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FILED

JUN 23 2012

DEPARTMENT OF REAL ESTATE

By K. Contreras

BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of	)	
	)	No. H-2767 FR
JAMES LEE LANKFORD,	)	
	)	<u>ACCUSATION</u>
Respondent.	)	
_____	)	

The Complainant, PHILLIP IHDE, a Deputy Real Estate Commissioner of the State of California, is informed and has cause to make this Accusation in his official capacity against JAMES LEE LANKFORD (herein "Respondent") dba Century 21 Apollo (herein "Apollo") and alleges the following:

1

At all times herein mentioned, Respondent was and now is licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) (herein "the Code").

2

At all times herein mentioned, Respondent was and now is licensed by the State of California Department of Real Estate (herein "the Department") as a real estate broker.

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At all times herein mentioned, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131(a) of the Code, including the operation and conduct of a resale brokerage with the public wherein, on behalf of others, for compensation or in expectation of compensation, Respondent sold and offered to sell, bought and offered to buy, solicited prospective sellers and purchasers of, solicited and obtain listings of, and negotiated the purchase and sale of real property.

Between about December 15, 2009 and about January 8, 2010, Respondent, dba Apollo, listed the following properties (herein "the Properties") for sale:

<u>Property Address</u>	<u>Listing Date</u>	<u>Multiple Listing Number</u>
xx31 Wycliffe Drive Modesto, CA	12/15/09	90094686
xx04 Wycliffe Drive Modesto, CA	1/89/10	10002883

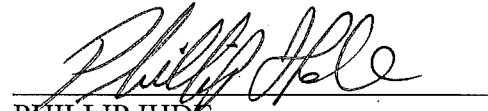
On about November 3, 2011, at 5:00 pm, the Department, through Special Investigator Ruben Coronado, caused a Subpena Duces Tecum (herein "the Subpena") to be mailed to Respondent, pursuant to Sections 11181 and 11182 of the Government Code and Sections 10148 and 10071 of the Code, requesting complete copies of the transactional files for the Properties described in Paragraph 4, above, be submitted to 2550 Mariposa Street, Room 3070, Fresno, CA 93721, on or before November 30, 2011, by 5:00 pm.

On or about November 22, 2011, Respondent responded to the Subpena, but failed to submit, said transactional files to the address described in Paragraph 4, above, by November 30, 2011 at 5:00 pm, in violation of Section 10148 of the Code.

The facts alleged above are grounds for the suspension or revocation of the license and license rights of Respondent under Sections 10148 of the Code.

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

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of Respondent under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of the investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

  
PHILLIP IHDE  
Deputy Real Estate Commissioner

Dated at LOS ANGELES, California  
this 25TH day of APRIL, 2012.