

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  
SEP - 5 2008  
DEPARTMENT OF REAL ESTATE

By K. Mederholt

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-32096 LA  
12 )  
13 IMPERIAL LENDING CORPORATION; )  
14 TOP-HON FINANCIAL GROUP INC.; )  
15 TOP ONE FINANCIAL GROUP INC.; )  
16 TPC 2000 CORPORATION, doing )  
17 business as A-1 Investment; )  
18 and RICH S. LEE, individually )  
19 and as designated officer of )  
20 Imperial Lending Corporation; )  
21 Top-Hon Financial Group Inc.; )  
22 Top One Financial Group Inc.; )  
23 and TPC 2000 Corporation, )  
24 )  
25 Respondents. )

STIPULATION  
AND  
AGREEMENT

20 It is hereby stipulated by and between RICH S. LEE,  
21 (sometimes referred to as "Respondent"), represented by Frank M.  
22 Buda, Esq., and the Complainant, acting by and through Elliott  
23 Mac Lennan, Counsel for the Department of Real Estate, as follows  
24 for the purpose of settling and disposing of the Accusation filed  
25 on August 1, 2005, in this matter:  
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1 1. All issues which were to be contested and all  
2 evidence which was to be presented by Complainant and Respondent  
3 at a formal hearing on the Accusation, which hearing was to be  
4 held in accordance with the provisions of the Administrative  
5 Procedure Act ("APA"), shall instead and in place thereof be  
6 submitted solely on the basis of the provisions of this  
7 Stipulation and Agreement ("Stipulation").

8 2. Respondent has received, read and understands the  
9 Statement to Respondent, the Discovery Provisions of the APA and  
10 the Accusation filed by the Department of Real Estate in this  
11 proceeding.

12 3. Respondent timely filed a Notice of Defense  
13 pursuant to Section 11506 of the Government Code for the purpose  
14 of requesting a hearing on the allegations in the Accusation.  
15 Respondent hereby freely and voluntarily withdraws said Notice of  
16 Defense. Respondent acknowledges that she understands that by  
17 withdrawing said Notice of Defense she thereby waives her right  
18 to require the Commissioner to prove the allegations in the  
19 Accusation at a contested hearing held in accordance with the  
20 provisions of the APA and that she will waive other rights  
21 afforded to her in connection with the hearing such as the right  
22 to present evidence in her defense the right to cross-examine  
23 witnesses.  
24

25 4. This Stipulation is based on the factual  
26 allegations contained in the Accusation. In the interest of  
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1 expedience and economy, Respondent chooses not to contest these  
2 allegations, but to remain silent and understands that, as a  
3 result thereof, these factual allegations, without being admitted  
4 or denied, will serve as a prima facie basis for the disciplinary  
5 action stipulated to herein. The Real Estate Commissioner shall  
6 not be required to provide further evidence to prove said factual  
7 allegations.

8           5. This Stipulation and Respondent's decision not to  
9 contest the Accusation is made for the purpose of reaching an  
10 agreed disposition of this proceeding and is expressly limited to  
11 this proceeding and any other proceeding or case in which the  
12 Department of Real Estate ("Department"), the state or federal  
13 government, or any agency of this state, another state or federal  
14 government is involved, and otherwise shall not be admissible in  
15 any other criminal or civil proceeding.

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17           6. It is understood by the parties that the Real  
18 Estate Commissioner may adopt this Stipulation as his Decision in  
19 this matter thereby imposing the penalty and sanctions on  
20 Respondent's real estate licenses and license rights as set forth  
21 in the "Order" herein below. In the event that the Commissioner  
22 in his discretion does not adopt the Stipulation, it shall be  
23 void and of no effect and Respondent shall retain the right to a  
24 hearing and proceeding on the Accusation under the provisions of  
25 the APA and shall not be bound by any stipulation or waiver made  
26 herein.

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1                   7. The Order or any subsequent Order of the Real  
2 Estate Commissioner made pursuant to this Stipulation shall not  
3 constitute an estoppel, merger or bar to any further  
4 administrative or civil proceedings by the Department of Real  
5 Estate with respect to any matters which were not specifically  
6 alleged to be causes for Accusation in this proceeding but do  
7 constitute a bar, estoppel and merger as to any allegations  
8 actually contained in the Accusations against Respondent herein.

9                   8. Respondent understands that by agreeing to this  
10 Stipulation, Respondent agrees to pay, pursuant to Business and  
11 Professions Code Section 10148, the cost of audit (LA  
12 020323/LA020410) which led to this disciplinary action. The  
13 amount of said cost for the audit is \$5,887.88.

14                   9. Respondent has received, read, and understands the  
15 "Notice Concerning Costs of Subsequent Audit". Respondent  
16 further understands that by agreeing to this Stipulation, the  
17 findings set forth below in the Determination of Issues become  
18 final, and the Commissioner may charge Respondent for the cost of  
19 any subsequent audit conducted pursuant to Business and  
20 Professions Code Section 10148 to determine if the violations  
21 have been corrected. The maximum cost of the subsequent audit  
22 will not exceed \$5,887.88.

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DETERMINATION OF ISSUES

1                   By reason of the foregoing, it is stipulated and agreed  
2 that the following determination of issues shall be made:  
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I.

4                   The conduct of RICH S. LEE, with respect to Audit LA  
5 020326 (Top Hon Financial Group Inc.), Audit LA 020324 (Top One  
6 Financial Group Inc.), Audit LA 020328 (Imperial Lending  
7 Corporation), Audit LA 020325 (TPC 2000 Corporation), as  
8 described in Paragraph 4, above, constitutes a failure to keep  
9 Imperial Lending Corporation, Top-Hon Financial Group Inc. Top-  
10 One Financial Group Inc., and TPC 2000 Corporation, in compliance  
11 with the Real Estate Law during the time that he was the officer  
12 designated by a corporate broker licensees in violation of  
13 Section 10159.2 of the Code. This conduct is a basis for the  
14 suspension or revocation of Respondent's license pursuant to Code  
15 Section 10177(h).  
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II.

18                   The conduct of RICH S. LEE, with respect to Audit LA  
19 020326 (Top Hon Financial Group Inc.), Audit LA 020324 (Top One  
20 Financial Group Inc.), Audit LA 020328 (Imperial Lending  
21 Corporation), Audit LA 020325 (TPC 2000 Corporation), as  
22 described in Paragraph 4, above, is in violation of Section 10240  
23 of the Business and Professions Code ("Code") and Section 2840 of  
24 Title 10, Chapter 6 of the California Code of Regulations  
25 ("Regulations") for each of the aforementioned corporations and  
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1 is a basis for the suspension or revocation of Respondent's  
2 license and license rights as a violation of the Real Estate Law  
3 pursuant to Code Sections 10177(d) and 10177(g).

4 II.

5 The conduct of RICH S. LEE, with respect to Audit LA  
6 020323 and LA 020410 (Rich S. Lee), as described in Paragraph 4,  
7 above, is in violation of Code Section 10145 and Regulations 2831  
8 and 2832(d) and is a basis for the suspension or revocation of  
9 Respondent's license and license rights as a violation of the  
10 Real Estate Law pursuant to Code Sections 10177(d) and 10177(g).

11 ORDER

12 WHEREFORE, THE FOLLOWING ORDER is hereby made:

13 I. All licenses and licensing rights of Respondent  
14 RICH S. LEE under the Real Estate Law suspended for a period of  
15 ninety (90) days from the effective date of this Decision.

16 A. Provided, however, that if Respondent petitions,  
17 the initial thirty (30) days of said suspension (or a portion  
18 thereof) shall be stayed for two (2) years upon condition that:

19 1. Respondent pays a monetary penalty pursuant to  
20 Section 10175.2 of the Business and Professions Code at the rate  
21 of \$116.66 per day for each day of the suspension for a total  
22 monetary penalty of \$3,500.

23 2. Said payment shall be in the form of a cashier's  
24 check or certified check made payable to the Recovery Account of  
25 the Real Estate Fund. Said check must be received by the  
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1 Department prior to the effective date of the Decision in this  
2 matter.

3 3. No further cause for disciplinary action against  
4 the real estate license of Respondent occurs within two (2) years  
5 from the effective date of the Decision in this matter.

6 4. If Respondent fails to pay the monetary penalty in  
7 accordance with the terms of the Decision, the Commissioner may,  
8 without a hearing, order the immediate execution of all or any  
9 part of the stayed suspension, in which event the Respondent  
10 shall not be entitled to any repayment nor credit, prorated or  
11 otherwise, for money paid to the Department under the terms of  
12 this Decision.

13 5. If Respondent pays the monetary penalty and if no  
14 further cause for disciplinary action against the real estate  
15 license of Respondent occurs within two (2) years from the  
16 effective date of the Decision, the stay hereby granted shall  
17 become permanent

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19 B. The remaining sixty (60) days of the ninety (90)  
20 day suspension shall be stayed for two (2) years upon the  
21 following terms and conditions:

22 (a) Respondent shall obey all laws, rules and  
23 regulations governing the rights, duties and responsibilities of  
24 a real estate licensee in the State of California; and

25 (b) That no final subsequent determination be made  
26 after hearing or upon stipulation, that cause for disciplinary  
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1 action occurred within two (2) years of the effective date of  
2 this Decision. Should such a determination be made, the  
3 Commissioner may, in his discretion, vacate and set aside the  
4 stay order and reimpose all or a portion of the stayed  
5 suspension. Should no such determination be made, the stay  
6 imposed herein shall become permanent.

7 II. All licenses and licensing rights of Respondent  
8 are indefinitely suspended unless or until Respondent provides  
9 proof satisfactory to the Commissioner, of having taken and  
10 successfully completed the continuing education course on trust  
11 fund accounting and handling specified in paragraph (3) of  
12 subdivision (a) of Section 10170.5 of the Business and  
13 Professions Code. Proof of satisfaction of this requirement  
14 includes evidence that respondent has successfully completed the  
15 trust fund account and handling continuing education course  
16 within 120 days prior to the effective date of the Decision in  
17 this matter.



1                    III. Respondent shall within six months from the  
2 effective date of the license, take and pass the Professional  
3 Responsibility Examination administered by the Department  
4 including the payment of the appropriate examination fee. If  
5 respondent fails to satisfy this condition, the Commissioner may  
6 order suspension of the respondent's license until respondent  
7 passes the examination.

8                    IV. During the two year period, Respondent shall not  
9 serve as the designated broker at any corporate real estate  
10 broker unless and until Respondent is the owner of record of the  
11 controlling shares of the corporation.

12                    V. Pursuant to Section 10148 of the Business and  
13 Professions Code, Respondent shall pay the Commissioner's  
14 reasonable cost for (a) the audit which led to this disciplinary  
15 action and (b) a subsequent audits to determine if Respondent  
16 RICH S. LEE are now in compliance with the Real Estate Law. The  
17 cost of the audit which led to this disciplinary action is  
18 \$5,887.78. In calculating the amount of the Commissioner's  
19 reasonable cost, the Commissioner may use the estimated average  
20 hourly salary for all persons performing audits of real estate  
21 brokers, and shall include an allocation for travel time to and  
22 from the auditor's place of work. Said amount for the prior and  
23 subsequent audits shall not exceed \$11,775.56.

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1 Respondent shall pay such cost within 60 days of  
2 receiving an invoice from the Commissioner detailing the  
3 activities performed during the audit and the amount of time  
4 spent performing those activities.

5 The Commissioner may suspend the license of Respondent  
6 pending a hearing held in accordance with Section 11500, et seq.,  
7 of the Government Code, if payment is not timely made as provided  
8 for herein, or as provided for in a subsequent agreement between  
9 the Respondent and the Commissioner. The suspension shall remain  
10 in effect until payment is made in full or until Respondent  
11 enters into an agreement satisfactory to the Commissioner to  
12 provide for payment, or until a decision providing otherwise is  
13 adopted following a hearing held pursuant to this condition.  
14

15 DATED: 7-11-06

15 ELM  
16 ELLIOTT MAC LENNAN, Counsel for  
17 the Department of Real Estate

18 \* \* \*

19 EXECUTION OF THE STIPULATION

20 I have read the Stipulation and discussed with my  
21 counsel. Its terms are understood by me and are agreeable and  
22 acceptable to me. I understand that I am waiving rights given to  
23 us by the California Administrative Procedure Act (including but  
24 not limited to Sections 11506, 11508, 11509 and 11513 of the  
25 Government Code), and I willingly, intelligently and voluntarily  
26 waive those rights, including the right of requiring the  
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1 Commissioner to prove the allegations in the Accusation at a  
2 hearing at which we would have the right to cross-examine  
3 witnesses against me and to present evidence in defense and  
4 mitigation of the charges.

5 Respondent can signify acceptance and approval of the  
6 terms and conditions of this Stipulation by faxing a copy of its  
7 signature page, as actually signed by Respondent, to the  
8 Department at the following telephone/fax number: Elliott Mac  
9 Lennan at (213) 576-6917. Respondent agrees, acknowledges and  
10 understands that by electronically sending to the Department a  
11 fax copy of Respondent's actual signature as it appears on the  
12 Stipulation, that receipt of the faxed copy by the Department  
13 shall be as binding on Respondent as if the Department had  
14 received the original signed Stipulation.  
15

16  
17  
18 DATED: \_\_\_\_\_

\_\_\_\_\_  
19 RICH S. LEE, individually  
20 and as former designated officer of  
21 Imperial Lending Corporation, TPC  
22 2000 Corporation, Top-Hon Financial  
23 Group Inc. and Top-One Financial  
24 Group Inc., Respondents

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27 DATED: \_\_\_\_\_

\_\_\_\_\_  
FRANK M. BUDA, ESQ.  
Attorney for Respondent  
Approved as to form

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Commissioner to prove the allegations in the Accusation at a hearing at which we would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation by faxing a copy of its signature page, as actually signed by Respondent, to the Department at the following telephone/fax number: Elliott Mac Lennan at (213) 576-6917. Respondent agree, acknowledge and understand that by electronically sending to the Department a fax copy of Respondent' actual signature as they appear on the Stipulation, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation.

DATED: 3/9/2006

R. S. Lee  
RICH S. LEE, individually  
and as former designated officer of  
Imperial Landing Corporation, TPC  
2000 Corporation, Top-Hon Financial  
Group Inc. and Top-One Financial  
Group Inc., Respondents

DATED: 3-8-2006

Frank M. Buda  
FRANK M. BUDA, ESQ.  
Attorney for Respondent  
Approved as to form

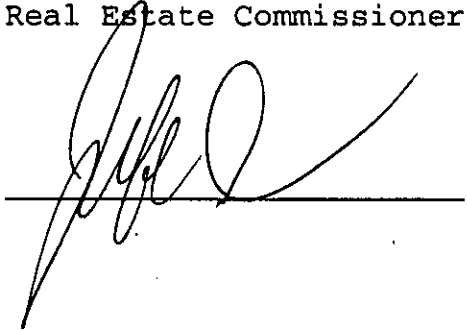
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The foregoing Stipulation and Agreement is hereby  
adopted as my Decision as to Respondent RICH S. LEE and shall  
become effective at 12 o'clock noon on OCT - 2, 2006.

IT IS SO ORDERED 8-15:, 2006.

JEFF DAVI  
Real Estate Commissioner



A handwritten signature in black ink, appearing to read 'Jeff Davi', is written over a horizontal line. The signature is stylized and cursive.

**FILED**  
 SEP - 5 2006  
 DEPARTMENT OF REAL ESTATE  
 By *K. McDechold*

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)

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
 9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of	)	No. H-32096 LA
12 <u>IMPERIAL LENDING CORPORATION;</u>	)	
13 <u>TOP-HON FINANCIAL GROUP INC.;</u>	)	
14 <u>TOP ONE FINANCIAL GROUP INC.;</u>	)	
15 TPC 2000 CORPORATION, doing	)	<u>STIPULATION</u>
16 business as A-1 Investment;	)	<u>AND</u>
17 and RICH S. LEE, individually	)	<u>AGREEMENT</u>
18 and as designated officer of	)	
19 Imperial Lending Corporation;	)	
20 Top-Hon Financial Group Inc.;	)	
21 Top One Financial Group Inc.;	)	
22 and TPC 2000 Corporation,	)	
23	)	
24	)	
25 Respondents.	)	

20 It is hereby stipulated by and between IMPERIAL LENDING  
 21 CORPORATION, TOP-HON FINANCIAL GROUP INC. and TOP-ONE FINANCIAL  
 22 GROUP INC. (sometimes referred to as "Respondents"), represented  
 23 by Max C. Chang, Esq., and the Complainant, acting by and through  
 24 Elliott Mac Lennan, Counsel for the Department of Real Estate, as  
 25 follows for the purpose of settling and disposing of the  
 26 Accusation filed on August 1, 2005, in this matter:  
 27

1           1. All issues which were to be contested and all  
2 evidence which was to be presented by Complainant and Respondents  
3 at a formal hearing on the Accusation, which hearing was to be  
4 held in accordance with the provisions of the Administrative  
5 Procedure Act ("APA"), shall instead and in place thereof be  
6 submitted solely on the basis of the provisions of this  
7 Stipulation and Agreement (Stipulation).

8           2. Respondents have received, read and understand the  
9 Statement to Respondents, the Discovery Provisions of the APA and  
10 the Accusation filed by the Department of Real Estate in this  
11 proceeding.

12           3. Respondents filed a Notice of Defense pursuant to  
13 Section 11506 of the Government Code for the purpose of  
14 requesting a hearing on the allegations in the Accusation.  
15 Respondents hereby freely and voluntarily withdraw said Notice of  
16 Defense. Respondents acknowledge that they understand that by  
17 withdrawing said Notice of Defense they thereby waive their right  
18 to require the Commissioner to prove the allegations in the  
19 Accusation at a contested hearing held in accordance with the  
20 provisions of the APA and that they will waive other rights  
21 afforded to them in connection with the hearing such as the right  
22 to present evidence in their defense of the allegations in the  
23 Accusation and the right to cross-examine witnesses.

24           4. This Stipulation is based on the allegations  
25 contained in the Accusation. In the interest of expedience and  
26 economy, Respondents choose not to contest these allegations, but  
27 to remain silent and understand that, as a result thereof, these

1 allegations, without being admitted or denied, will serve as a  
2 prima facie basis for the disciplinary action stipulated to  
3 herein. The Real Estate Commissioner shall not be required to  
4 provide further evidence to prove said allegations.

5           5. This Stipulation and Respondents' decision not to  
6 contest the Accusation is made for the purpose of reaching an  
7 agreed disposition of this proceeding and is expressly limited to  
8 this proceeding and any other proceeding or case in which the  
9 Department of Real Estate ("Department"), the state or federal  
10 government, or any agency of this state, another state or federal  
11 government is involved.

12           6. It is understood by the parties that the Real  
13 Estate Commissioner may adopt this Stipulation as his Decision  
14 in this matter thereby imposing the penalty and sanctions on  
15 Respondents' real estate licenses and license rights as set forth  
16 in the "Order" herein below. In the event that the Commissioner,  
17 in his discretion, does not adopt the Stipulation, it shall be  
18 void and of no effect and Respondents shall retain the right to  
19 a hearing and proceeding on the Accusation under the provisions  
20 of the APA and shall not be bound by any stipulation or waiver  
21 made herein.

22           7. The Order or any subsequent Order of the Real  
23 Estate Commissioner made pursuant to this Stipulation shall not  
24 constitute an estoppel, merger or bar to any further  
25 administrative or civil proceedings by the Department of Real  
26 Estate with respect to any matters which were not specifically  
27 alleged to be causes for Accusation in this proceeding but do



1 constitute a bar, estoppel and merger as to any allegations  
2 actually contained in the Accusation against Respondents herein.

3 DETERMINATION OF ISSUES

4 By reason of the foregoing, it is stipulated and agreed  
5 that the following determination of issues shall be made:

6 I.

7 The conduct of IMPERIAL LENDING CORPORATION, as  
8 described in Paragraph 4, above, constitutes violations of  
9 Business and Professions Code ("Code") Sections 10240 and 10241  
10 and Section 2840, of Title 10, Chapter 6, California Code of  
11 Regulations. This conduct is a basis for the suspension or  
12 revocation of Respondent's license pursuant to Code Sections  
13 10177(d) and 10177(g).

14 II.

15 The conduct of TOP-HON FINANCIAL GROUP INC., as  
16 described in Paragraph 4, above, constitutes violations of Code  
17 Sections 10240 and 10241 and Regulation 2840. This conduct is a  
18 basis for the suspension or revocation of Respondent's license  
19 pursuant to Code Sections 10177(d) and 10177(g).

20 III.

21 The conduct of TOP-ONE FINANCIAL GROUP INC. as  
22 described in Paragraph 4, above, constitutes violations of Code  
23 Sections 10240 and 10241 and Regulation 2840. This conduct is a  
24 basis for the suspension or revocation of Respondent's license  
25 pursuant to Code Sections 10177(d) and 10177(g).  
26  
27

ORDER

WHEREFORE THE FOLLOWING ORDER IS HEREBY MADE:

I. All licenses and licensing rights of Respondents IMPERIAL LENDING CORPORATION, TOP-HON FINANCIAL GROUP INC. and TOP-ONE FINANCIAL GROUP INC. under the Real Estate Law suspended for a period of thirty (30) days from the effective date of this Decision; provided, however, that if Respondents request, all thirty (30) days of said suspension (or a portion thereof) shall be stayed for two (2) years upon condition that:

1. Respondents' pay a monetary penalty pursuant to Section 10175.2 of the Business and Professions Code at the rate of \$33.33 per day for each day of the suspension for a monetary penalty of \$1,000 per Respondent or \$3,000 total.

2. Said payment shall be in the form of a cashier's check or certified check made payable to the Recovery Account of the Real Estate Fund. Said check must be received by the Department prior to the effective date of the Decision in this matter.

3. No further cause for disciplinary action against the real estate license of Respondents occurs within two (2) years from the effective date of the Decision in this matter.

4. If Respondents fail to pay the monetary penalty in accordance with the terms of the Decision, the Commissioner may, without a hearing, order the immediate execution of all or any part of the stayed suspension, in which event the Respondents

1 shall not be entitled to any repayment nor credit, prorated or  
2 otherwise, for money paid to the Department under the terms of  
3 this Decision.

4 5. If Respondents pay the monetary penalty and if no  
5 further cause for disciplinary action against the real estate  
6 license of Respondents occurs within two (2) years from the  
7 effective date of the Decision, the stay hereby granted shall  
8 become permanent

9 6. Respondents shall obey all laws, rules and  
10 regulations governing the rights, duties and responsibilities of  
11 real estate licensees in the State of California.

12  
13  
14  
15 DATED: 03-09-06

E.L.  
ELLIOTT MAC LENNAN, Counsel for

16 \* \* \*

17  
18 We have read the Stipulation and Agreement and have  
19 discussed it with our counsel, and its terms are understood by us  
20 and are agreeable and acceptable to us. We understand that we  
21 are waiving rights given to us by the California Administrative  
22 Procedure Act (including but not limited to Sections 11506,  
23 11508, 11509 and 11513 of the Government Code), and we willingly,  
24 intelligently and voluntarily waive those rights, including the  
25 right of requiring the Commissioner to prove the allegations in  
26 the Accusation at a hearing at which we would have the right to  
27

1 cross-examine witnesses against us and to present evidence in  
2 defense and mitigation of the charges.

3 Respondents IMPERIAL LENDING CORPORATION, TOP-HON  
4 FINANCIAL GROUP INC. and TOP-ONE FINANCIAL GROUP INC. can signify  
5 acceptance and approval of the terms and conditions of this  
6 Stipulation and Agreement by faxing a copy of its signature page,  
7 as actually signed by Respondents, to the Department at the  
8 following telephone/fax number: (213) 576-6917, Attention:  
9 Elliott Mac Lennan. Respondents agree, acknowledge and  
10 understand that by electronically sending to the Department a fax  
11 copy of Respondents' actual signature as it appears on the  
12 Stipulation and Agreement, that receipt of the faxed copy by the  
13 Department shall be as binding on Respondents as if the  
14 Department had received the original signed Stipulation and  
15 Agreement.

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DATED: 2-14-06

Sandy Lee (proba - 2)  
TOP-ONE FINANCIAL GROUP INC.  
BY: Sandy Lee, President  
Respondent

DATED: 2-14-2006

Annie Shi  
IMPERIAL LENDING CORPORATION  
BY: Annie Shi, President  
Respondent

DATED: 2-14-06

Judy Hon  
TOP-HON FINANCIAL GROUP INC.  
BY: JUDY HON, President  
Respondent

DATED: 2-14-06

Max C Chang  
MAX C. CHANG,  
Attorney for Respondents  
Approved as to form

\* \* \*

The foregoing Stipulation and Agreement is hereby  
adopted as my Decision and shall become effective at  
12 o'clock noon on SEP 25, 2006.

IT IS SO ORDERED 8-15, 2006.

JEFF DAVI  
Real Estate Commissioner  
Jeff Davi

**FILED**  
SEP - 5 2006  
DEPARTMENT OF REAL ESTATE

By Krischer

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \* \*

In the Matter of the Accusation of ) NO. H-32096 LA  
 )  
 )  
 IMPERIAL LENDING CORPORATION; )  
 TOP-HON FINANCIAL GROUP INC.; )  
 TOP ONE FINANCIAL GROUP INC.; )  
 TPC 2000 CORPORATION, doing )  
 business as A-1 Investment; )  
 and RICH S. LEE, individually )  
 and as designated officer of )  
 Imperial Lending Corporation; )  
 Top-Hon Financial Group Inc.; )  
 Top One Financial Group Inc.; and )  
 TPC 2000 Corporation, )  
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 Respondents. )

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DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on July 13, 2006, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent TPC 2000's express admissions; (2) affidavits; and (3) Department Audit Report LA 020325, and (4) other evidence.

FACTUAL FINDINGS

1.

On July 28, 2005, Maria Suarez made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent TPC 2000, and a Notice of Defense was mailed by certified mail on August 1, 2005.

2.

On July 13, 2006, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent TPC 2000's default was entered herein.

3.

Respondent TPC 2000 is a real estate broker. TPC 2000 was originally licensed as a real estate broker of the Department of Real Estate ("Department") on March 1, 2001. On February 28, 2005, said license expired. Pursuant to Business and Professions Code ("Code") Section 10201, Respondent TPC 2000 retains licensing rights. Pursuant to Code ("Code") Section 10103, the Department retains jurisdiction over Respondent TPC 2000's lapsed license and license rights.

4.

At all times mentioned, in the City of El Monte, County of Los Angeles, TPC 2000 acted as a real estate broker and conducted licensed activities within the meaning of Code Section 10131(d). TPC 2000 operated a mortgage and loan brokerage dba as A-1 Investment.

FIRST CAUSE OF ACTION

(Audit violations)

MORTGAGE LOAN BROKER AUDIT OF TPC 2000 CORPORATION

5.

On July 9, 2003, the Department completed an audit examination of the books and records of TPC 2000 pertaining to its mortgage and loan activities requiring a real estate license as described in Paragraph 4. The audit examination covered a period of time beginning on April 1, 2002 to April 30, 2003. The audit examination revealed violations of the Code and the Regulations as

set forth below, and more fully discussed in Audit Report LA 020325 and the exhibits and workpapers attached to said audit report.

#### CAUSES FOR DISCIPLINE

6.

In the course of activities described in Paragraph 4, and during the examination period described in Paragraph 5, Respondent TPC 2000, acted in violation of the Code and the Regulations in that TPC:

(a) Failed to disclose that TPC charged credit report fees in excess of the amount billed to the borrower by the credit reporting company including, but not limited to, the following borrowers: Wing Hung Yu (Loan No. 1000019831) and David Tran (Loan No. 1000021479).

(b) Failed to provide and/or maintain a statement in writing containing all the information required by Section 10241 of the Code to borrowers Wing Hung Yu (Loan No. 1000019831) and David Tran (Loan No. 1000021479), before they became obligated to perform under the terms of their loans, as required by Code Sections 10240 and 10241 and Regulation

#### DETERMINATION OF ISSUES

1.

The conduct, acts and/or omissions of Respondent TPC 2000 as described in Finding 6(a), herein above, are in violation of Business and Professions Code ("Code") Sections 10176(g) and 10176(i).

2.

The conduct, acts and/or omissions of Respondent TPC 2000 as described in Finding 6(b), herein above, are in violation of Code Sections 10240, 10241 and Title 10, Chapter 6, of the California Code or Regulations Section 2840.

3.

The standard of proof applied was clear and convincing proof to a reasonable certainty.



Cause for disciplinary action against Respondent TPC 2000 exists pursuant to Code Sections 10176(g), 10176(i), 10177(d) and 10177(g).

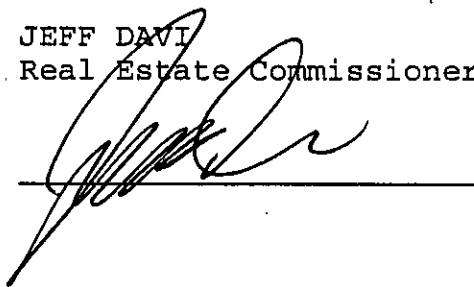
ORDER

The license rights of Respondent TPC 2000 under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on SEP 25, 2006.

DATED: 8-25-06, 2006

JEFF DAVIS  
Real Estate Commissioner



FILED  
JUL 13 2006  
DEPARTMENT OF REAL ESTATE

*K. W. ...*

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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-32096 LA
	)	
TPC 2000, a California Corporation,	)	
	)	
Respondent,	)	
	)	
	)	
	)	

DEFAULT ORDER

Respondent TPC 2000, a California Corporation, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED

July 13, 2006  
JEFF DAVI  
Real Estate Commissioner

*M. Dolores Weeks*  
By: M. DOLORES WEEKS  
Regional Manager

*M. Dolores Weeks*

*Handwritten signature/initials*

**FILED**  
AUG -1 2005  
DEPARTMENT OF REAL ESTATE

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

3  
4 Telephone: (213) 576-6911 (direct)  
-or- (213) 576-6982 (office)

By *R. J. ...*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )

No. H-32096 LA

12 IMPERIAL LENDING CORPORATION; )  
TOP-HON FINANCIAL GROUP INC.; )  
13 TOP ONE FINANCIAL GROUP INC.; )  
14 TPC 2000 CORPORATION, doing )  
business as A-1 Investment; )  
15 and RICH S. LEE, individually )  
and as designated officer of )  
16 Imperial Lending Corporation; )  
Top-Hon Financial Group Inc.; )  
17 Top One Financial Group Inc.; and )  
TPC 2000 Corporation, )

A C C U S A T I O N

18 Respondents. )  
19

20 The Complainant, Maria Suarez, a Deputy Real Estate  
21 Commissioner of the State of California, for cause of Accusation  
22 against IMPERIAL LENDING CORPORATION; TOP-HON FINANCIAL GROUP  
23 INC.; TOP ONE FINANCIAL GROUP INC.; TPC 2000 CORPORATION dba A-1  
24 Investment; and RICH S. LEE, individually and as designated  
25 officer of Imperial Lending Corporation; Top-Hon Financial Group  
26

1 Inc.; Top One Financial Group Inc., and TPC 2000 Corporation,  
2 Wings Realty, and Villamerica Home Services, alleges as follows:

3 1.

4 The Complainant, Maria Suarez, acting in her official  
5 capacity as a Deputy Real Estate Commissioner of the State of  
6 California, makes this Accusation against IMPERIAL LENDING  
7 CORPORATION ("IMPERIAL"), TOP-HON FINANCIAL GROUP INC. ("TOP  
8 HON"), TOP ONE FINANCIAL GROUP INC. ("TOP ONE"), TPC 2000  
9 CORPORATION ("TPC") and RICH S. LEE ("LEE"), individually and as  
10 designated officer of Imperial Lending Corporation, Top-Hon  
11 Financial Group Inc., Top One Financial Group Inc., and TPC 2000  
12 Corporation.

13 2.

14 All references to the "Code" are to the California  
15 Business and Professions Code and all references to "Regulations"  
16 are to Title 10, Chapter 6, California Code of Regulations.  
17

18 3.

19 IMPERIAL, TOP HON, TOP ONE, TPC and LEE (sometimes  
20 hereinafter referred to as Respondents) are presently licensed or  
21 have license rights under the Real Estate Law (Part 1 of Division  
22 4 of the Business and Professions Code, hereinafter "Code").

23 4.

24 At all time herein mentioned, LEE was licensed by the  
25 Department as the designated officer of IMPERIAL, TOP HON, TOP  
26 ONE and TPC to qualify them and to act for them as a real estate  
27

1 broker and, as provided by Code Section 10159.2, was responsible  
2 for the supervision and control of the activities conducted on  
3 behalf of IMPERIAL, TOP HON, TOP ONE and TPC by its officers,  
4 managers and employees as necessary to secure full compliance  
5 with the provisions of the Real Estate Law including the  
6 supervision of the salespersons licensed to the corporation in  
7 the performance of acts for which a real estate license is  
8 required. IMPERIAL's corporate real estate broker license was  
9 originally issued on November 4, 2002. TOP HON's corporate real  
10 estate broker license was originally issued on January 30, 2002.  
11 TOP ONE's corporate real estate broker license was originally  
12 issued on December 23, 1998. TPC's corporate real estate broker  
13 license was originally issued on March 1, 2001. LEE was  
14 originally licensed as a real estate broker on January 24, 1997.  
15 LEE has been the designated officer of IMPERIAL, TOP HON, TOP ONE  
16 and TPC since their inception.

17  
18 5.

19 Whenever reference is made in an allegation in the  
20 Accusation to an act or omission of IMPERIAL, TOP HON, TOP ONE  
21 and TPC, such allegation shall be deemed to mean that the  
22 officers, directors, managers, employees, agents and real estate  
23 licensees employed by or associated with IMPERIAL, TOP HON, TOP  
24 ONE and TPC, including LEE, committed such act or omission while  
25 engaged in the furtherance of IMPERIAL's, TOP HON's, TOP ONE's  
26 and TPC's business or operation and while acting within the  
27

1 course and scope of IMPERIAL's, TOP HON's, TOP ONE's and TPC's  
2 corporate authority, agency and employment.

3 6.

4 At all times herein mentioned in the cities of El Monte  
5 and Arcadia, California, IMPERIAL, TOP HON, TOP ONE and TPC  
6 engaged in the business as a real estate broker within the  
7 meaning of Code Section 10131(d) in that IMPERIAL, TOP HON, TOP  
8 ONE and TPC operated as mortgage and loan brokers and more  
9 specifically as loan packagers. RICH S. LEE, in his individual  
10 capacity dba Wings Realty and Villamerica Home Services engaged  
11 in the business as a real estate broker within the meaning of  
12 Code Section 10131(a) in that RICH S. LEE operated as a  
13 residential resale broker and mortgage and loan broker.  
14

15 FIRST CAUSE OF ACCUSATION

16 TOP HON FINANCIAL GROUP INC.

17 (Audit Findings)

18 7.

19 On May 27, 2003, the Department completed an audit  
20 examination of the books and records of TOP HON FINANCIAL GROUP  
21 INC. pertaining to its mortgage loan activities requiring a real  
22 estate license as described in Paragraph 6. The audit  
23 examination covered a period of time beginning on April 1, 2002  
24 to March 31, 2003. The audit examination revealed violations of  
25 the Code and the Regulations as set forth below, and more fully  
26 discussed in Audit Report LA 020326 and the exhibits and  
27

workpapers attached to said audit report.

8.

At all times material herein, in connection with the activities described in Paragraph 6, above, Respondent TOP HON did not maintain a trust fund or handle trust funds.

9.

In the course of activities described in Paragraph 6 above, and during the examination period described in Paragraph 7, Respondents TOP HON and LEE, acted in violation of the Code and the Regulations in that TOP HON:

(a) Received undisclosed compensation via broker origination fees and administration fees earned in connection with Respondent's mortgage loan activities requiring a real estate license for borrowers Louie & Katie Liu (\$1166.25), Ringle & Yan Zeng (\$95), and Ha & Nu Phu (\$300). These fees were not disclosed in the Mortgage Loan Disclosure Statements/Good Faith Estimates provided to the aforesaid borrowers. TOP HON received a total of \$1,561.25 in undisclosed compensation. TOP HON failed to provide and/or maintain a statement in writing containing all the information required by Section 10241 of the Code to the aforesaid borrowers before they became obligated to perform under the terms of their loans, as required by Code Sections 10240 and 10241 and Regulation 2840.

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10.

The conduct of Respondents TOP HON and LEE, described in Paragraph 9, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
9(a)	Code Sections 10240, 10241 and Regulation 2840

Each of the foregoing violations separately constitutes cause for the suspension or revocation of the real estate license and license rights of TOP HON and LEE under the provisions of Code Sections 10177(d) and/or 10177(g).

SECOND CAUSE OF ACCUSATION

MORTGAGE LOAN BROKER AUDIT OF TOP ONE FINANCIAL GROUP INC.  
(Audit Findings)

11.

On May 21, 2003, the Department completed an audit examination of the books and records of TOP ONE FINANCIAL GROUP INC. pertaining to its mortgage loan activities requiring a real estate license as described in Paragraph 6. The audit examination covered a period of time beginning on April 1, 2002 to March 31, 2003. The audit examination revealed violations of the Code and the Regulations as set forth below, and more fully discussed in Audit Report LA 020324 and the exhibits and workpapers attached to said audit report.



12.

1  
2 In the course of activities described in Paragraph 6,  
3 and during the examination period described in Paragraph 11,  
4 Respondents the TOP ONE and LEE, acted in violation of the Code  
5 and the Regulations in that TOP ONE:

6 (a) failed to provide and/or maintain a statement in  
7 writing containing all the information required by Section 10241  
8 of the Code to borrowers Jainn Wang & Mi Fang Wang, Shi Din &  
9 Kuei Sung, William Leung & Yumi Leung, and Peter C. Yin, before  
10 they became obligated to perform under the terms of their loans,  
11 as required by Code Sections 10240 and 10241 and Regulation 2840.  
12 The "Additional Required California Disclosures" were not  
13 complete. TOP ONE failed to disclosed the yield spread premiums  
14 it received from the lenders.

15  
16 13.

17 The conduct of Respondents TOP ONE and LEE, described  
18 in Paragraph 12, violated the Code and the Regulations as set  
19 forth below:

20 PARAGRAPH

PROVISIONS VIOLATED

21 12(a)

Code Sections 10240, 10241 and  
22 Regulation 2840

23 Each of the foregoing violations separately constitutes cause for  
24 the suspension or revocation of the real estate license and  
25 license rights of TOP ONE and LEE under the provisions of Code  
26 Sections 10177(d) and/or 10177(g).  
27

1 THIRD CAUSE OF ACCUSATION

2 MORTGAGE LOAN BROKER AUDIT OF IMPERIAL LENDING CORPORATION

3 (Audit Findings)

4 14.

5 On May 22, 2003, the Department completed an audit  
6 examination of the books and records of IMPERIAL LENDING  
7 CORPORATION pertaining to its mortgage loan activities requiring  
8 a real estate license as described in Paragraph 6. The audit  
9 examination covered a period of time beginning on November 1,  
10 2002 to March 31, 2003. The audit examination revealed  
11 violations of the Code and the Regulations as set forth below,  
12 and more fully discussed in Audit Report LA 020328 and the  
13 exhibits and workpapers attached to said audit report.  
14

15 15.

16 In the course of activities described in Paragraph 6,  
17 and during the examination period described in Paragraph 14,  
18 Respondents IMPERIAL and LEE, acted in violation of the Code and  
19 the Regulations in that IMPERIAL:

20 (a) failed to provide and/or maintain a statement in  
21 writing containing all the information required by Section 10241  
22 of the Code to borrowers Leo & Rebecca O'Brien, and Liwen and  
23 Mark Yang, before they became obligated to perform under the  
24 terms of their loans, as required by Code Sections 10240 and  
25 10241 and Regulation 2840. The "Additional Required California  
26 Disclosures" were not complete. IMPERIAL failed to disclosed the  
27

yield spread premiums it received from the lenders.

16.

The conduct of Respondents IMPERIAL and LEE, described in Paragraph 15, violated the Code and the Regulations as set forth below:

PARAGRAPH

PROVISIONS VIOLATED

15(a)

Code Sections 10240, 10241 and  
Regulation 2840

Each of the foregoing violations separately constitutes cause for the suspension or revocation of the real estate license and license rights of IMPERIAL and LEE under the provisions of Code Sections 10177(d) and/or 10177(g).

FOURTH CAUSE OF ACCUSATION

MORTGAGE LOAN BROKER AUDIT OF TPC 2000 CORPORATION

(Audit Findings)

17.

On July 9, 2003, the Department completed an audit examination of the books and records of TPC 2000 CORPORATION pertaining to its mortgage loan activities requiring a real estate license as described in Paragraph 6. The audit examination covered a period of time beginning on April 1, 2002 to April 30, 2003. The audit examination revealed violations of the Code and the Regulations as set forth below, and more fully discussed in Audit Report LA 020325 and the exhibits and workpapers attached to said audit report.

1  
2 In the course of activities described in Paragraph 6,  
3 and during the examination period described in Paragraph 17,  
4 Respondents TPC and LEE, acted in violation of the Code and the  
5 Regulations in that TPC:

6 (a) Failed to disclose that TPC charged credit report  
7 fees in excess of the amount billed to the borrower by the credit  
8 reporting company including, but not limited to, the following  
9 borrowers: Wing Hung Yu (Loan No. 1000019831) and David Tran  
10 (Loan No. 1000021479). This failure to disclose constitutes the  
11 taking of a secret profit by means of compensation undisclosed to  
12 the aforesaid borrowers, in violation of Code Sections 10176(g)  
13 and 10176(i).

14 (b) Failed to provide and/or maintain a statement in  
15 writing containing all the information required by Section 10241  
16 of the Code to borrowers Wing Hung Yu (Loan No. 1000019831) and  
17 David Tran (Loan No. 1000021479), before they became obligated to  
18 perform under the terms of their loans, as required by Code  
19 Sections 10240 and 10241 and Regulation 2840.  
20

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19.

The conduct of Respondents TPC and LEE, described in Paragraph 18, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
18(a)	Code Sections 10176(g) and 10176(i)
18(b)	Code Sections 10240, 10241 and Regulation 2840

Each of the foregoing violations separately constitutes cause for the suspension or revocation of the real estate license and license rights of TPC and LEE under the provisions of Code Sections 10176(g), 10176(i), 10177(d) and/or 10177(g).

FIFTH CAUSE OF ACCUSATION

RESALE and MORTGAGE LOAN BROKER AUDIT OF RICH S. LEE  
(Audit Findings)

20.

On July 25, 2003, the Department completed an audit examination of the books and records of RICH S. LEE pertaining to his sales and mortgage loan activities requiring a real estate license as described in Paragraph 6. The audit examination covered a period of time beginning on October 1, 2003 to April 30, 2003. The audit examination revealed violations of the Code and the Regulations as set forth below, and more fully discussed

1 in Audit Report LA 020323 and LA 020410 and the exhibits and  
2 workpapers attached to said audit report.

3 21.

4 In the course of activities described in Paragraph 6,  
5 and during the examination period described in Paragraph 20,  
6 Respondent LEE, acted in violation of the Code and the  
7 Regulations in that LEE:

8 (a) Failed to adequately supervise salesperson Juan R  
9 Altamirano with respect to the handling of the Edna and the  
10 Ulises Duran purchase transactions, as required by Code Section  
11 10177(h).

12 (b) Failed to obtain a license for "Villamerica Homes  
13 Services" for use as a branch office located at 1500 W. Covina  
14 Parkway, Ste. 112, West Covina, California, in violation of Code  
15 Section 10163 and Regulation 2715..

16 (c) Failed to place funds accepted on behalf of buyers  
17 in the form of escrow deposits into the hands of the owner of the  
18 funds, into a neutral escrow depository or into a trust fund  
19 account in the name of the broker as trustee at a bank or other  
20 financial institution not later than three business days  
21 following receipt of the funds, in violation of Code Section  
22 10145 of the Code and Regulation 2832(d). Lee held the earnest  
23 money deposit in the amount of \$15,000 for Edna Kuffour beyond  
24 three days after acceptance of the offer.  
25  
26  
27

1 (d) Failed to maintain a complete and accurate control  
2 record in the form of a columnar record in chronological order of  
3 all trust funds received, deposited and disbursed including the:

- 4 • Edna Kuffour \$15,000 earnest money deposit;
- 5 • Guzman & Serrano \$1,000 earnest money deposit;
- 6 • Serrano \$5000 earnest money deposit; and
- 7 • Lamas & Gutierrez \$1,000 earnest money deposit,

8 as required by Code Section 10145 and Regulation 2831.

9 (e) Failed to notify the Department of the termination  
10 of three salespersons, Raul R. Altamirano, Juan Carlos Garcia and  
11 Isidro Morales, as required by Code Section 10161.8 and  
12 Regulation 2752.  
13

14 22.

15 The conduct of Respondent LEE, described in Paragraph  
16 21, violated the Code and the Regulations as set forth below:

17 <u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
18 21(a)	Code Section 10177(h)
19	
20 21(b)	Code Section 10163 and
21	Regulation 2715
22	
23 21(c)	Code Section 10145 and
24	Regulation 2832(d)
25	
26	
27	

1 21(d)

Code Section 10145 and  
Regulation 2831

3  
4 21(e)

Code Section 10161.8 and  
Regulation 2752

5  
6 Each of the foregoing violations separately constitutes cause for  
7 the suspension or revocation of the real estate license and  
8 license rights of LEE under the provisions of Code Sections  
9 10177(d) and/or 10177(g).  
10

11 SIXTH CAUSE OF ACCUSATION

12 (Negligence)

13 23.

14 The overall conduct, acts or omissions of Respondent  
15 LEE constitutes negligence or incompetence and is cause for the  
16 suspension or revocation of the real estate license and license  
17 rights of Respondent LEE pursuant to Code Section 10177(g).  
18

19 SEVENTH CAUSE OF ACCUSATION

20 (Supervision)

21 24.

22 The overall conduct, acts or omissions of Respondent  
23 LEE constitutes a failure on his part, as officer designated by a  
24 corporate broker licensee, to exercise reasonable supervision and  
25 control over the licensed activities of IMPERIAL, TOP HON, TOP  
26 ONE and TPC, as required by Code Section 10159.2, and to keep  
27 IMPERIAL, TOP HON, TOP ONE and TPC in compliance with the Real



1 Estate Law, and is cause for the suspension or revocation of the  
2 real estate license and license rights of IMPERIAL, TOP HON, TOP  
3 ONE and TPC pursuant to Code Sections 10177(d) and/or 10177(h).

4 WHEREFORE, complainant prays that a hearing be  
5 conducted on the allegations of this Accusation and, that upon  
6 proof thereof, a decision be rendered imposing disciplinary  
7 action against all licenses and licensing rights of Respondents  
8 IMPERIAL LENDING CORPORATION, TOP-HON FINANCIAL GROUP INC., TOP  
9 ONE FINANCIAL GROUP INC., TPC 2000 CORPORATION and RICH S. LEE,  
10 individually and as designated officer of Imperial Lending  
11 Corporation, Top-Hon Financial Group Inc., Top One Financial  
12 Group Inc., and TPC 2000 Corporation under the Real Estate Law  
13 (Part 1 of Division 4 of the Business and Professions Code) and  
14 for such other and further relief as may be proper under other  
15 applicable provisions of law.  
16

17 Dated at Los Angeles, California  
18 this *28th day of July 2005.*

19  
20   
21 Deputy Real Estate Commissioner

22 cc: Imperial Lending Corporation  
23 Top-Hon Financial Group Inc.  
24 Top One Financial Group Inc.  
25 TPC 2000 Corporation  
26 c/o Rich S. Lee  
27 Maria Suarez  
Sacto  
JN  
Audits - Dianna Baustista