



# REAL ESTATE BULLETIN

Arnold Schwarzenegger, Governor  
Sunne Wright McPeak, Secretary, Business, Transportation, & Housing Agency

<http://www.dre.ca.gov>

Department of Real Estate

Winter 2003

## Commissioner's Farewell Message

I am honored and pleased to have served as Real Estate Commissioner for the past four years. The Department of Real Estate (DRE) has made great progress through the collaborative efforts of a dedicated, exemplary staff, resulting in better service to consumers, the subdivision industry and real estate licensees. In addition to efficiently conducting everyday operations such as administering exams, issuing licenses and public reports, performing audits and completing enforcement actions, the DRE has achieved:

### Information Technology Innovations

- Launched **eLicensing**, the interactive online system, which allows real estate license renewal and change transactions to be completed via the Internet. eLicensing helped reduce paperwork and processing timeframes and was well received by real estate licensees. It won the 2003 Microsoft Solution Showcase Award, which recognizes innovation and leadership in government through the use of technology.
- Enhanced and increased use of the **DRE Web site** as a cost effective way to keep consumers, licensees and subdividers well informed. It now includes information in Spanish and Chinese, all DRE publications, more interactive services, time-share information, and most forms and resources to assist licensees to comply with the Real Estate Law. The DRE Web site earned the Association of Real Estate License Law Officials (ARELLO) 2002 Excellence in Communication Award.

- Worked with the Department of Justice to implement an electronic fingerprint information exchange system which, in most cases, helped reduce the turnaround time for the receipt of fingerprint information needed before the issuance of an original real estate license.
  - Completed the conversion of outdated internal information technology systems to the new **Enterprise Information System (EIS)**, to centrally locate all of the DRE's information about a person or corporation into one database. EIS streamlined operations and maintenance of DRE information systems.
  - Added a "**Fax Forms on Request**" feature to the Interactive Voice Response telephone system.
  - Created a **legal brief bank and data base** of real estate related cases.
- ### Higher Standards For Real Estate Licensees
- Sponsored successful legislation making **Real Estate Practice a mandatory college level course** to

obtain a real estate salesperson license.

- Required written examinations for the core continuing education courses to ensure that licensees adequately grasp the subject matter.
- **Studied and revamped the real estate license exams** for both the real estate salesperson and broker exams.
- **Enacted Regulations** to provide:
  - Disgorgement of real estate commissions earned as a result of unlicensed activities;
  - Completion of a course in Trust Fund Accounting when licensees are found to have trust accounting irregularities; and
  - To preclude registered sex offenders from obtaining a real estate license.

### Increased Outreach Efforts

- Developed **educational videos and workbooks for new home buyers and renters** to educate them in the basics of renting and purchasing a

*Continued on page 2*

## eLicensing – Try it, you'll like it!

In September 2002, the DRE launched the eLicensing online system at [www.dre.ca.gov](http://www.dre.ca.gov). Because of its design and user-friendly features it has earned the DRE a Microsoft Solution Showcase Award. But the best reward has been the use of eLicensing by our licensees. The increased use of eLicensing for renewals indicates the growing acceptance of eLicensing and has validated the goal of providing an effective and efficient means of renewing licenses.

When eLicensing debuted in September 2002, the percentage of renewals processed via eLicensing compared to those processed by DRE staff was 3.7% for brokers and 2.2% for salespersons. Each month since then the percentage of

*Continued on page 3*

**REAL ESTATE BULLETIN**

Official Publication of the  
California Department of Real Estate

Vol. 63, No. 4 Winter 2003

## STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER, Governor

BUSINESS, TRANSPORTATION AND HOUSING AGENCY

SUNNE WRIGHT MCPEAK, Secretary

DEPARTMENT OF REAL ESTATE  
vacant, Commissioner

**PRINCIPAL OFFICE**

We're located at: 2201 Broadway, Sacramento, 95818-2500  
Mailing Address: P.O. Box 187000, Sacramento, 95818-7000

**Administration**

John R. Liberator, *Chief Deputy Commissioner*  
Thomas L. Pool, *Asst. Comm., Legislation & Public Information Services*  
Chris Neri, *Assistant Commissioner, Subdivisions*  
Fa-Chi Lin, *Chief Auditor*  
William E. Moran, *Assistant Commissioner, Enforcement*  
Barbara Bigby, *Asst. Commissioner, Administrative Services*  
Robin T. Wilson, *Chief Legal Officer*  
Thomas R. Hensley, *Managing DC IV, Licensing & Exams*  
Betty R. Ludeman, *Managing DC IV, Education*  
Randy Brendia, *Managing DC IV, Mortgage Lending*

**Real Estate Bulletin**

Thomas L. Pool, *Editor*  
Amy Edelen, *Publications Deputy*  
Laura Curry, *Production Editor*

**Primary Telephone Numbers**

Consumer Information .....	(916) 227-0864
Mortgage Loan Activities .....	(916) 227-0770
General Licensing Information .....	(916) 227-0931
Broker Examinations .....	(916) 227-0899
Salesperson Examinations .....	(916) 227-0900
Original Licensing (sales/brokers) .....	(916) 227-0904

**NORTHERN ENFORCEMENT AREA — DISTRICT OFFICES**

Steve Ellis, *Managing Deputy Commissioner IV*

- 2550 Mariposa Mall, Suite 3070, **Fresno**, 93721-2273  
John Sweeney, *Managing Deputy Commissioner II*  
Consumer Information .....
- 1515 Clay Street, Suite 702, **Oakland**, 94612-1462  
Les R. Bettencourt, *Managing Deputy Commissioner III*  
Consumer Information .....
- 2201 Broadway, **Sacramento**  
Mailing Address: P.O. Box 187000, Sacramento, 95818-7000  
Charles W. Koenig, *Managing Deputy Commissioner III*  
Consumer Information .....
- 1350 Front Street, Suite 3064, **San Diego**, 92101-3687  
J. Chris Graves, *Managing Deputy Commissioner II*  
Consumer Information .....

**SOUTHERN ENFORCEMENT AREA — DISTRICT OFFICES**

Dolores Ramos, *Managing Deputy Commissioner IV*

- 320 W. 4th Street, Suite 350, **Los Angeles**, 90013-1105  
Maria Suarez, *Managing Deputy Commissioner III*  
Consumer Information .....

**SUBDIVISIONS**

Chris Neri, *Assistant Commissioner, Subdivisions*

- 2201 Broadway, **Sacramento**  
Mailing Address: P.O. Box 187005, Sacramento, 95818-7005  
vacant, *Managing Deputy Commissioner III*  
Consumer Information .....
- 320 W. 4th Street, Suite 350, **Los Angeles**, 90013-1105  
Robert D. Gilmore, *Managing Deputy Commissioner IV*  
Consumer Information .....

The *REAL ESTATE BULLETIN* (ISSN 07347839) is published quarterly by the State of California, Department of Real Estate, 2201 Broadway, Sacramento, CA 95818, as an educational service to all real estate licensees in the state under the provisions of Section 10083 of the Business and Professions Code. Periodical class postage paid at Sacramento, California and at additional entry offices.

**Postmaster** — Send address changes to *REAL ESTATE BULLETIN*, P.O. Box 187000, Sacramento, CA 95818-7000.

**Commissioner's message**

Continued from page 1

- home. The videos and workbooks will be distributed free of charge to high schools, community colleges, adult education providers and community based organizations throughout the state.
- Sponsored a **“how-to” seminar for Spanish speaking consumers** about the home buying and loan process, along with resources available to assist them.
  - Increased the Department's **capacity to serve non-English speaking clients** by expanding the number of DRE forms and publications available in Spanish and Chinese. Contracted with a Telelanguage Interpreter Service to enhance ability to provide service in a vast array of languages.
  - To more efficiently and effectively reach a wider audience to increase consumer protection and licensee education, coordinated **outreach efforts and programs with other agencies** including the Office of Real Estate Appraisers, Department of Corporations, California Housing Finance Agency, Department of Fair Employment and Housing, Department of Consumer Affairs, as well as non-profit organizations and industry groups.
- Greater Consumer Protection**
- Developed **new consumer protection materials**:
    - Information for New Home Buyers (available in English, Spanish and Chinese);
    - Tips for Avoiding Predatory Lending (available in English, Spanish and Chinese);
    - Real Estate Recovery Account Brochure (will also be available in Spanish, Chinese); and
    - Time-shares Information.
  - **Combated loan fraud** committed against institutional lenders by real estate licensees by working closely with the Federal Bureau of Investigations (FBI) and the federal Department of Housing and Urban Development (HUD).
- Help With Housing**
- Sponsored **“Demystifying the Subdivision Process” seminars** to encourage small builders and developers to pursue projects that would revitalize inner-city communities, improve the State's housing stock and increase affordable housing.
  - Prepared guidelines for **assisted care subdivisions** to add clarity to the qualification process for a subdivision public report.
  - Facilitated a **bill to address bulk sales to merchant builders**, thus avoiding duplication of subdivision public report requirements.
- Enhanced Education**
- Provided funding to the California Community Colleges to **update college level instructor/student guides** for the core real estate education courses.
  - Provided for **greater scrutiny and review of continuing education courses and instructors**.
- It has been a pleasure serving the people of the State of California as Real Estate Commissioner and it is my hope that the real estate industry will continue to strive for excellence in its service to meet the needs of all Californians.

PAULA REDDISH ZINNEMANN  
Former Real Estate Commissioner

## Try it, you'll like it

Continued from page 1

renewal applications processed via eLicensing has grown. During the month of August, 2003, use had increased to 36.8% for brokers and 32.6% for salespersons. Overall in its first year, 7,500+ salesperson renewal applications and 4,300+ broker renewal applications were processed using the eLicensing system. The primary advantages of using this method to renew is that your renewal is processed instantaneously, your record is updated immediately, and the license certificate is printed the following evening. Also, individuals who use eLicensing do not have to worry about their application being lost in the mail or processing delays.

The eLicensing system processes other licensee changes as well, such as change of employing broker, change of mailing address, obtaining duplicate licenses and change of main office addresses. In its first year, the eLicensing system processed 6,000+ salesperson change of employer transactions, 13,000+ changes of mailing address, 2,500+ duplicate license requests, and 1,750+ changes of main office addresses. Using the eLicensing system is truly a win-win situation. Licensees receive instantaneous results and the Licensing Section staff can devote their time to processing paper applications and responding to telephone inquiries. We especially encourage licensees to use eLicensing to make salesperson and broker license changes as these transactions create the highest volume of incoming paperwork. The resulting benefit will be greater overall application processing efficiency and better service.

Some of the features of the eLicensing system include a customized selection menu of eLicensing options specific to the conditions of each licensee, automated fee payment and processing, status tracking of online transactions and e-mail confirmations.

The DRE's Web site is more than just a place to conduct an eLicensing transaction. Have you ever needed to research a statute in the Real Estate Law or find a Regulation of the Real

## eLicensing... You can do it!

By Lynne Ryan

**H**ave you heard about the eLicensing online system available on the DRE Web site and wondered if you should use it to submit your license renewal or change request? Here are some encouraging comments we have received from other licensees who have used eLicensing:

"This is a tremendous tool. Thank you!"

"IT'S WONDERFUL! I've been a licensee since 1975 and typically dread the renewal process, so this was truly a breeze."

"Time saving! Thank you!"

"Great system. Very user friendly and easy to work with."

"Great idea!!!!!! And easy to use with no catches or added expense!"

"No muss, no fuss...I like easy ways to do things. This is so simple to do I did not have to ask my teenager to assist me."

"Cool!" "Awesome!" "Excellent!" "No stress!" "A breeze!"

As the eLicensing liaison between the DRE and licensees, I have helped many licensees understand the eLicensing process and feel comfortable using it.



Here are some questions I receive on a regular basis and the answers...

1. *I'm uneasy about using eLicensing — is it safe and secure?*

The DRE has taken care to ensure your eLicensing transaction is secure from start to finish and that your privacy is protected. Look for the small closed/locked padlock icon located in the lower right- or left-hand corner of your browser window — it indicates a secure connection. See <http://www.dre.ca.gov/privacy.htm> and [https://secure.dre.ca.gov/faqs/faqs\\_elic.htm](https://secure.dre.ca.gov/faqs/faqs_elic.htm) for further information.

2. *I have started the renewal process on eLicensing, but discovered that I entered an incorrect e-mail address for the broker. He/She never received an e-mail to certify. What can I do?*

Don't worry — just let your broker know that your employment needs to be certified. When your broker logs on to eLicensing, your broker will be able to certify your employment. If your broker does not certify your employment within seven days, the DRE will send a letter to

*Continued on page 4*

Estate Commissioner only to discover that your Real Estate Law book is ten years old and you are not sure if the statute or regulation has changed? You can find the most current Real Estate Law and Regulations of the Real Estate Commissioner on the DRE Web site. Have you ever wanted to check the status of a salesperson, obtain a current DRE form, find out the current application processing timeframes, read the current *Real Estate Bulletin*, find an article in a previous bulletin, research a career at the DRE, or find continuing education course sponsors? All of these

questions and more can be satisfied by a visit to our Web site.

By frequently visiting the DRE's Web site you will be able to keep up to date regarding new changes to our laws, regulations and procedures as well as learn what new transactions have been added to the eLicensing system. So please, help us to better serve you by using our Web site and the eLicensing system whenever possible. Thank you.



## eLicensing ... You can do it!

Continued from page 3



you and your broker reminding you both that your employment needs to be certified.

3. *I have started the renewal process using eLicensing, but have found out that my company will not complete the certification process using eLicensing. What do I do now?*

If this is the case, please ask the broker or designated officer to call the DRE. We can answer any questions or concerns they may have and walk them through the registration process. If they choose not to contact DRE, please print a copy of your entire renewal application from eLicensing, have your broker sign it and submit it to the DRE for normal processing. Please include a copy of your proof of payment as well.

4. *What happens if I have to exit eLicensing prior to completing my renewal?*

All the information you have entered will be saved. When you return to eLicensing, you can pick up where you left off.

5. *In viewing my license status online, after processing my renewal, I notice that my status has become NBA (no broker affiliation — sales) or (no business address — broker). Why?*

You are asked to answer a series of four questions as you start the eLicensing renewal process. One of the questions is “On renewal date, will you be engaged in real estate activities for which a California real estate license is required?” If you answered NO to this question, the DRE will change your license to a non-working status. If this not correct as you will be working, you will need to complete a Salesperson Change Application (RE 214) or a Broker Change Application (RE 204) available on the DRE Web site, under “FORMS.”

6. *Is there a way I can view the screens before I start processing my renewal via eLicensing?*

Yes. Click on the *Learn to Use eLicensing* bullet in the eLicensing section of the Home page of the DRE Web site. The DRE has developed tutorial slide shows to guide you through the following eLicensing processes: Logging on to eLicensing, Renewing your broker license, Renewing your salesperson license.

7. *Can I renew my corporation license via eLicensing?*

No. At this time, corporations may not use eLicensing for renewals or changes.

8. *Can I activate my broker license via eLicensing?*

No. If you already have an *existing* main office address with the DRE, then you may change it, but you *cannot activate* or add a *new* main office address to your broker license via eLicensing.

9. *My broker was reviewing my renewal application prior to certifying my employment, and noticed that my SSN was listed as 000-00-0000. Why?*

The social security number is printed in this way to protect the privacy of the licensee.

10. *I am the designated officer for a corporation. I received an e-mail saying “CERTIFY YOUR EMPLOYEES.” What do I do?*

Click on *Log on to eLicensing* in the eLicensing section of the Home page of the DRE Web site. If you have never used eLicensing, you must first register. Click on the *register* button, read the terms and conditions set by the DRE, and click the *accept* button. You will be asked to enter your license number, social security number (SSN) and

date of birth (DOB). Because corporations don't have a SSN or DOB, enter your individual broker license number, SSN and DOB instead.

Next, you will be asked to create a user name, (which can be as few as five characters, but as many as twenty — using letters or numbers or a combination of both) and a password (which, too, can be as few as five characters, but as many as twenty — using letters or numbers or a combination of both). Enter your password a second time. Enter your e-mail address in the next box, and then again in the last box. Your registration is now complete and it is time to sign in.

Click the *continue* button to move to the next screen, the *sign in* screen. Enter the *user name* and *password* that you just created and click on the *sign in* button. After you successfully sign in, you will see the menu option *certify employees*. Click on that menu option, the next screen will show all employees needing certification. You can review a copy of the licensee's renewal application prior to certification if you would like. You need to have Acrobat Reader installed on your computer to download a copy of the employee's renewal application.

To certify your salesperson's employment, click in the *select* box next to the employee's name, and click the *certify* button. The employee's renewal is now considered complete and a new certificate will be generated.

That was easy, right?

Hopefully I have encouraged you to use eLicensing. Please give it a try. It makes all of our busy lives so much easier, yours, your broker's and the DRE's as well.

We know that once you try eLicensing, you will be encouraging your colleagues to use it too! 🏠

# Disciplinary Action — June thru August 2003

- ✓ A list of actions is not published in this *Bulletin* until the 30-day period allowed for court appeal has expired, or if an appeal is filed and the disciplinary action is stayed, until the stay is dissolved. Names of persons to whom licenses are denied on application are not published.
- ✓ Licensees are listed alphabetically by the District Office region of responsibility.
- ✓ The license type is listed in parentheses after the licensee's name. [REB – Real

estate broker; RREB – Restricted real estate broker; RES – Real estate salesperson; RRES – Restricted real estate salesperson; PRLS – Prepaid rental listing service; RPRLS – Restricted prepaid rental listing service; REO – Real estate officer; REC – Real estate corporation]

- ✓ Below are brief summaries of various regulations and code sections. The full text of the sections is found in the Business and Professions Code and the Regulations of the Real Estate Com-

missioner, both of which are printed in the *Real Estate Law* book. The *Real Estate Law* book is available for purchase from the Department of Real Estate (see page 11 or DRE Web site).

- ✓ Disciplinary actions that are “stayed” means there is “a delay in carrying out” all or part of the recommended discipline.



## Commissioner's Regulations

- 2715 Licensee's failure to maintain current business or mailing address with DRE
- 2795.1 Failure to obtain or retain receipt for public report
- 2831 Failure to keep proper trust fund records
- 2831.1 Inadequate separate trust fund beneficiary records
- 2831.2 Failure to reconcile trust account
- 2832 Failure to comply with trust fund handling provisions
- 2832.1 Failure to obtain permission to reduce trust fund balance in a multiple beneficiary account
- 2834 Trust account withdrawals by unauthorized or unbonded person
- 2835 Retention of broker funds in trust account
- 2950(d) Failure of broker handling escrows to maintain records and accounts
- 2950(g) Broker-handled escrow disbursement without written instructions
- 2950(h) Failure by broker handling escrow to deposit trust funds in trust account
- 2970 Failure to submit advance fee material for review
- 2972 Advance fee accounting
- 3007.3(a)(1) Failure to comply with CE correspondence course offering final examination rules

## Business and Professions Code

- 490 Substantially related criminal conviction
- 498 License obtained by fraud or misrepresentation
- 10085 Failure to submit advance fee materials
- 10130 Acting without license
- 10137 Unlawful employment or payment of compensation
- 10145 Trust fund handling
- 10146 Advance fee handling
- 10159.2 Failure by designated officer to supervise licensed acts of corporation
- 10162 Failure to maintain a place of business
- 10176(a) Making any substantial misrepresentation
- 10176(b) Making false promise
- 10176(e) Commingling trust funds with brokers funds
- 10176(i) Fraud or dishonest dealing in licensed capacity
- 10177(a) Procuring a real estate license by misrepresentation or material false statement
- 10177(b) Conviction of crime
- 10177(d) Violation of real estate law or regulations
- 10177(g) Negligence or incompetence in performing licensed acts
- 10177(h) Failure to supervise salespersons or licensed acts of corporation
- 10177(j) Fraud or dishonest dealing as principal
- 10177(k) Violation of restricted license condition
- 10177.5 Civil fraud judgment based on licensed acts
- 10232.2 Failure to file or maintain trust fund status
- 10232.2(a) Failure to provide independent audit reports
- 10232.2(c) Failure to provide trust fund reports

- 10232.25 Failure to file trust fund status reports
- 10234 Failure by broker negotiating mortgage loan to record or cause trust deed to be recorded
- 10240 Failure to give mortgage loan disclosure statement
- 11018.1(a) Failure to give public report to prospective purchaser
- 11018.2 Sale of subdivision lots without a public report

## REVOKED LICENSES

### Fresno Region

**Marquez, Bambi Lynn (REB, REO)**  
502 Castle St., Modesto  
Effective: 6/25/03  
Violation: 10177(j)

### Los Angeles Region

**Aguilera, Flavio Garcia (RES)**  
1242 W. Hemlock St., Oxnard  
Effective: 7/21/03  
Violation: 490, 498, 10177(b)

**Alvarado, Bertha (RRES)**  
8741 Belladonna, Riverside  
Effective: 8/4/03  
Violation: 10176(a), 10177(g)(j)(k)

**Alvarez, Sergio (RES)**  
2621 E. Chevy Chase Dr., Glendale  
Effective: 6/3/03  
Violation: 490, 10177(b)

**Barillas, Daniel Rene (RES)**  
3277 Carriage House Dr., Chino Hills  
Effective: 7/11/03  
Violation: 490, 10177(b)

**Bush, Hollis Lovee (RES)**  
c/o 35006 Yucaipa Blvd., Yucaipa  
Effective: 6/11/03  
Violation: 498, 10177(a)

**Cornelius, Barbara Jean (REB)**  
4508 Martin Luther King Blvd., #31, Los Angeles  
Effective: 6/2/03  
Violation: 490, 10177(b)

**Coury, Paul James (RES)**  
22816 Pacific Coast Hwy., #A, Malibu  
Effective: 8/12/03  
Violation: 490, 10177(b)

**Flores, Antonio (RES)**  
2290 Elm Ave., Long Beach  
Effective: 6/24/03  
Violation: 10176(a)(i)

**Goldinger, S. Jay (RES)**  
415 N. Crescent Dr., #235, Beverly Hills  
Effective: 6/26/03  
Violation: 490, 10177(b)

**Hintz, Merylin (REB)**  
3639 East 2<sup>nd</sup> St., #201, Long Beach  
Effective: 7/3/03  
Violation: 10177.5

**Jackson, James Henry III (REB)**  
8726 Sepulveda Blvd., #470, Los Angeles  
Effective: 8/4/03  
Officer of: Playa Capital, Inc.  
Violation: 2715, 10162, 10165, 10177(d)(g), 10232.2, 10232.25

**Lam, Oscar O. (RES)**  
2387 Grace St., Riverside  
Effective: 6/30/03  
Violation: 10130, 10177(d)

**Lee, Raymond Bih-Chang (REB)**  
28 B Diamond St., Arcadia  
Effective: 8/18/03  
Violation: 490, 10177(b)

**Playa Capital, Inc. (REC)**  
8726 Sepulveda Blvd., #470, Los Angeles  
Effective: 8/4/03  
Violation: 2715, 10159.2, 10162, 10165, 10177(d)(g), 10232.2, 10232.25

**Raville, Ronald Lamar (REB)**  
3967 E. Thousand Oaks Blvd., Ste. F., Westlake Village  
Effective: 8/25/03  
Violation: 10145, 10177(d)(g)

**Sazegar, David Ali (RES)**  
15 Via De Roma Walk, Long Beach  
Effective: 8/4/03  
Violation: 490, 10177(b)



**Schultz, Robert Leonard (RES)**  
#11 Porto Cervo Dr., Dana Point  
Effective: 7/30/03  
Violation: 490, 10177(b)

**Shahriari, Fatemeh (RES)**  
21771 Salado, Mission Viejo  
Effective: 7/17/03  
Violation: 490, 10177(b)

**Sirkin, Theodore Martin (REB)**  
23262 Oxnard St.,  
Woodland Hills  
Effective: 6/26/03  
Violation: 490, 10177(b)

**Sommers, Robert Edgar (REB)**  
3649 Atlantic Ave., #B,  
Long Beach  
Effective: 7/28/03  
Violation: 490, 498, 10177(a)(b)

**Steen, Michael Dwayne (REB)**  
4515 Valley Ridge Ave.,  
Los Angeles  
Effective: 6/20/03  
Violation: 490, 10177(b)

**Toprakjian, Lucy (REB)**  
8 Argonaut, #100, Aliso Viejo  
Effective: 8/18/03  
Violation: 10137, 10176(a)(b),  
10177(d), 10240

**Williams, Judith Louise (RES)**  
2662 East 20<sup>th</sup>, #307, Signal Hill  
Effective: 6/11/03  
Violation: 10176(e)(i),  
10177(d)(g)

**Winegardner, Iona (RES)**  
10712 8<sup>th</sup> Ave., Hesperia  
Effective: 6/18/03  
Violation: 490, 10177(b)

**Wyatt, Mable Lee (REB)**  
1241 East 80<sup>th</sup> St., Los Angeles  
Effective: 6/2/03  
Violation: 10141.5, 10176(a)(i),  
10177(d)(g)(j)

### Oakland Region

**Amaya, Michael J. (REB)**  
12124 Saratoga Sunnyvale Rd.,  
Saratoga  
Effective: 8/6/03  
Violation: 490, 10177(b)

**Bhai, Anil Odhavji (REB)**  
932 Edwards Ave., #25,  
Santa Rosa  
Effective: 8/25/03  
Violation: 490, 10177(b)

**Cherques, Jaye Ashley (RES)**  
PO Box 53184, San Jose  
Effective: 6/5/03  
Violation: 490, 10177(b)

**Gazzola, Gabriel Salvadan (RES)**  
120 Baymount St., Santa Cruz  
Effective: 8/25/03  
Violation: 490, 10177(b)

**Gonzalez, Benjamin Familiar (RES)**  
101-A School St., Daly City  
Effective: 8/25/03  
Violation: 10176(a)(i), 10177(j)

**Hamilton, Chaunette Rene (RRES)**  
433 Buena Vista, #112, Alameda  
Effective: 8/25/03  
Violation: 490, 10177(b)

**Ingram, Ruth E. (RES)**  
PO Box 506, Aromas  
Effective: 7/14/03  
Violation: 490, 10177(b)

### Sacramento Region

**Countryman, Erin Marie (RES)**  
PO Box 7382, Eugene, OR  
Effective: 6/27/03  
Violation: 490, 10177(b)

### San Diego Region

**Gamez, Javier Heredia (RES)**  
PO Box 2012, National City  
Effective: 7/8/03  
Violation: 490, 498, 10177(a)(b)

## REVOKED WITH A RIGHT TO A RESTRICTED LICENSE

### Fresno Region

**Jarmin, Rodney Virgil (REB, REO)**  
630 10<sup>th</sup> St., Paso Robles  
Effective: 6/20/03  
Officer of: Real Property  
Lenders, Inc.  
Violation: 10177(h)  
Right to RREB license on terms  
and conditions

**Real Property Lenders, Inc. (REC)**  
630 10<sup>th</sup> St., Paso Robles  
Effective: 6/20/03  
Violation: 2831, 2831.1, 2831.2,  
2834, 2970, 10085, 10145,  
10146, 10177(d), 10229(e)(g)(j),  
10232.2(a)(c), 10232.25, 10234,  
10240  
Right to RREC license on terms  
and conditions

### Los Angeles Region

**Alford, Alan Tyree (REB, REO)**  
12085 Morrow Dr., Tustin  
Effective: 8/12/03  
Officer of: EMF Mortgage, Inc.  
Violation: 10137, 10177(d),  
10240  
Right to RREB license on terms  
and conditions

**Blackledge, Dwight Francis (RES)**  
293 Burnett Ave., Ventura  
Effective: 6/24/03  
Violation: 490, 10177(b)  
Right to RRES license on terms  
and conditions; RRES license  
suspended indefinitely

**Dykeman, Thomas Earl (REB)**  
14314 Greenleaf St.,  
Sherman Oaks  
Effective: 6/30/03  
Violation: 490, 10177(b)  
Right to RREB license on terms  
and conditions

**Rivera, Roxana Teresa (RES)**  
1850 East 17<sup>th</sup> St., Santa Ana  
Effective: 8/12/03  
Violation: 10177(j)  
Right to RRES license on terms  
and conditions

**Ronald L. Wolfe & Associates, Inc. (REC)**  
173 Chapel St., Santa Barbara  
Effective: 6/20/03  
Violation: 2831, 2831.1, 2831.2,  
2832.1, 2835, 10145, 10177(d)(g)  
Right to RREC license on terms  
and conditions

**Wolfe, Ronald Leigh (REB, REO)**  
173 Chapel St., Santa Barbara  
Effective: 6/20/03  
Officer of: Ronald L. Wolfe &  
Associates  
Violation: 10159.2, 10177(h)  
Right to RREB license on terms  
and conditions

### Oakland Region

**Ashley McIver, Ltd. (REC)**  
3 Reed Ranch Rd., Tiburon  
Effective: 7/26/03  
Violation: 2834, 10137,  
10177(d), 10240  
Right to RREC license on terms  
and conditions-

**Chao, Care Yunn-Tsyr (RES)**  
2073 Ocaso Camino, Fremont  
Effective: 6/26/03  
Violation: 490, 10177(b)  
Right to RRES license on terms  
and conditions

**Davis, JoAnn (REB)**  
19333 N. Buck Rd., Acampo  
Effective: 6/9/03  
Violation: 2831.2, 2832.1,  
10145, 10177(d)

Right to RREB license on terms  
and conditions

**Hightree, Stephanie Renee (RES)**  
5400 Ygnacio Valley Rd., #Z-B8,  
Concord  
Effective: 8/5/03  
Violation: 498, 10177(a)

**Lewis, Kenneth (RES)**  
1210 Wildwing Ln., Vallejo  
Effective: 6/13/03  
Violation: 490, 10177(b)  
Right to RRES license on terms  
and conditions

**Lubag, Arthur Concepcion (RES)**  
852 2<sup>nd</sup> Ave., San Bruno  
Effective: 6/18/03  
Violation: 490, 10177(b)  
Right to RRES license on terms  
and conditions

**Myrdal, Eric Paul (RES)**  
2826 Parkway Dr., Martinez  
Effective: 7/28/03  
Violation: 490, 10177(b)  
Right to RRES license on terms  
and conditions

**Pascucci, Carmine Charles (REB, REO)**  
4380 Redwood Hwy, Ste. B-8,  
San Rafael  
Effective: 7/26/03  
Officer of: Ashley McIver, Ltd.  
Violation: 10177(h)  
Right to RREB license on terms  
and conditions

**Pickett, James Oliver (REB)**  
1975 Hamilton Ave., #25,  
San Jose  
Effective: 8/21/03

Violation: 490, 10177(b)  
Right to RREB license on terms  
and conditions

**Qutami, McLean Mizyed (REB)**  
2853 Miranda Ave., Alamo  
Effective: 6/9/03  
Violation: 490, 10177(b)  
Right to RREB license on terms  
and conditions

**Roe, John E. (REB)**  
1081 Harness Cir., #5,  
San Ramon  
Effective: 7/15/03  
Violation: 490, 10177(b)  
Right to RREB license on terms  
and conditions

**Scattini, Steven Joseph (REB)**  
20 Cobblestone Lane, Belmont  
Effective: 7/15/03  
Violation: 490, 10177(b)  
Right to RREB license on terms  
and conditions

**Turnauer, Andrew Eugene Jr. (RES)**  
3 Reed Ranch Rd., Tiburon  
Effective: 7/26/03  
Violation: 2834, 10130, 10137,  
10177(d)(f)  
Right to RRES license on terms  
and conditions

**Wu, Jason Chia (RES)**  
7099 Phyllis Ave., San Jose  
Effective: 8/25/03  
Violation: 490, 10177(b)  
Right to RRES license on terms  
and conditions

### Sacramento Region

**Fong, Glenn King Ngar (REB, REO)**  
10100 Fair Oaks Blvd., Ste. F,  
Fair Oaks  
Effective: 7/22/03  
Officer of: Glenn N. Fong &  
Company  
Violation: 2831, 2831.1, 2831.2,  
2832, 2832.1, 2834, 10145,  
10177(d)(h)  
Right to RREB license on terms  
and conditions

**Glenn N. Fong & Company (REC)**  
10100 Fair Oaks Blvd., Ste. F,  
Fair Oaks  
Effective: 7/22/03  
Violation: 2831, 2831.1, 2831.2,  
2832, 2832.1, 2834, 10145,  
10177(d)(h)  
Right to RREC license on terms  
and conditions

**McGovern, Roy Burke (RES)**  
6728 Fair Oaks Blvd., Ste. 304,  
Carmichael  
Effective: 6/25/03  
Violation: 10176(a), 10177(d),  
10240  
Right to RRES license on terms  
and conditions

**R.M. Sterling Mortgage Services, Inc. (REC)**  
6728 Fair Oaks Blvd., Ste. 304,  
Carmichael  
Effective: 6/25/03  
Violation: 10176(a), 10177(d),  
10240  
Right to RREC license on terms  
and conditions

---

## SUSPENDED WITH STAY

---

### Fresno Region

#### Erskine, Thomas Henry (REB, REO)

630 14<sup>th</sup> St., Paso Robles  
*Effective:* 7/1/03  
*Officer of:* Ranch and Coast Properties  
*Violation:* 10159.2, 10177(d)(g)(h)  
 Suspended for 60 days-stayed for 2 years on terms and conditions

#### Machado, Sheryle Ann (RES)

605 Garcia Rd., Atascadero  
*Effective:* 7/1/03  
*Violation:* 2795.1, 10177(d), 11018.1(a), 11018.2  
 Suspended for 60 days-stayed for 2 years on terms and conditions

#### Ranch and Coast Properties (REC)

630 14<sup>th</sup> St., Paso Robles  
*Effective:* 7/1/03  
*Violation:* 2795.1, 10177(d), 11018.1(a), 11018.2  
 Suspended for 60 days

#### Salvatore, James E. (RES)

2541 Coburn Ln., Shell Beach  
*Effective:* 7/1/03  
*Violation:* 2795.1, 10177(d), 11018.1(a), 11018.2  
 Suspended for 60 days-stayed for 2 years on terms and conditions

#### Silva, Victoria Ann (REB)

630 14<sup>th</sup> St., Paso Robles  
*Effective:* 7/1/03  
*Violation:* 2795.1, 10177(d), 11018.1(a), 11018.2  
 Suspended for 60 days-stayed for 2 years on terms and conditions

#### Smith, Michele Louise (RES)

PO Box 1144, Templeton  
*Effective:* 7/1/03  
*Violation:* 2795.1, 10177(d), 11018.1(a), 11018.2  
 Suspended for 60 days-stayed for 2 years on terms and conditions

#### Stemper-Brown Realty (REC)

711 12<sup>th</sup> St., Paso Robles  
*Effective:* 7/1/03  
*Violation:* 2795.1, 10177(d), 11018.1(a), 11018.2  
 Suspended for 60 days-stayed for 2 years on terms and conditions

---

### Los Angeles Region

#### BGC Corporation (REC)

420 N. Montebello Blvd., Ste. 100, Montebello  
*Effective:* 8/11/03  
*Violation:* 2715, 2832, 2832.1, 2834, 2950(h), 10145, 10177(d)(g)  
 Suspended for 90 days-stayed for 2 years on terms and conditions

#### Bisson, Edmond James (REB, REO)

3810 W. Pacific Coast Hwy, Torrance  
*Effective:* 8/21/03  
*Officer of:* J P King Auction Company, Inc.  
*Violation:* 10159.2, 10177(h)  
 Suspended for 30 days-stayed for 2 years on terms and conditions

#### Bush, Brian Lewis (REB, REO)

2221 Rosecrans Ave., Ste. 122, El Segundo  
*Effective:* 6/30/03  
*Officer of:* GF Mortgage, Inc.  
*Violation:* 10137, 10177(d)(h)  
 Suspended for 60 days-stayed for 1 year on terms and conditions

#### Calhoun, David Edmund (REB, REO)

8110 Kelvin Ave., Winnetka  
*Effective:* 6/10/03  
*Violation:* 3007.3(a)(1), 10177(d)  
 Suspended for 90 days-30 days stayed for 2 years on terms and conditions

#### Cambrone, Elsie Romero (REB, REO)

420 N. Montebello Blvd., Montebello  
*Effective:* 8/11/03  
*Officer of:* BGC Corporation  
*Violation:* 2715, 2832, 2832.1, 2834, 2950(h), 10145, 10159.2, 10177(d)(g)(h)  
 Suspended for 90 days-stayed for 2 years on terms and conditions

#### Clayton Place Associates, Inc. (REC)

18860 Nordhoff St., Northridge  
*Effective:* 8/14/03  
*Violation:* 10145, 10177(d)  
 Suspended for 90 days-stayed for 2 years on terms and conditions

#### Clayton, William A. (REB, REO)

18860 Nordhoff St., Northridge  
*Effective:* 8/14/03  
*Violation:* 10159.2, 10177(d)  
 Suspended for 90 days-stayed for 2 years on terms and conditions

#### Cosner, Richard David (REB, REO)

1181 California Ave., Ste. 204, Corona  
*Effective:* 7/31/03  
*Officer of:* Silvercrest Realty, Inc.  
*Violation:* 10137, 10177(d)  
 Suspended for 90 days-stayed for 2 years

#### CTC Funding, Inc. (REC)

6700 Indiana Ave., Ste. 210, Riverside  
*Effective:* 8/7/03  
*Violation:* 10137  
 Suspended for 90 days-stayed for 2 years on terms and conditions

#### Downing, Peter Michael (REB)

5561 Lockhaven Dr., Buena Park  
*Effective:* 8/7/03  
*Officer of:* CTC Funding, Inc.  
*Violation:* 10137  
 Suspended for 90 days-stayed for 2 years on terms and conditions

#### GF Mortgage, Inc. (REC)

2221 Rosecrans Ave., Ste. 122, El Segundo  
*Effective:* 6/30/03  
*Violation:* 10137, 10177(d)  
 Suspended for 60 days-stayed for 1 year on terms and conditions

#### Hershman, Steven Mark (REB, REO)

210 Avenue I, Ste. F, Redondo Beach  
*Effective:* 7/7/03  
*Officer of:* Union Discount Mortgage, Inc.  
*Violation:* 10145, 10177(d)  
 Suspended for 90 days-stayed for 2 years on terms and conditions

#### J P King Auction Company, Inc. (REC)

3810 W. Pacific Coast Hwy, Ste. 101, Torrance  
*Effective:* 8/21/03  
*Violation:* 2834, 2970, 2972, 10085, 10130, 10145, 10146, 10177(d)(g)  
 Suspended for 90 days-stayed for 2 years on terms and conditions

#### Jones, Lauren C. (RES)

7827 E. Florence Ave., Downey  
*Effective:* 6/23/03  
*Violation:* 10177(g)  
 Suspended for 60 days-stayed for 2 years on terms and conditions

#### Perez, Humberto Jose (REB, REO)

3074 Temple Ave., Pomona  
*Effective:* 8/25/03  
*Officer of:* Vonrope Mortgage Corporation  
*Violation:* 10159.2, 10177(g)(h)  
 Suspended for 60 days-stayed for 2 years on terms and conditions

#### Silvercrest Realty, Inc. (REC)

1181 California Ave., Ste. 204, Corona  
*Effective:* 7/31/03  
*Violation:* 10137, 10177(d)  
 Suspended for 90 days-stayed for 2 years

#### Thayer, Kenan Cary (REB)

4685 Macarthur Ct., Ste. 300, Newport Beach  
*Effective:* 8/11/03  
*Violation:* 2832, 2832.1, 2834, 10145, 10176(e), 10177(d)(g), 10229(c)  
 Suspended for 90 days-stayed for 2 years on terms and conditions

#### Union Discount Mortgage, Inc. (REC)

210 Avenue I, Ste. F, Redondo Beach  
*Effective:* 7/7/03  
*Violation:* 10145, 10177(d)  
 Suspended for 90 days-stayed for 2 years on terms and conditions

#### Vonrope Mortgage Corporation (REC)

2235 Auto Centre Dr., Glendora  
*Effective:* 8/25/03  
*Violation:* 2831, 2831.2, 2832.1, 2950(d)(g)(h), 10145, 10177(d)(g)  
 Suspended for 60 days-stayed for 2 years on terms and conditions

---

### Oakland Region

#### Fahey Properties, Inc. (REC)

1005 Terra Nova Blvd., Pacifica  
*Effective:* 8/25/03  
*Violation:* 10176(a), 10177(g)  
 Suspended for 45 days-stayed for 2 years on terms and conditions

#### Fahey, Dennis M. (REB, REO)

10 Banff Way, Pacifica  
*Effective:* 8/25/03  
*Officer of:* Fahey Properties, Inc.  
*Violation:* 10176(a), 10177(g)  
 Suspended for 45 days-stayed for 2 years on terms and conditions

---

### Sacramento Region

#### Bohl, John Alvin III (REB, REO)

6728 Fair Oaks Blvd., Ste. 304, Carmichael  
*Effective:* 6/25/03  
*Officer of:* R.M. Sterling Mortgage Services, Inc.  
*Violation:* 10159.2, 10177(d)(g)(h)  
 Suspended for 10 days-stayed for 2 years on terms and conditions

---

### INDEFINITE SUSPENSIONS

(under Recovery Acct. provisions)

---

### Los Angeles Region

#### Jones, Derrek Alan (RES)

5601 W. Slauson, #244, Culver City  
*Effective:* 7/15/03

#### Equity Pension Investments, Inc. (REC)

3580 E. Pacific Coast, #3, Long Beach  
*Effective:* 7/15/03

#### Painter, Craig Boyd (RES)

5199 E. Pacific Coast Hwy., Long Beach  
*Effective:* 7/15/03

---

### Oakland Region

#### Craighead, Carlton Bertram (REB)

14375 Saratoga Ave., Ste. A, Saratoga  
*Effective:* 7/15/03

#### Pollock, James Michael (RES)

345 Mountain View, San Rafael  
*Effective:* 7/15/03

#### Rosen, Michael Pace (RES)

6601 Commerce Blvd., Rohnert Park  
*Effective:* 6/24/03

---

### San Diego Region

#### Thompson, Richard Ralph (RES)

4847 Williamsburg Ln #155, La Mesa  
*Effective:* 6/24/03



# Statement of Ownership, Management & Circulation as required by the U.S. Postal Service

United States Postal Service  
**Statement of Ownership, Management, and Circulation**

1. Publication Title <b>Real Estate Bulletin</b>	2. Publication Number <b>4 1 8 8 - 0 0 0 0</b>	3. Filing Date <b>09-30-03</b>
4. Issue Frequency <b>Quarterly</b>	5. Number of Issues Published Annually <b>Four</b>	6. Annual Subscription Price <b>\$1.00</b>
7. Complete Mailing Address of Known Office of Publication (Not printer): Street, city county, state, and ZIP+4 <b>P.O. Box 187000, 2201 Broadway, Sacramento, CA 95818</b>		
8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer) <b>P.O. Box 187000, 2201 Broadway, Sacramento CA 95818</b>		
9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank) <b>Paula Seddian Eisenmann, Real Estate Commissioner, Dept. of Real Estate P.O. Box 187000, 2201 Broadway, Sacramento, CA 95818-7000</b> <b>Tom Pugh, Manager Legislation and Publications, Dept. of Real Estate P.O. Box 187000, 2201 Broadway, Sacramento, CA 95818</b> <b>John Liberator, Chief Deputy Commissioner, Dept. of Real Estate P.O. Box 187000, 2201 Broadway, Sacramento, CA 95818-7000</b>		
10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a corporation or other organization, give its name and address.)		
Full Name	Complete Mailing Address	
<b>State of California</b>	<b>P.O. Box 187000</b>	
<b>Department of Real Estate</b>	<b>2201 Broadway</b>	
	<b>Sacramento, CA 95818-7000</b>	
11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check here <input checked="" type="checkbox"/> None		
Full Name	Complete Mailing Address	
12. Tax Status (For completion by nonprofit organizations authorized to mail and sell postage-paid material and for all others, except publishing companies of newspapers and periodicals) <input type="checkbox"/> Has Not Changed During Preceding 12 Months <input type="checkbox"/> Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)		

PS Form 3526, October 2001 (See Instructions on Reverse)

**LICENSE SURRENDERED**  
*(Licenses voluntarily surrendered per B&P Code §10100.2 during an administrative action/investigation)*

### Los Angeles Region

**Cater, Robert Wesley (REB)**  
 3837 Santa Rosalia Dr.,  
 Los Angeles  
*Effective: 8/4/03*

**Compass Marketing Group (REC)**  
 130 McCormick Ave., Ste. 104,  
 Costa Mesa  
*Effective: 7/7/03*

**Consorcio Lending, Inc. (REC)**  
 16742 Orange Way, Fontana  
*Effective: 8/4/03*

**EMF Mortgage, Inc. (REC)**  
 12085 Morrow Rd., Tustin  
*Effective: 8/12/03*

**Escalante, Hugo Armando (REB, REO)**  
 2654 E. Garvey Avenue South,  
 West Covina  
*Effective: 8/7/03*

**Islas, Jose Alejandro (RES)**  
 3825 West 139<sup>th</sup> St., Hawthorne  
*Effective: 8/25/03*

**Lujan, Andrew (RES)**  
 2051 Addison Way, Los Angeles  
*Effective: 7/8/03*

**Rivera, German Alfonso (RES)**  
 1850 East 17<sup>th</sup> St., Santa Ana  
*Effective: 8/12/03*

**Roberts, Timothy Nicolas (REB, REO)**  
 130 McCormick Ave., Ste. 104,  
 Costa Mesa  
*Effective: 7/7/03*

**TNR Development Corporation (REC)**  
 130 McCormick Ave., Ste. 104,  
 Costa Mesa  
*Effective: 7/7/03*

**Y I G, Inc. (REC)**  
 2654 E. Garvey Avenue South,  
 West Covina  
*Effective: 8/7/03*

### Oakland Region

**Karimi, Shahriar (RES)**  
 26280 Elena Rd., Los Altos  
*Effective: 7/15/03*

**Reineman, Susan Michelle (RES)**  
 1369 Wikiup Dr., Santa Rosa  
*Effective: 7/29/03*

### Sacramento Region

**Bowman, Michael Lloyd (RRES)**  
 4531 American River Dr.,  
 Sacramento  
*Effective: 6/12/03*

### San Diego Region

**Basdakis, Zisis (RES)**  
 4473 Louisiana St., San Diego  
*Effective: 7/28/03*

13. Publication Title <b>Real Estate Bulletin</b>	14. Issue Date for Circulation Data Below <b>Full Issue 09-28-03</b>
15. Extent and Nature of Circulation	Average No. Copies Each Issue During Preceding 12 Months
a. Total number of Copies (Net press run)	312,000
b. Paid and/or Requested Circulation (Sum of 15b(1) through 15b(4))	307,470
15b(1) Paid Distribution by Mail (Domestic and Foreign)	307,470
15b(2) Paid Distribution by Other Classes of Mail (Domestic and Foreign)	0
15b(3) Paid Distribution Outside the Mail (Domestic and Foreign)	0
15b(4) Paid Distribution (Sum of 15b(2) and 15b(3))	0
c. Free or Nominal Rate Copies (Sum of 15c(1) through 15c(4))	500
15c(1) Free or Nominal Rate Copies by Mail (Domestic and Foreign)	500
15c(2) Free or Nominal Rate Copies by Other Classes of Mail (Domestic and Foreign)	0
15c(3) Free or Nominal Rate Copies Outside the Mail (Domestic and Foreign)	0
15c(4) Free or Nominal Rate Copies (Sum of 15c(2) and 15c(3))	0
d. Total (Sum of 15b and 15c)	312,000
e. Paid and/or Requested Circulation (Sum of 15b(1) through 15b(4))	307,470
f. Free or Nominal Rate Copies (Sum of 15c(1) through 15c(4))	500
g. Total (Sum of 15d and 15f)	312,000
16. Publication of Statement of Ownership	17. Signature and Title of Editor, Publisher, Business Manager, or Owner
<input type="checkbox"/> Publication required, unless publication is exempt from the requirement.	<input checked="" type="checkbox"/> Publication not required.
<input type="checkbox"/> Signature and Title of Editor, Publisher, Business Manager, or Owner	<input type="checkbox"/> Signature and Title of Editor, Publisher, Business Manager, or Owner

I certify that the information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

13. Publication Title <b>Real Estate Bulletin</b>	14. Issue Date for Circulation Data Below <b>Full Issue 09-28-03</b>
15. Extent and Nature of Circulation	Average No. Copies Each Issue During Preceding 12 Months
a. Total number of Copies (Net press run)	312,000
b. Paid and/or Requested Circulation (Sum of 15b(1) through 15b(4))	307,470
15b(1) Paid Distribution by Mail (Domestic and Foreign)	307,470
15b(2) Paid Distribution by Other Classes of Mail (Domestic and Foreign)	0
15b(3) Paid Distribution Outside the Mail (Domestic and Foreign)	0
15b(4) Paid Distribution (Sum of 15b(2) and 15b(3))	0
c. Free or Nominal Rate Copies (Sum of 15c(1) through 15c(4))	500
15c(1) Free or Nominal Rate Copies by Mail (Domestic and Foreign)	500
15c(2) Free or Nominal Rate Copies by Other Classes of Mail (Domestic and Foreign)	0
15c(3) Free or Nominal Rate Copies Outside the Mail (Domestic and Foreign)	0
15c(4) Free or Nominal Rate Copies (Sum of 15c(2) and 15c(3))	0
d. Total (Sum of 15b and 15c)	312,000
e. Paid and/or Requested Circulation (Sum of 15b(1) through 15b(4))	307,470
f. Free or Nominal Rate Copies (Sum of 15c(1) through 15c(4))	500
g. Total (Sum of 15d and 15f)	312,000
16. Publication of Statement of Ownership	17. Signature and Title of Editor, Publisher, Business Manager, or Owner
<input type="checkbox"/> Publication required, unless publication is exempt from the requirement.	<input checked="" type="checkbox"/> Publication not required.
<input type="checkbox"/> Signature and Title of Editor, Publisher, Business Manager, or Owner	<input type="checkbox"/> Signature and Title of Editor, Publisher, Business Manager, or Owner

I certify that the information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

#### Instructions to Publishers

- Complete and file one copy of this form with your postmaster annually on or before October 1. Keep a copy of the completed form for your records.
  - In cases where the stockholder or security holder is a trustee, include in items 10 and 11 the name of the person or corporation for whom the trustee is acting. Also include the names and addresses of individuals who are stockholders who own or hold 1 percent or more of the total amount of bonds, mortgages, or other securities of the publishing corporation. In item 11, if none, check the box. Use check where it more space is required.
  - We use to furnish all circulation information called for in item 15. Free circulation must be shown in items 15a, k, and l.
  - Item 15b. Copies not Distributed, must include (1) unreturned copies originally mailed on Form 3841, and returned to the publisher; (2) estimated returns from news agents, and (3) copies for office use, libraries, schools, and all other copies not distributed.
  - If the publication has Periodicals authorization as a general or requester publication, this Statement of Ownership, Management, and Circulation must be published, must be printed in any issue in October or, if the publication is not published during October, the first issue published after October.
  - In item 16, indicate the date of the issue in which this Statement of Ownership will be published.
  - Item 17 must be signed.
- Failure to file or publish a statement of ownership may lead to suspension of Periodicals authorization.

#### Instructions to Publishers

- Complete and file one copy of this form with your postmaster annually on or before October 1. Keep a copy of the completed form for your records.
  - In cases where the stockholder or security holder is a trustee, include in items 10 and 11 the name of the person or corporation for whom the trustee is acting. Also include the names and addresses of individuals who are stockholders who own or hold 1 percent or more of the total amount of bonds, mortgages, or other securities of the publishing corporation. In item 11, if none, check the box. Use check where it more space is required.
  - We use to furnish all circulation information called for in item 15. Free circulation must be shown in items 15a, k, and l.
  - Item 15b. Copies not Distributed, must include (1) unreturned copies originally mailed on Form 3841, and returned to the publisher; (2) estimated returns from news agents, and (3) copies for office use, libraries, schools, and all other copies not distributed.
  - If the publication has Periodicals authorization as a general or requester publication, this Statement of Ownership, Management, and Circulation must be published, must be printed in any issue in October or, if the publication is not published during October, the first issue published after October.
  - In item 16, indicate the date of the issue in which this Statement of Ownership will be published.
  - Item 17 must be signed.
- Failure to file or publish a statement of ownership may lead to suspension of Periodicals authorization.



## Summary of 2003 Legislation

The brief descriptions below of significant 2003 legislation affecting licensees and subdividers are intended to alert you to pertinent changes to the law. We encourage you to consult the statutes for complete information. Copies of the bills can be obtained online at [www.leginfo.ca.gov](http://www.leginfo.ca.gov). Please note that "SB" refers to a Senate bill and "AB" to an Assembly bill. The name appearing after the bill number is the name of the author. All statutes are effective January 1, 2004 unless otherwise noted.

### **AB 104 (Lowenthal) — Homeowner Associations (Chapter 375)**

AB 104 requires the managing boards of common interest development (CID) associations to make their accounting books and records and the minutes of proceedings available for inspection and copying by association members, and provides for a civil penalty of \$500, plus costs and reasonable attorney's fees, for the unreasonable withholding of access to association records. Assemblyman Lowenthal was the sponsor of this bill.

### **AB 309 (Chu) — Contracts & Mortgage Loan Disclosures (Ch. 330)**

AB 309 was co-sponsored by the Asian Pacific American Legal Center of Southern California and Chinese for Affirmative Action. This bill requires, among other things, a person in a trade or business who negotiates specified contracts or agreements primarily in Chinese, Tagalog, Vietnamese or Korean to deliver to the other party to the contract, prior to execution, an unexecuted translation of the contract or agreement in the language in which it was negotiated. This bill also requires a real estate broker to give a borrower a mortgage loan disclosure statement (MLDS) in Chinese, Tagalog, Vietnamese or Korean if the loan is negotiated in one of those languages. The DRE will translate the MLDS into the specified languages for use by the mortgage industry.

AB 309 takes effect July 1, 2004.

### **AB 512 (Bates) — Common Interest Developments (Chapter 557)**

The California Law Revision Commission sponsored AB 512 as an initial effort to reform various aspects of common interest development law in order to curtail clashes between homeowners and homeowner associations. Specifically, AB 512 sets forth a process by which common interest development associations may adopt and change their operating rules, while giving notice and an opportunity to comment to association members. The bill also added chapter and title headings to the Davis-Stirling Act, the main provision of law governing common interest development homeowner associations.

### **AB 620 (Leno) — Multi-Loans (Chapter 902)**

The California Mortgage Association sponsored this bill to allow brokers to arrange multi-lender construction

loans based on projected value when completed rather than the current value of the property securing the loan.

### **AB 679 (Chavez) — Multi-Lender Loans (Chapter 901)**

The California Mortgage Association sponsored this bill to allow a broker to arrange a multi-lender loan using multiple separate parcels of real property as security.

### **AB 728 (Leno) — Liquidated Damages/Conditional Public Reports**

Assemblymember Leno authored this bill extending the permissible term of Conditional Public Reports for condominium projects consisting of 25 units or more. Current law allows the DRE to issue a one year conditional public report for the presale of homes prior to the final public report being issued. AB 728, among other things, allows the Department to issue a public report for the presale of condominiums three years before the projected completion of the project. In addition, this bill amends the amount of liquidated damages that can be obtained in the event a buyer defaults on a purchase of a new condominium.

### **AB 1086 (Laird) — Homeowner Associations (Chapter 393)**

The California Association of Realtors (CAR) sponsored AB 1086. It prohibits a community service organization that is associated with a homeowners association from imposing or collecting a fee in connection with a transfer of title or any other interest unless they meet certain conditions.

### **AB 1423 (Dutra) — Homeowner Association Managers (Chapter 147)**

Last year, AB 555 (Dutra), was signed into law and allowed professional common interest development managers who met specified education and examination requirements to use the title "certified common interest development manager," if they so chose. This year Assemblyman Dutra sponsored AB 1423 to make various clarifying and technical changes to the law regarding certified common interest development managers. Because the requirements of AB 555 went into effect on July 1, 2003, this bill was an urgency measure and became effective immediately.

### **AB 1525 (Longville) — Signs in Common Interest Developments (Ch. 774)**

The American Civil Liberties Union sponsored this bill to forbid the governing documents of a common interest development (CID) from prohibiting the posting or displaying of non-commercial signs on or in a homeowner's separate interest.

### **SB 1080 (Senate Committee Bill) — Salespersons License Prerequisites (Ch. 807)**

This bill makes non-controversial, non-substantive (technical) changes to various provisions of law pertaining to many regulatory programs, including the Department of Real Estate.

*Continued on page 12*

## Extra money in the pocket for new home buyers

from the California Housing Finance Agency

**W**ith new home purchasing continuing to make a positive impact on our state's economic landscape, the California Housing Finance Agency (CalHFA) is continuing to develop innovative ways to sustain that growth while creating affordable homeownership opportunities for Californians.

The passage of Proposition 46 pumped \$2.1 billion into California's economy and opened the door to a number of CalHFA programs specifically designed to provide qualified first-time home buyers with housing opportunities that were once well beyond their reach. One specific program, with a funding level of \$47.5 million, is the *School Facility Fee Down Payment Assistance Program*.

This program is intended for California home buyers purchasing newly constructed single-family homes or condominiums. Under the program, there are two plans for which applicants may qualify:

- 1) Home buyers purchasing newly constructed homes (that do not exceed the maximum sales price limits) in the Program's defined economically distressed areas; or
- 2) First-time home buyers who are deemed to be within the program's low and moderate income limits, purchasing a new home anywhere in California.

Under either scenario, applicants who qualify receive a partial or full rebate of the school facility fees paid by the builder, depending on which program benefits them the most. These rebates can, in turn, be used to help the buyer with closing costs, down payment, or any other costs associated with the buyer's first mortgage loan.

In both cases, the amount of assistance given to the qualified buyer is based on the eligible school facilities fees paid by the builder. To date, CalHFA has issued over 4,400 School Facility Fee rebates to new home buyers for a total of \$13.2 million.

For specific details about the School Facility Fee Down Payment Assistance Program, feel free to visit the CalHFA Web site at [www.calhfa.ca.gov](http://www.calhfa.ca.gov) or call CalHFA at 1-800-789-2432. 🏠

## Mega exams make history!

To accommodate an unprecedented interest in real estate licensure, the DRE scheduled the largest salesperson examination that we can remember. On November 22, 2003, 3,600 salesperson candidates were scheduled in the Los Angeles Convention Center. Another 2,000 were scheduled in the Oakland Convention Center on the same day. By conducting these examinations, the DRE was able to reduce the time between the filing of the examination application and the taking of the test. Ongoing efforts such as these represent the DRE's commitment to issue licenses to qualified candidates as soon as possible.



## Placing pressure on appraisers

*Many licensed real estate appraisers are concerned that they are sometimes "pressured" into performing appraisals for a minimum value specified by a broker in a transaction. In an attempt to increase awareness of this issue, the Office of Real Estate Appraisers provides the following article:*

**W**hen working with an appraiser, a broker may tell the appraiser that the or she needs to "hit the sale price" or make a certain value in order for the client to qualify for a loan. Although the broker may not intend to be creating a problem for the appraiser, he or she may be unaware that just by accepting the assignment under those conditions, the appraiser is at risk for disciplinary action against his or her license.

All licensed appraisers are required to conform to the requirements of the Uniform Standards of Professional Appraisal Practice (USPAP). The Conduct section of the Ethics Rule in USPAP states:

"An appraiser must not accept an assignment that includes the reporting of predetermined opinions and conclusions."

In addition, each appraisal report must contain a certification signed by the appraiser, stating that his or her compensation for completing the assignment is not contingent upon "the development or reporting of a predetermined value or direction in value that favors the cause of the client."

Many appraisers feel that they must comply with these "minimum value" requests from brokers or face the prospect of receiving no additional work in the future. As a result, they are performing a balancing act between keeping their license in good standing and keeping their client satisfied. The Office of Real Estate Appraisers encourages all appraisers to provide the best possible service to their clients. However, the appraiser must ensure that this is being accomplished within the framework of USPAP. 🏠

# Real Estate Publications

### Purchase information

DRE publications may be purchased/ordered by mail, by fax, by phone, or in person. (Refer to specific payment methods below.)

For your convenience, most publications are available at no cost on our Web site at <http://www.dre.ca.gov>.

**By mail** — Photocopy or remove this page from your *Bulletin*. Complete Parts A, B, and C (if appropriate). Mail it with the proper fee to:

Department of Real Estate  
Book Orders  
P.O. Box 187006  
Sacramento, CA 95818-7006

**By fax** — Complete Parts A, B, and C. Fax form to (916) 227-0361.

**By phone** — Have credit card information ready, then call Book Order desk at (916) 227-0853.

**In person from District Office** — Complete Parts A, B, and C (if appropriate). Offices are located in Sacramento, Los Angeles, Oakland, Fresno, and San Diego.

### Acceptable payment methods

- Personal check, cashier's check or money order should be made payable to: Department of Real Estate.
- VISA, MasterCard, and American Express credit cards may be used to purchase DRE publications.
- Cash is acceptable only if purchasing in person and only if it's the exact amount of purchase.

### California sales tax

Use 7.25% tax rate, unless purchase location or delivery address is in the following counties: Alameda (8.25%), Fresno (7.875%), Los Angeles (8.25%), Sacramento (7.75%), and San Diego (7.75%). Requests and fees will be returned if the appropriate sales tax is not included.

### Miscellaneous information

- Prices are subject to change.
- Orders received with incorrect payments will be returned.
- **All sales are final — no refunds.**
- Allow 4–6 weeks for delivery.
- Volume discounts are available. Contact DRE at (916) 227-0853 prior to ordering.

PART A		SHIPPING INFORMATION			
DRE	RE#	Title of Publication	Cost	Quantity	Your Cost
	1	Reference Book — A Real Estate Guide (Rev. 2000)	\$20		
	2	2004 Real Estate Law Book & CD set (Orders accepted after 1/1/04)	\$25		
	6	Disclosures in Real Property Transactions	\$10		
	8	Operating Cost Manual for Homeowner Associations	\$10		
	25	Reserve Study Guidelines for Homeowner Association Budgets	\$10		
	4	Instructions to License Applicants	free		
	13	Trust Funds	free		
	34	A Guide for Residents Purchasing Their Mobilehome Park	free		
	35	Trust Deed Investments — What You Should Know!!	free		
	35A	Using the Services of a Mortgage Broker	free		
	39	Living in a California Common Interest Development	free		
	51	A Consumer Guide to Filing Real Estate Complaints	free		
	52	Reverse Mortgages — Is One Right for You?	free		

PART B			SHIPPING INFORMATION			SUBTOTAL \$ _____ CA SALES TAX* \$ _____ (Tax rate used* _____ %) <b>TOTAL ENCLOSED</b> \$ _____ * See tax information above.
SHIPPING NAME		LICENSE OR EXAM ID#				
SHIPPING ADDRESS						
CITY		STATE	ZIP CODE			

### PART C CREDIT CARD PURCHASE

To purchase publication by credit card, complete the following:

METHOD OF PAYMENT		ACCOUNT NUMBER		EXPIRATION DATE OF CARD	
<input type="checkbox"/> VISA <input type="checkbox"/> MASTERCARD <input type="checkbox"/> AMERICAN EXPRESS		_____		____/____	
AMOUNT AUTHORIZED	SIGNATURE OF CARDHOLDER			DATE	
	_____				
	PRINTED NAME OF CARDHOLDER			TELEPHONE NUMBER	
	_____				

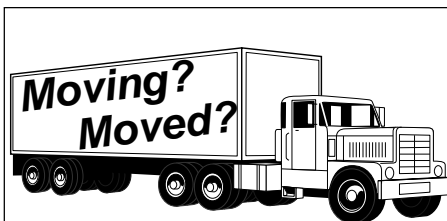
Real Estate Bulletin — Winter 2003

## 2004 Real Estate Law Book and CD

Each year, the *Real Estate Law Book and CD* is updated to reflect changes in laws and regulations.

The 2004 *Real Estate Law Book and CD* will be available for purchase in January 2004. This important reference for licensees contains:

- The Real Estate Law (from the Business and Professions Code);
- The Real Estate Commissioner's Regulations (from the California Code of Regulations);
- Portions of the Administrative Procedures Act (from the Government Code); and



If yes, please change your license mailing address; this address is used to mail the *Real Estate Bulletin* and renewal notices. Take advantage of *eLicensing* to make the change or use the appropriate "change" form.

- Pertinent excerpts from various California Codes.

The cost will be \$25, plus tax. Orders will be accepted after January 1, 2004. Use the order form on page 11 or submit a Publications Request (RE 350). (*RE 350 is available on the DRE Web site or from any District Office.*)

The 2004 Real Estate Law will also be available on the DRE Web site [www.dre.ca.gov](http://www.dre.ca.gov).

Please note, the *Reference Book — A Real Estate Guide* was last revised in 2000, but a revision is planned for 2005.

## Legislation

*Continued from page 9*

For example, current law requires a person to successfully complete a course in Real Estate Principles prior to scheduling a license exam date. SB 1080 will allow a prospective real estate salesperson to schedule an exam date while enrolled in a Real Estate Principles class, reducing the total time it takes to obtain a real estate license since the applicant won't have to wait until after the completion of the course to apply to take the exam. This bill also authorizes the DRE to run the fingerprints of exam applicants. The provisions of SB 1080 affecting the DRE are not effective until July 2004, giving the Department time to update its exam tracking software and enhance its *eLicensing* programs to facilitate the scheduling of license exams via the Internet. 🏠