, 2022, through the present, while not endorsed to act
17 as a mortgage loan originator, YEYNI engaged in the business of, acted in the capacity of,
18 advertised or assumed to act as a mortgage loan originator, within the meaning of Code section
19 10166.01.

20 6.

21 On or about March 22, 2022, Department Special Investigator Hanson visited
22 the website for Respondent's responsible broker, Option One Lending, Inc. ("OOL"). A review
23 of OOL's website showed that OOL was advertising YEYNI as a Senior Mortgage Consultant
24 with both his NMLS and DRE license numbers displayed. OOL's website also displayed
25 YEYNI's phone number and email address at (818) 397-****, and
26 TomerY@*****.com respectively.

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7.

On or about March 22, 2022, Department Special Investigator Hanson (“Investigator Hanson”) sent a shop email to YEYNI at TomerY@*****.com, posing as consumer “Anthony Davis.” The shop email Investigator Hanson submitted to YEYNI indicated that he was a consumer who resided in Sherman Oaks, California, who was looking to refinance his property since he felt that his interest rate was high. YEYNI responded shortly after, asking for the approximate mortgage balance and value of the home. YEYNI also asked Investigator Hanson for his FICO score. Investigator Hanson responded to YEYNI with information regarding his credit score and loan. YEYNI later responded quoting an interest rate of around 4.5-4.6% for a 30-year fixed mortgage and refinance costs around \$3,000.00 to \$4,000.00. YEYNI also informed Investigator Hanson that he gets compensated for refinances directly from the bank.

8.

On or about March 22, 2022, YEYNI also sent Investigator Hanson a separate email, in which he provided a link for Investigator Hanson to fill out YEYNI’s online loan application. In that same email, YEYNI also submitted a “Needs List,” of items YEYNI was requesting from Investigator Hanson to originate the loan, including W-2s, tax returns, paycheck stubs, bank statements, and a copy of Investigator Hanson’s driver’s license.

9.

On or about March 25, 2022, Investigator Hanson called the designated officer of OOL, Martik Arsen Yeghishian (“Yeghishian”), license ID 01359946. During the call, Yeghishian informed Investigator Hanson that YEYNI had not originated any loans or done any licensed MLO activity since the new year started in January 2022. Investigator Hanson also asked Yeghishian what types of loans YEYNI originates. Yeghishian informed Investigator Hanson that YEYNI originates loans that are sold to Fannie Mae and Freddie Mac, VA loans, FHA loans, and some Jumbo loans. Yeghishian confirmed that YEYNI does not originate private money or construction loans.

1 10.

2 After Investigator Hanson's call with Yeghishian, Investigator Hanson sent
3 Yeghishian an email with a request for documents related to YEYNI's employment at OOL.
4 One document requested was a copy of YEYNI's broker-salesperson agreement with OOL.
5 Yeghishian sent Investigator Hanson the requested documents via DRE Sharefile on April 6,
6 2022. On page two of the broker-salesperson agreement, it was agreed upon by YEYNI and
7 OOL that YEYNI must maintain a valid DRE and NMLS license while acting as a loan
8 originator with OOL. YEYNI did not have a valid NMLS license at the time he was soliciting
9 loans on behalf of OOL on March 22, 2022.

10 11.

11 The conduct, acts, and/or omissions of YEYNI, as described in paragraphs 5
12 through 10 above, constituted grounds to revoke or suspend YEYNI's real estate salesperson
13 license pursuant to Code section 10166.02 (engaging in business as a mortgage loan originator
14 without first obtaining and maintaining an MLO license endorsement), Code section 10177,
15 subdivision (d) (willful disregard of the Real Estate Law), Code section 10176(a) (making a
16 substantial misrepresentation), Code section 10177, subdivision (g) (negligence and/or
17 incompetence), Code section 10177(c) (knowingly authorizing the publication, advertisement,
18 distribution, or circulation of a material false statement or representation concerning his
19 designation), and Code section 10131 subdivision (d) (acting as a real estate broker, by
20 soliciting borrowers or lenders for or negotiating loans or performing services for borrowers or
21 lenders in connection with loans secured directly or collaterally by liens on real property
22 (mortgage loan origination)).

23 (COSTS OF INVESTIGATION AND ENFORCEMENT)

24 12.

25 California Business and Professions Code section 10106, provides, in pertinent
26 part, that in any order issued in resolution of a disciplinary proceeding before the Department of
27 Real Estate, the Commissioner may request the administrative law judge to direct a licensee


ACCUSATION

1 found to have committed a violation of this part to pay a sum not to exceed the reasonable costs
2 of the investigation and enforcement of the case.

3
4 * * *

5 WHEREFORE, Complainant prays that a hearing be conducted on the
6 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
7 disciplinary action against all the licenses and license rights of Respondent TOMER YEYNI
8 under the Real Estate Law, for the costs of investigation and enforcement as permitted by law,
9 and for such other and further relief as may be proper under other applicable provisions of law.

10 Dated at Sacramento, California this 17th day of August, 2022.

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14 _____
15 Ruth Corral
16 Supervising Special Investigator
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25 cc: TOMER YEYNI
26 Option One Lending, Inc.
27 Ruth Corral
Sacto.