

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Deputy Commissioner
3 JUDY L. HARTLEY (CA BAR NO. 110628)
Senior Corporations Counsel
4 Department of Corporations
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6 Attorneys for Complainant

8 BEFORE THE DEPARTMENT OF CORPORATIONS
9 OF THE STATE OF CALIFORNIA

10
11 In the Matter of the Accusation of THE) File No.: 603-6988
CALIFORNIA CORPORATIONS)
12 COMMISSIONER,) ACCUSATION
13)
Complainant,)
14)
15 vs.)
16 OSCAR SOTO VASQUEZ,)
17 Respondent.)
18)
19)

20 The Complainant is informed and believes, and based upon such information and belief,
21 alleges and charges Respondent as follows:

22 I
23 INTRODUCTION

24 Respondent Oscar Soto Vasquez (“Vasquez”) was at all times relevant herein, the president,
25 director and sole shareholder of Quest Home Loans, Inc. doing business as Quest Mortgage
26 (“Quest”), a lender previously licensed by the California Corporations Commissioner
27 (“Commissioner”) pursuant to the California Finance Lenders Law of the State of California
28 (California Financial Code § 22000 et seq.) (“CFL”).

1 Quest held finance lenders license number 603-6988 from October 12, 1999 through August
2 26, 2008 when its license was revoked for failing to pay the annual assessment as required by the
3 CFLL. Quest had its last licensed location at 251 S B Street, Oxnard, California.

4 II

5 FALSE ANNUAL REPORTS

6 Pursuant to Financial Code section 22159, all CFLL licensees are required to file an annual
7 report with the Commissioner on or before March 15 of each year. On or about March 15, 2004,
8 Quest, by and through Vasquez, filed its annual report for the calendar year 2003. The 2003 annual
9 report stated that Quest had not made or brokered any loans under the CFLL and had made no
10 income from CFLL loans or CFLL brokered loans during 2003. The annual report claimed income
11 of \$2,088,444.00 from loans made under its Department of Real Estate license and further income of
12 \$3,812,701.00 for loans brokered under its Department of Real Estate license. Vasquez executed the
13 2003 annual report as its preparer and attested to its accuracy under penalty of perjury.

14 On or about April 13, 2005, Quest, by and through Vasquez, filed its annual report for the
15 calendar year 2004. The 2004 annual report stated that Quest had not made or brokered any loans
16 under the CFLL and had made no income from CFLL loans or CFLL brokered loans during 2004.
17 The annual report claimed income of \$2,805,033 from loans made under its Department of Real
18 Estate license and further income of \$4,563,336.00 for loans brokered under its Department of Real
19 Estate license. The 2004 annual report noted Vasquez as the person preparing the annual report.

20 On or about May 5, 2006, Quest, by and through Vasquez, filed its annual report for the
21 calendar year 2005. The 2005 annual report stated that Quest had not made or brokered any loans
22 under the CFLL and had made no income from CFLL loans or CFLL brokered loans during 2005.
23 The annual report claimed no income from any other source. Vasquez executed the 2005 annual
24 report as its preparer and attested to its accuracy under penalty of perjury. The 2005 annual report
25 was submitted with a cover letter signed by Vasquez further representing that Quest did not conduct
26 any business under its CFLL license for the calendar year 2005.

27 On or about March 15, 2007, Quest, by and through Vasquez, filed its annual report for the
28 calendar year 2006. The 2006 annual report stated that Quest had not made or brokered any loans

1 under the CFLL and had made no income from CFLL loans or CFLL brokered loans during 2006.
2 The annual report claimed no income from any other source. Vasquez executed the 2006 annual
3 report as its preparer and attested to its accuracy under penalty of perjury. The 2007 annual report
4 was submitted with a cover letter signed by Vasquez further representing that Quest did not conduct
5 any business under its CFLL license for the calendar year 2006.

6 On or about March 19, 2008, Quest, by and through Vasquez, filed its annual report for the
7 calendar year 2007. The 2007 annual report stated that Quest had not made or brokered any loans
8 under the CFLL and had made no income from CFLL loans or CFLL brokered loans during 2007.
9 The annual report claimed no income from any other source. Vasquez executed the 2007 annual
10 report as its preparer and attested to its accuracy under penalty of perjury. The 2007 annual report
11 was submitted with a cover letter signed by Vasquez further representing that Quest did not conduct
12 any business under its CFLL license for the calendar year 2006.

13 Additionally, on or about January 8, 2003, Quest submitted a letter to the Department of
14 Corporations (“Department”) stating that the last loan it made under its CFLL license was on
15 April 27, 2001. This letter was in response to Department requests for information during a
16 regulatory examination. A further letter signed by Vasquez was submitted to the Department on or
17 about March 6, 2007, stating that Quest was not doing business under its CFLL license after a
18 request for a list of loans made under its CFLL license for the years 2004-2006 had been made to
19 Quest during a subsequent regulatory examination.

20 On or about June 29 and 30, 2009, Vasquez was deposed in regards to a civil action brought
21 by the Ventura County District Attorney’s Office for violations of Sections 17200 and 17500 of the
22 Business and Professions by having committed violations of the California Real Estate Law. During
23 that deposition, Vasquez testified under oath that the majority of the loans made and/or brokered by
24 Quest from May 1, 2001 through to at least June 2005, along with numerous other loans from June
25 2005 through at least June 2007, were done under its CFLL license.

26 Again, on or about September 3, 2009, Vasquez, in a letter to the Grievance Committee of
27 the Ventura County Coastal Association of Realtors represented that most of the loans
28 made/brokered by Quest were under its CFLL license.

1 Respondent from any position of employment, management or control of any finance lender and/or
2 broker.

3 WHEREFORE, IT IS PRAYED that Respondent Oscar Soto Vasquez be barred from any
4 position of employment, management or control of any finance lender and/or broker.

5 Dated: October 29, 2009
6 Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

7 By _____
8 Judy L. Hartley
9 Senior Corporations Counsel

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