

1 Department of Real Estate
320 West Fourth St., Suite 350
2 Los Angeles, CA 90013

3 Telephone: (213) 576-6982
4
5
6
7

FILED
JAN 15 2009
DEPARTMENT OF REAL ESTATE

By Laura B. Oun

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 To:)
12) NO. H-35619 LA
13 AFFORDABLE HOME ASSISTANCE.COM,)
14 a corporate real estate broker;) ORDER TO DESIST
15 THOMAS AARON SIGNORELLI,) AND REFRAIN
16 individually and as designated)
17 broker-officer of Affordable)
Home Assistance.com;)
18 ALEX SADAK, and)
19 MARK B. RUSSELL)
20)

21 The Real Estate Commissioner of the State of
22 California ("Commissioner") has caused an investigation to be
23 made of your activities requiring a real estate license and,
24 based upon the findings of that investigation, as set forth
25 below, is of the opinion that you, AFFORDABLE HOME
26 ASSISTANCE.COM, and you, THOMAS AARON SIGNORELLI, have violated
27 Section 10085 of the Business and Professions Code ("Code") and
Regulation 2970, Title 10, California Code of Regulations
("Regulations"); and that you, THOMAS AARON SIGNORELLI, as
designated broker officer of AFFORDABLE HOME ASSISTANCE.COM,

1 have violated Code Section 10159.2. You, ALEX SADAK, and you,
2 MARK B. RUSSELL, have violated Section 10130 of the Code by
3 engaging in the business of a real estate broker within the
4 State of California without a real estate broker license.

5 1.

6 At all times material herein, you, AFFORDABLE HOME
7 ASSISTANCE.COM, were and now are licensed by the Department of
8 Real Estate of the State of California ("Department") as a
9 corporate real estate broker through THOMAS AARON SIGMORELLI as
10 the designated officer and broker responsible, pursuant to the
11 provisions of Code Section 10159.2, for supervising the
12 activities requiring a real estate license conducted on behalf
13 of AFFORDABLE HOME ASSISTANCE.COM.

14 2.

15 At all times material herein, you, THOMAS AARON
16 SIGMORELLI, were and now are licensed by the Department as a
17 real estate broker, individually and as the designated officer
18 of AFFORDABLE HOME ASSISTANCE.COM. As its designated broker-
19 officer, you, THOMAS AARON SIGMORELLI, are and at all times
20 material herein were responsible for the supervision and
21 control of the activities of the officers, agents and employees
22 of AFFORDABLE HOME ASSISTANCE.COM for which a license is
23 required pursuant to Code Section 10159.2.

24 3.

25 All further references to "you" include the parties
26 identified in Paragraphs 1 and 2, above, and also include the
27 officers, directors, employees, agents and real estate

1 licensees employed by or associated with said parties and who
2 at all times herein mentioned were engaged in the furtherance
3 of the business or operations of said parties and who were
4 acting within the course and scope of their authority and
5 employment.

6 4.

7 At all times material herein mentioned, you,
8 AFFORDABLE HOME ASSISTANCE.COM, and you, THOMAS AARON
9 SIGNORELLI, engaged in the business of, acted in the capacity
10 of, advertised or assumed to act as a real estate broker in the
11 State of California, within the meaning of Code Sections
12 10131(d) and 10131.2, for another or others, for or in
13 expectation of compensation. Your activities included the
14 operation of or conduct of a real property sales business with
15 the public wherein you engaged in the negotiation of and
16 solicitation of borrowers and lenders for loans secured by
17 residential real property.

18 5.

19 Beginning on or before September 8, 2008, and
20 continuing to the present time, you, AFFORDABLE HOME
21 ASSISTANCE.COM, and you, THOMAS AARON SIGNORELLI, engaged in
22 the business of claiming, demanding, charging and receiving,
23 collecting or contracting for the collection of advance fees
24 within the meaning of Code Sections 10026 and 10131.2,
25 including but not limited to advance fees collected from
26 borrowers for loan modification services relating to loans
27 secured by real property.

1 6.

2 Specifically, on or about September 8, 2008, you,
3 AFFORDABLE HOME ASSISTANCE.COM, entered into a Residential Loan
4 Modification Agreement with Francisco J. Garcia. In connection
5 with the agreement and loan modification services to be
6 provided, you collected an advance fee of \$2,495.00. In
7 addition, you collected advance fees from Virginia Hill and
8 Diane Bradford pursuant to loan modification agreements.

9 7.

10 Said advance fees, as described in Paragraphs 4, 5
11 and 6 above, were collected pursuant to written agreements
12 which constituted advance fee agreements within the meaning of
13 Code Section 10085.

14 8.

15 In the course of activities described in Paragraphs
16 4, 5 and 6, you, AFFORDABLE HOME ASSISTANCE.COM, and you,
17 THOMAS AARON SIGMORELLI, acted in violation of the Code and the
18 Regulations in that you collected fees in advance from
19 prospective borrowers pursuant to a written agreement which you
20 did not submit to the Commissioner ten days before use, in
21 violation of Code Section 10085 and Regulation 2970.

22 9.

23 You, THOMAS AARON SIGMORELLI, failed to exercise
24 reasonable supervision over the activities of officers and
25 employees of AFFORDABLE HOME ASSISTANCE.COM for which a real
26 estate license was required so as to prevent the violations set
27 forth above, in violation of Code Section 10159.2.

1 10.

2 At no time herein mentioned, have you, ALEX SADAK,
3 been licensed by the Department as a real estate broker, or as
4 a real estate salesperson employed by a real estate broker.

5 11.

6 At no time herein mentioned, have you, MARK B.
7 RUSSELL, been licensed by the Department as a real estate
8 broker, or as a real estate salesperson employed by a real
9 estate broker.

10 12.

11 During a period of time beginning on or before
12 September 8, 2008, and continuing to the present time, you,
13 MARK B. RUSSELL, and you, ALEX SADAK, engaged in the business
14 of, acted in the capacity of, advertised or assumed to act as
15 real estate brokers in the State of California, within the
16 meaning of Code Sections 10131(d) and 10131.2, for or in
17 expectation of compensation. Your activities included the
18 operation of or conduct of a real property sales business with
19 the public wherein you engaged in the negotiation and
20 solicitation of borrowers and lenders for loans secured by
21 residential real property. Said activities included
22 representing borrowers in negotiating and modifying terms and
23 obtaining loans secured by real property, and claiming,
24 demanding, charging, receiving, collecting or contracting for
25 an advance fee in connection therewith.

26 ///

27 ///

1 13.

2 Specifically, on or about September 22, 2008, you,
3 MARK B. RUSSELL, represented borrower Diane Bradford in
4 negotiating and modifying terms and obtaining loans secured by
5 real property, and/or claimed, demanded, charged, received,
6 collected or contracted for an advance fee in connection
7 therewith. On or about September 8, 2008, you, ALEX SADAK,
8 represented borrowers Sam and Virginia Hill, and borrower
9 Francisco Garcia, in negotiating and modifying terms and
10 obtaining loans secured by real property, and/or claimed,
11 demanded, charged, received, collected or contracted for an
12 advance fee in connection therewith.

13 14.

14 Your acts as described in Paragraphs 12 and 13 above,
15 are acts requiring a real estate broker license under the
16 provisions of Code Sections 10131(d) and 10131.2.

17 15.

18 You, MARK B. RUSSELL, and you, ALEX SADAK, violated
19 Code Section 10130 by engaging in the activities described in
20 Paragraphs 12 and 13 above, without first obtaining a real
21 estate broker license from the Department.

22 NOW, THEREFORE, YOU, AFFORDABLE HOME ASSISTANCE.COM,
23 and YOU, THOMAS AARON SIGNORELLI, ARE ORDERED TO DESIST AND
24 REFRAIN from collecting advance fees within the meaning of Code
25 Section 10026 and 10085 unless and until you are in compliance
26 with Code Section 10085 and Regulation 2970.

27 ///

