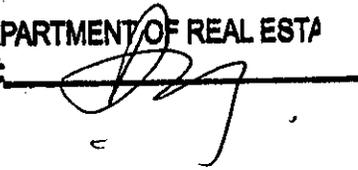


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FILED

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DEPARTMENT OF REAL ESTATE
BY: 

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	
<u>AMERICAN LOAN QUEST INC.</u> ; doing business)	No. H-37002 LA
as American Loan Quest and Loan Quest;)	
and MICHAEL DENNIS DOCKSTADER,)	
as designated officer of)	
American Loan Quest Inc.,)	
)	
Respondents.)	
)	
)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On January 5, 2011, an Accusation was filed in this matter against Respondent AMERICAN LOAN QUEST INC.

On October 6, 2011, Respondent petitioned the Commissioner to voluntarily surrender its real estate broker license rights pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that AMERICAN LOAN QUEST INC.'s petition for voluntary surrender of its real estate broker

1 license and/or license rights are accepted as of the effective
2 date of this Order as set forth below, based upon the
3 understanding and agreement expressed in Respondent's Declaration
4 dated October 6, 2011, (attached as Exhibit "A" hereto).
5 Respondents' license certificate, pocket card and any branch
6 office license certificate shall be sent to the below listed
7 address so that they reach the Department on or before the
8 effective date of this Order:

9
10 Department of Real Estate
11 Atten: Licensing Flag Section
12 P.O. Box 187000
13 Sacramento, CA 95818-7000

14 This Order shall become effective at 12 o'clock noon on

15 January 3, 2012.

16 DATED: 12/5, 2011

17 BARBARA J. BIGBY
18 Acting Real Estate Commissioner

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EXHIBIT "A"

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	
<u>AMERICAN LOAN QUEST INC.</u> ; doing business)	No. H-37002 LA
as American Loan Quest and Loan Quest;)	
and MICHAEL DENNIS DOCKSTADER,)	
as designated officer of)	
American Loan Quest Inc.,)	
)	
Respondents.)	
)	
)	

DECLARATION

My name is MICHAEL DENNIS DOCKSTADER and I am the designated officer of AMERICAN LOAN QUEST INC. which is licensed as a real estate broker and/or has license rights with respect to said licenses. I am acting on behalf of and am authorized and empowered to sign this declaration on behalf of AMERICAN LOAN QUEST INC. AMERICAN LOAN QUEST INC. is represented in this matter by Janet E. Dockstader, Esq.

1 In lieu of proceeding in this matter in accordance
2 with the provisions of the Administrative Procedures Act
3 (Sections 11400 et seq., of the Government Code) AMERICAN LOAN
4 QUEST INC. wishes to voluntarily surrender its real estate
5 license issued by the Department of Real Estate ("Department"),
6 pursuant to Business and Professions Code Section 10100.2.

7 I understand that AMERICAN LOAN QUEST INC., by so
8 voluntarily surrendering its license, can only have it
9 reinstated in accordance with the provisions of Section 11522 of
10 the Government Code. I also understand that by so voluntarily
11 surrendering its license rights, AMERICAN LOAN QUEST INC. agrees
12 to the following:

13 The filing of this Declaration shall be deemed as
14 AMERICAN LOAN QUEST INC.'s petition for voluntary surrender. It
15 shall also be deemed to be an understanding and agreement by
16 AMERICAN LOAN QUEST INC. that, it waives all rights it has to
17 require the Commissioner to prove the allegations contained in
18 the Accusation ("Accusation") filed in this matter at a hearing
19 held in accordance with the provisions of the Administrative
20 Procedures Act (Government Code Sections 11400 et seq.), and
21 that it also waives other rights afforded to it in connection
22 with the hearing such as the right to discovery, the right to
23 present evidence in defense of the allegations in the Accusation
24 and the right to cross examine witnesses.

25 I further agree on behalf of AMERICAN LOAN QUEST INC.
26 that upon acceptance by the Commissioner, as evidenced by an
27 appropriate order, all affidavits and all relevant evidence

1 obtained by the Department in this matter prior to the
2 Commissioner's acceptance, and all allegations contained in the
3 Accusation filed in the Department Case No. H-37002 LA, may be
4 considered by the Department to be true and correct for the
5 purpose of deciding whether or not to grant reinstatement of
6 AMERICAN LOAN QUEST INC.'s license pursuant to Government Code
7 Section 11522.

8 This Declaration is not an admission by AMERICAN LOAN
9 QUEST INC. as to the allegations in the Accusation. This
10 Declaration is made for the purpose of reaching a resolution of
11 allegations contained in the DRE Case number H-37002 LA, and is
12 expressly limited to this proceeding and any other proceeding or
13 case in which the Department of Real Estate is a party and shall
14 not otherwise be admissible or relied upon by any third parties
15 for any purpose.

16 I further agree on behalf of AMERICAN LOAN QUEST INC.
17 to pay the Commissioner's reasonable cost for the audit which
18 led to this action. In calculating the amount of the
19 Commissioner's reasonable cost, the Commissioner may use the
20 estimated average hourly salary for all persons performing
21 audits of real estate brokers, and shall include an allocation
22 for travel time to and from the auditor's place of work.
23 AMERICAN LOAN QUEST INC. will pay such cost within 60 days of
24 receiving an invoice from the Commissioner detailing the
25 activities performed during the audit and the amount of time
26 spent performing those activities.
27

1 I am aware that if AMERICAN LOAN QUEST INC. petitions
2 for reinstatement in the future, that payment of the audit costs
3 will be a condition of reinstatement.

4 I declare under penalty of perjury under the laws of
5 the State of California that the above is true and correct and
6 that I am acting freely and voluntarily on behalf of AMERICAN
7 LOAN QUEST INC. to surrender their licenses and all license
8 rights attached thereto.

9
10 Oct. 6, 2011
11 Date and Place

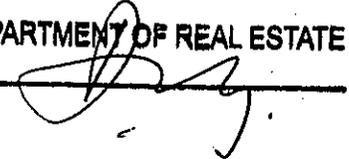
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15 BY: MICHAEL DENNIS DOCKSTADER
16 Designated Officer of
17 AMERICAN LOAN QUEST INC.
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FILED

DEC 12 2011

DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	
AMERICAN LOAN QUEST INC.; doing business)	No. H-37002 LA
as American Loan Quest and Loan Quest;)	
and <u>MICHAEL DENNIS DOCKSTADER,</u>)	
as designated officer of)	
American Loan Quest Inc.,)	
)	
Respondents.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On January 5, 2011, an Accusation was filed in this matter against Respondent MICHAEL DENNIS DOCKSTADER

On October 6, 2011, Respondent petitioned the Commissioner to voluntarily surrender his real estate broker license rights pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent MICHAEL DENNIS DOCKSTADER's petition for voluntary surrender of his real estate

1 broker license rights is accepted as of the effective date of
2 this Order as set forth below, based upon the understanding and
3 agreement expressed in Respondent's Declaration dated June 28,
4 2011, (attached as Exhibit "A" hereto). Respondent's license
5 certificate, pocket card and any branch office license
6 certificate shall be sent to the below listed address so that
7 they reach the Department on or before the effective date of this
8 Order:

9
10 Department of Real Estate
11 Atten: Licensing Flag Section
12 P.O. Box 187000
13 Sacramento, CA 95818-7000

14 This Order shall become effective at 12 o'clock noon on
15 January 3, 2012.

16 DATED: 12/5, 2011

17 BARBARA J. BIGBY
18 Acting Real Estate Commissioner

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EXHIBIT "A"

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	
AMERICAN LOAN QUEST INC.; doing business)	No. H-37002 LA
as American Loan Quest and Loan Quest;)	
and <u>MICHAEL DENNIS DOCKSTADER</u> ,)	
as designated officer of)	
American Loan Quest Inc.,)	
)	
Respondents.)	
)	
)	

DECLARATION

My name is MICHAEL DENNIS DOCKSTADER and I am currently licensed as a real estate broker and/or have license rights with respect to said license. I am represented by Janet E. Dockstader, Esq.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to voluntarily surrender my real estate license(s) issued by the Department of

1 Real Estate ("Department"), pursuant to Business and Professions
2 Code Section 10100.2.

3 I understand that by so voluntarily surrendering my
4 license(s), I may be relicensed as a broker or as a salesperson
5 only by petitioning for reinstatement pursuant to Section 11522
6 of the Government Code. I also understand that by so voluntarily
7 surrendering my license(s), I agree to the following:

8 1. The filing of this Declaration shall be deemed as
9 my petition for voluntary surrender.

10 2. It shall also be deemed to be an understanding and
11 agreement by me that I waive all rights I have to require the
12 Commissioner to prove the allegations contained in the
13 Accusations filed in these matters at a hearing held in
14 accordance with the provisions of the Administrative Procedure
15 Act (Government Code Sections 11400 et seq.), and that I also
16 waive other rights afforded to me in connection with the hearing
17 such as the right to discovery, the right to present evidence in
18 defense of the allegations in the Accusation and the right to
19 cross-examine witnesses.

20 3. I further agree that upon acceptance by the
21 Commissioner, as evidenced by an appropriate order, all
22 affidavits and all relevant evidence obtained by the Department
23 in this matter prior to the Commissioner's acceptance, and all
24 allegations contained in the Accusations filed in the Department
25 Case No. H-37002 LA, may be considered by the Department to be
26 true and correct for the purpose of deciding whether to grant.

27

1 relicensure or reinstatement pursuant to Government Code Section
2 11522.

3 4. This Declaration is not an admission as to the
4 allegations in the Accusation. This Declaration is made for the
5 purpose of reaching a resolution of allegations contained in the
6 DRE Case No. H-37002 LA, and is expressly limited to this
7 proceeding and any other proceeding or case in which the
8 Department of Real Estate is a party and shall not otherwise be
9 admissible or relied upon by any third parties for any purpose.

10 5. I further agree on behalf of AMERICAN LOAN QUEST
11 INC., to pay the Commissioner's reasonable cost for the audits
12 which led to this action. In calculating the amount of the
13 Commissioner's reasonable cost, the Commissioner may use the
14 estimated average hourly salary for all persons performing
15 audits of real estate brokers, and shall include an allocation
16 for travel time to and from the auditor's place of work. I will
17 pay such cost within 60 days of receiving an invoice from the
18 Commissioner detailing the activities performed during the audit
19 and the amount of time spent performing those activities.

20 I am aware that if I or AMERICAN LOAN QUEST INC.
21 petition for reinstatement in the future, that payment of the
22 audit costs will be a condition of reinstatement.

23 I freely and voluntarily surrender all my licenses and
24 license rights under the Real Estate Law.

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed on Oct. 6, 2011, at Seal Beach, California.



MICHAEL DENNIS DOCKSTADER.

1 ELLIOTT MAC LENNAN, SBN 66674
2 Department of Real Estate
3 320 West 4th Street, Ste. 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6911 (direct)
6 -or- (213) 576-6982 (office)

FILED

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DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11	In the Matter of the Accusation of)	No. H-37002 LA
12	AMERICAN LOAN QUEST INC. doing business)	<u>A C C U S A T I O N</u>
13	as American Loan Quest and Loan Quest;)	
14	and MICHAEL DENNIS DOCKSTADER,)	
15	as designated officer of)	
16	American Loan Quest Inc.,)	
17	Respondents.)	

18 The Complainant, Robin Trujillo, a Deputy Real Estate
19 Commissioner of the State of California, for cause of Accusation
20 against AMERICAN LOAN QUEST INC. dba American Loan Quest and Loan
21 Quest; and MICHAEL DENNIS DOCKSTADER, as designated officer of
22 American Loan Quest Inc., alleges as follows:

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1.

The Complainant, Robin Trujillo, acting in her official capacity as a Deputy Real Estate Commissioner of the State of California, makes this Accusation against AMERICAN LOAN QUEST INC. (ALQI) and MICHAEL DENNIS DOCKSTADER (DOCKSTADER).

2.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

License

3.

At all times mentioned, ALQI was licensed or had license rights issued by the Department of Real Estate (Department) as a corporate real estate broker by and through real estate broker MICHAEL DENNIS DOCKSTADER (DOCKSTADER). ALQI was originally licensed as a corporate real estate broker on June 17, 2003, by and through DOCKSTADER as designated officer. DOCKSTADER was licensed as designated officer of ALQI on even date therewith.

Brokerage

4.

At all times mentioned, in the Los Alamitos, County of Orange, Respondents ALQI and DOCKSTADER engaged in the business of real estate brokers conducting licensed activities within the meaning of:

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///

1 (b) Mixed and commingled trust funds with ALQI's
 2 general funds by depositing trust funds in the form of collected
 3 advance fees solicited from homeowner-borrowers for loan
 4 modification services into B/A #1, in violation of Code Sections
 5 10145, 10176(e) and Regulation 2832; and

6 (c) Converted trust funds by depositing trust funds in
 7 the form of advance fees solicited from homeowner-borrowers for
 8 loan modification services into ALQI's general operating account,
 9 B/A #1, in violation of Code Sections 10145 and 10176(i). ALQI
 10 reduced the amount in ALQI's general account to an amount less
 11 than the amount of the trust funds deposited constituting
 12 conversion, congruent with Paragraph 7(a), above.

13
 14 Table: Conversion of Unearned Loan Modification Fees

16 <u>Date</u>	<u>Name</u>	<u>Amount</u>	<u>Date of Deposit</u>	<u>Date Earned</u>
17 10/6/08	Elisabeth Barajas	\$3,500.00	11/11/09, 11/19/08	Unearned
18 10/20/08	Danelo Casio	\$2,897.00	10/22/08	Unearned
19 12/3/08	Patricia Santana	\$1,250.00	12/3/08	Unearned
20 12/3/08	Patricia Santana	\$1,250.00	1/14/09	Unearned
21 Unavailable	Gaile Jollie	\$3,000.00	01/15/09	Unearned
22 9/23/08	Stanley Johnson	\$5,000.00	9/25/08	Unearned
23 11/17/08	Kyoriteka Sims	\$3,000.00	12/25/08	Unearned
24				
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1 d) Failed to maintain an and accurate and complete
2 control record in chronological order for each homeowner-borrower
3 for loan modifications and for each party to a mortgage loan
4 transaction, thereby failing to account for all advance fees
5 collected in connection with mortgage loan brokerage and loan
6 modification services, in violation of Code Section 10145 and
7 Regulation 2831.

8 (e) Failed to maintain a separate record for each
9 homeowner-borrower, thereby failing to account for all advance
10 fees collected for loan modification services and for mortgage
11 loan brokerage, in violation of Code Section 10145 and Regulation
12 2831.1.

13 (f) Failed to perform a monthly reconciliation of the
14 balance of all separate homeowner-borrower records maintained
15 pursuant to Regulation 2831.1 with the record of all trust funds
16 received and disbursed by B/A #1 in the form of advance fees for
17 loan modification services and for mortgage loan brokerage
18 services, in violation of Code Section 10145 and Regulation
19 2831.2.

20 (g) Failed to pay credit report fees to the credit
21 report company prior to the closed of escrow for borrowers James
22 Burke, Stephen Lurin and Michael Castrol and failed to place
23 credit report fees collected from said borrowers into a trust
24 account in the name of the broker as trustee at a bank or other
25 financial institution, in violation of Code Section 10145.

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1 (h) Collected advance fees within the meaning of Code
2 Section 10026 from homeowner-borrowers seeking loan modification
3 services wherein ALQI failed to provide homeowner-borrowers James
4 Vacca, Jaime Hernandez, Carolina Coterero and William Miller, a
5 pre-approved advance fee agreement from the Department, in
6 violation of Code Section 10085 and Regulation 2970.

7 (i) With reference to the lack of an advance fee
8 agreement, ALQI and DOCKSTADER, failed to provide a complete
9 description of services to be rendered provided to each
10 homeowner-borrower in 10 point type font and, an allocation and
11 disbursement of the amount collected as the advance fee for each
12 loan modification, in violation of Code Section 10146 and
13 Regulation 2972.

14 (j) (1) Failed to retain a true and complete copy of a
15 Department of Real Estate approved Mortgage Loan Disclosure
16 Statement signed by the broker for borrower set forth below, in
17 violation of Code Sections 10240 and 10236.4 and Regulation 2840;

18 (j) (2) Failed to retain a true and complete copy of a
19 Department of Real Estate approved Good Faith Estimate signed by
20 the broker for borrower set forth below which included ALQI's
21 corporate broker license, in violation of Code Sections 10240(c)
22 and 10236.4.

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7(g)

7(h)

7(i)

7(j)

7(k)

Code Section 10145

Code Section 10085 and Regulation
2970

Code Section 10146 and Regulation
2972

Code Sections 10240, 10240(c) and
10236.4 and Regulation 2840

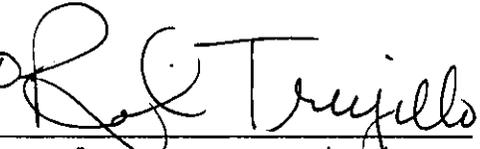
Code Section 10159.5 and Regulation
2731

The foregoing violations constitutes cause for discipline of the
real estate license and license rights of ALQI and DOCKSTADER, as
aforesaid, under the provisions of Code Sections [10176(e) for
commingling], 10176(i) for conversion of trust funds, 10177(d)
for violation of the Real Estate Law and/or 10177(g) for
negligence.

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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against the license and license rights of Respondents
5 AMERICAN LOAN QUEST INC. and MICHAEL DENNIS DOCKSTADER, under the
6 Real Estate Law (Part 1 of vision 4 of the Business and
7 Professions Code) and for such other and further relief as may be
8 proper under other applicable provisions of law including
9 restitution of advanced fees paid for unearned loan
10 modifications, and for costs of audit.

11 Dated at Los Angeles, California

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13 this 13 day of December 2010 
14 Deputy Real Estate Commissioner

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23 cc: American Loan Quest Inc.
24 c/o Michael Dockstader D.O.
25 Robin Trujillo
26 Sacto
27 Gin Sheng Yee
Audits - Darryl Thomas