

**FILED**

**January 3, 2013**

1 TRULY SUGHRUE, Counsel  
2 State Bar No. 223266  
3 Department of Real Estate  
4 P.O. Box 187007  
5 Sacramento, CA 95818-7007

DEPARTMENT OF REAL ESTATE

By *L. Jones*

6 Telephone: (916) 227-0789  
7 (916) 227-0781 (Direct)

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 LORI DAWN LACKEY, ) No. H-5939 SAC  
13 Respondent. ) ACCUSATION

14  
15 The Complainant, TRICIA SOMMERS, a Deputy Real Estate Commissioner of  
16 the State of California, for cause of Accusation against LORI DAWN LACKEY, (Respondent),  
17 are informed and alleges as follows:

18 1

19 The Complainant, TRICIA SOMMERS, a Deputy Real Estate Commissioner of  
20 the State of California, makes this Accusation in her official capacity.

21 2

22 Respondent is presently licensed and/or has license rights under the Real Estate  
23 Law, Part 1 of Division 4 of the Business and Professions Code (Code).

24 3

25 At all times mentioned, Respondent was and is licensed by the Department as a  
26 mortgage loan originator. From on or about December 15, 2008, through June 2, 2010, and June  
27 8, 2010, through January 4, 2012, Respondent's salesperson license was affiliated under the

1 brokerage of American Pacific Mortgage Corporation (APMC). From on or about January 18,  
2 2012, through February 9, 2012 and August 13, 2012 through the present, Respondent's  
3 salesperson license was/is affiliated under the brokerage of Mid Valley Funding and Inv. Inc.  
4 (MVFII).

5 4

6 At all times mentioned, Respondent was and is licensed by the Department as a mortgage  
7 loan originator.

8 5

9 At all times mentioned, Respondent engaged in the business of, acted in the  
10 capacity of, advertised or assumed to act as a real estate broker in the State of California within  
11 the meaning of Sections 10131(d), 10166.01, and 10166.03(c) of the Code.

12 6

13 Beginning on or about January 2011, Respondent, in the course of the real estate  
14 activities described in Paragraph 5, using the business name Lori Lackey Loan Processing and/or  
15 Catalyst Loan Processing, engaged in loan processing and/or underwriter services on behalf of  
16 mortgage loan originators, including but not necessarily limited to:

<b>Date</b>	<b>Borrower</b>	<b>Property</b>	<b>Mortgage Broker</b>
February 2011	Madronio	Unknown	Unknown
March 2011	Kaimikua	900 Tat Lane, South Lake Tahoe	Unknown
March 2011	Burns/Davis	Unknown	Unknown
March 2011	Esponisa-Bryson	1400 Alder Creek Court, Lincoln	Unknown
July 2011	Boak	2295 Hearst Street, West Sacramento	Unknown
July 2011	Ma	Unknown	Mid Valley Mortgage Services Inc.
July 2011	Cardenas	Unknown	Mid Valley Mortgage Services Inc.
July 2011	Tuttle	18275 Westview Court, Pine Grove	Mid Valley Mortgage Services Inc.

1	September 2011	Bowman	Unknown	Mid Valley Mortgage Services Inc.
2	October 2011	Winchester	Unknown	Mid Valley Mortgage Services Inc.
3	October 2011	Taul	Unknown	Mid Valley Mortgage Services Inc.
4	October 2011	Beehler	604 Catalina Court, Vacaville	Kappel Mortgage Group
5	October 2011	Gainer	Unknown	Mid Valley Mortgage Services Inc.
6	November 2011	Perez	2366 Cork Circle	David Ing
7	November 2011	Lopez	Unknown	Mid Valley Mortgage Services Inc.
8	November 2011	Rowlette	Unknown	Mid Valley Mortgage Services Inc.
9	November 2011	Burnett	Unknown	Mid Valley Mortgage Services Inc.
10	November 2011	Gabrielle	Unknown	Mid Valley Mortgage Services Inc.
11	November 2011	Seri	Unknown	Mid Valley Funding & Inv. Inc.
12	November 2011	Curtis	Unknown	Unknown
13	December 2011	Zaklos	144 Vintage Court, Vacaville	Kappel Mortgage Group
14	December 2011	Masters	Unknown	Mid Valley Funding & Inv. Inc.
15	December 2011	Todd	Unknown	Mid Valley Funding & Inv. Inc.
16	December 2011	Del Rio	Unknown	Mid Valley Funding & Inv. Inc.

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In acting as described above, Respondent violated and/or willfully disregarded the provisions of Sections 10166.03(c), 10130, and 10137 of the Code.

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The facts alleged above are grounds for the suspension or revocation of the licenses of Respondent under Sections 10166.051 (grounds for discipline-violation of license endorsement and notice requirements) and 10177(d) (willful disregard or violation of Real Estate Law) of the Code in conjunction with Sections 10130 (license required), 10166.03(c)

1 (independent loan processing), and 10137 (accepting compensation from person other than  
2 employing broker) of the Code

3 COST RECOVERY

4 10

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

9 WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
10 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary  
11 action against all licenses and license rights of Respondent under the Code, for the cost of  
12 investigation and enforcement as permitted by law, and for such other and further relief as may  
13 be proper under the provisions of law.

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15 

16 TRICIA SOMMERS  
17 Deputy Real Estate Commissioner

18 Dated at Sacramento, California,  
19 this 2<sup>nd</sup> day of January, 2013

20  
21  
22 DISCOVERY DEMAND

23 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the Department of  
24 Real Estate hereby makes demand for discovery pursuant to the guidelines set forth in the  
25 *Administrative Procedure Act*. Failure to provide Discovery to the Department of Real Estate  
26 may result in the exclusion of witnesses and documents at the hearing or other sanctions that the  
27 Office of Administrative Hearings deems appropriate.