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By Shell

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of

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M.J. BROCK & SONS, INC.,

No. H-3029 SAC

Respondent.

ORDER GRANTING REINSTATEMENT OF LICENSE

On December 20, 1995, an Order was rendered herein revoking the real estate broker license of Respondent, but granting Respondent the right to the issuance of a restricted real estate broker license. A restricted real estate broker license was issued to Respondent on January 30, 1996, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On April 30, 1999, Respondent petitioned for reinstatement of said real estate broker license, and the Attorney General of the State of California has been given notice of the filing of said petition.

- 1 -

	1	I have considered the petition of Respondent and the
	2	evidence and arguments in support thereof including Respondent's
	3	record as a restricted licensee. Respondent has demonstrated to
	4	my satisfaction that Respondent meets the requirements of law for
	5	the issuance to Respondent of an unrestricted real estate broker
	6	license and that it would not be against the public interest to
	7	issue said license to Respondent.
	8	NOW, THEREFORE, IT IS ORDERED that Respondent's
	9	petition for reinstatement is granted and that a real estate
	10	broker license be issued to Respondent if Respondent satisfies
	11	the following condition within nine months from the date of this
	12	Order:
	-13	A. Submittal of a completed application and payment of
	14	the fee for a real estate broker license.
•	15	This Order shall be effective immediately.
	16	DATED: <u>fluice 24, 2006</u>
	17	PAULA REDDISH ZINNEMANN Real Estate Commissioner
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	3	FEB 1 1 2000
	4	DEPARTMENT OF REAL ESTATE
	5	By Jean annie
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	8	BEFORE THE DEPARTMENT OF REAL ESTATE
•	- 9	STATE OF CALIFORNIA
	10	* * *
	11	In the Matter of the Accusation of)) No. H-3029 SAC
	12	DONALD EUGENE REED,)
	13	Respondent.)
	14	
	15	ORDER GRANTING REINSTATEMENT OF LICENSE
	16	On December 20, 1995, an Order was rendered herein
	17 18	revoking the real estate broker license of Respondent, but
	.19	granting Respondent the right to the issuance of a restricted
	20	real estate broker license. A restricted real estate broker
	20	license was issued to Respondent on March 8, 1996, and Respondent
	22	has operated as a restricted licensee without cause for
	23	disciplinary action against Respondent since that time. On May 25, 1999, Respondent petitioned for
	24	reinstatement of said real estate broker license, and the
	25	Attorney General of the State of California has been given notice
	26	of the filing of said petition.
	27	///
		- 1 -

I have considered the petition of Respondent and the evidence and arguments in support thereof including Respondent's record as a restricted licensee. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an unrestricted real estate broker license and that it would not be against the public interest to issue said license to Respondent.

NOW, THEREFORE, IT IS ORDERED that Respondent's
petition for reinstatement is granted and that a real estate
broker license be issued to Respondent if Respondent satisfies
the following conditions within nine months from the date of this
Order:
Submittal of a completed application and payment of

13 1. Submittal of a completed application and payment of 14 the fee for a real estate broker license.

¹⁵ 2. Submittal of evidence of having, since the most
 ¹⁶ recent issuance of an original or renewal real estate license,
 ¹⁷ taken and successfully completed the continuing education
 ¹⁸ requirements of Article 2.5 of Chapter 3 of the Real Estate Law
 ¹⁹ for renewal of a real estate license.

This Order shall be effective immediately. DATED: en an 2000

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BAULA BEDDISH ZIMNEMANN Real Estate Commissioner

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3	DEPARTMENT OF REAL ESTATE
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8	BEFORE THE DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10	· * * *
11	In the Matter of the Accusation of)
12	DONALD EUGENE REED,) NO. H-3029 SAC
13) Respondent.)
14)
15	QRDER DENYING REINSTATEMENT OF LICENSE
16	On December 20, 1995, an Order was rendered herein
17	
18	granting Respondent the right to the issuance of a restricted real
19	estate broker license. A restricted real estate broker license
20	was issued to Respondent on March 8, 1996.
21	On April 16, 1997, Respondent petitioned for
22	reinstatement of said real estate broker license, and the Attorney
23	General of the State of California has been given notice of the
24	filing of said petition.
25	I have considered Respondent's petition and the evidence
26	and arguments in support thereof. Respondent has failed to
27	demonstrate to my satisfaction that Respondent has undergone
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STATE OF CALIFORNIA STD. 113 (REV. 3-95) 95 28391	- 1 -

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1 sufficient rehabilitation to warrant the reinstatement of 2 Respondent's real estate broker license, in that the violations 3 which led to disciplinary action in this matter were substantially similar to the violations which occurred in H-1614 SD decided on 4 5 February 23, 1989. In view of Respondent's repeated violations, additional time is required to establish that Respondent will not 6 7 engage in future violations and that he is entitled to an 8 unrestricted real estate broker license.

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	NOW, THEREFORE, IT IS ORDERED that Respondent's petition
10	for reinstatement of his real estate broker license is denied.
11	This Order shall become effective at 12 o'clock
12	noon on <u>June 1, 1998</u> , 1998.
13	DATED:5/5/98JIM ANTT, JR.
14	Real Estate Commissioner
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R ORNIA 3-95)	

. 1	Department of Real Estate			
. 2	P. O. Box 187000 Sacramento, CA 95818-7000			
3	Telephone: (916) 227-0789	JAN 1 0 1996		
4		DEPARTMENT OF REAL ESTATE		
5		$\mathcal{P} \cdot \mathcal{O} \mathcal{Q} \cdot$		
6		of quirie 1. Jan		
7	• .			
. 8	BEFORE THE DEPARTMENT	OF REAL ESTATE		
9	STATE OF CALI	FORNIA		
· 10	* * *			
. 11	In the Matter of the Accusation of)	NO. H-3029 SAC		
12	M.J. BROCK & SONS, INC.,)	OAH NO. N-9408045		
13	DONALD EUGENE REED,	<u>STIPULATION AND</u> AGREEMENT IN		
14) Decreationt	SETTLEMENT AND ORDER		
15	Respondent.)			
16	It is hereby stipulated by and between M.J. BROCK &			
17	SONS, INC. (hereinafter "Respondent BROCK") and DONALD EUGENE REEL			
18	(hereinafter "Respondent REED"), and	their attorney of record,		
19	Robert J. Sullivan, and the Complaina	ant, acting by and through		
20	David A. Peters, Counsel for the Depa	artment of Real Estate, as		
21	follows for the purpose of settling a	and disposing of the		
22	Accusation filed on July 20, 1994 in	this matter:		
23 1. All issues which were to be contested an				
24	24 evidence which was to be presented by Complainant and Resp			
25	25 at a formal hearing on the Accusation, which hearing was to b			
26	held in accordance with the provisior	ns of the Administrative		
27	· Procedure Act (APA), shall instead ar	nd in place thereof be		
COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 8-72) 85 34769	H-3029 SAC - 1 -	M.J. BROCK & SONS, INC. DONALD EUGENE REED		

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submitted solely on the basis of the provisions of this Stipulation and Agreement in Settlement.

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

On August 2, 1994, Respondents filed a Notice of 3. 7 Defense pursuant to Section 11505 of the Government Code for the 8 purpose of requesting a hearing on the allegations in the 9 Accusation. Respondents hereby freely and voluntarily withdraw 10 said Notice of Defense. Respondents acknowledge that they 11 understand that by withdrawing said Notice of Defense they will 12 thereby waive their right to require the Commissioner to prove the 13 allegations in the Accusation at a contested hearing held in 14 accordance with the provisions of the APA and that they will waive 15 other right to present evidence in defense of the allegations in 16 the Accusation and the right to cross-examine witnesses. 17

18 4. Respondents, pursuant to the limitations set forth
19 below, hereby agree that this matter shall be submitted on the
20 pleadings filed in these proceedings without admitting any of the
21 allegations contained therein. The Real Estate Commissioner shall
22 not be required to provide further evidence to prove such
23 allegations.

5. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation and Agreement as his decision in this matter thereby imposing the penalty and sanctions on Respondents' real estate licenses and license rights as set

COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 8-72)

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In the event that the Commissioner, forth in the below "Order". 1 in his discretion does not adopt the Stipulation and Agreement in Settlement, it shall be void and of no effect, and Respondents shall retain the right to a hearing and proceeding on the Accusation under all the provisions of the APA and shall not be bound by any admission or waiver made herein.

The Order or any subsequent Order of the Real 6. 7 Estate Commissioner made pursuant to this Stipulation and 8 Agreement in Settlement shall constitute an estoppel, merger or 9 bar to any further administrative or civil proceedings by the 10 Department of Real Estate with respect to any matters which were 11 specifically alleged to be causes for accusation in this 12 proceeding. 13

Pursuant to this Stipulation, the Determination of 7. 14 Issues and Order are agreed to only for the purpose of this 15 proceeding between Respondents and the Department. The parties 16 hereto intend that the Decision not be given res judicata/ 17 collateral estoppel effect except as between them. The order 18 based hereon shall not be treated as an admission of liability or 19 responsibility in any other proceeding not involving these same 20 parties. 21

DETERMINATION OF ISSUES

By reason of the foregoing stipulations, admissions and waivers and solely for the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that the following determination of issues shall be made:

COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 8-72)

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The conduct of Respondents <u>BROCK</u> and <u>REED</u> as described in the Accusation in this matter is grounds for the suspension or revocation of all of the real estate licenses and license rights of Respondents under the provisions of Section <u>10177(d)</u> of the Business and Professions Code in conjunction with Section <u>11018.2</u> of the Business and Professions Code and Section <u>2794</u> of Title 10, California Code of Regulations.

<u>ORDER</u>

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The real estate broker license and all license 10 rights of Respondent BROCK under the Real Estate Law are revoked. 11 A restricted real estate broker license shall be в. 12 issued to Respondent BROCK pursuant to Business and Professions 13 Code Section 10156.5 if Respondent BROCK makes application 14 therefor and pays to the Department the appropriate fee for said 15 license within ninety (90) days from the effective date of this 16 Decision herein. 17

18 <u>C. The restricted license issued to Respondent BROCK</u> 19 shall be subject to all the provisions of Section 10156.7 of the 20 Business and Professions Code and to the following limitations, 21 conditions and restrictions imposed under authority of Section 22 10156.6 of said Code:

23 (1) The license shall not confer any property right in 24 the privileges to be exercised, and the Real Estate Commissioner 25 may by appropriate order suspend the right to exercise any 26 privileges granted under the restricted license in the event of: 27 ///

COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 8-72)

H-3029 SAC

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1	(a) The conviction of Respondent BROCK (including
2	a plea of nolo contendere) to a crime which bears a
3	significant relation to Respondent BROCK's
4	fitness or capacity as a real estate licensee; or
5	(b) The receipt of evidence that Respondent BROCK
6	has violated provisions of the California Real
7	Estate Law, Subdivided Lands Law, Regulations of
8	the Real Estate Commissioner or conditions
9	attaching to the restricted license.
10	(2) Respondent BROCK shall not be eligible to apply for
11	issuance of an unrestricted real estate license nor the removal of
12	any of the conditions, limitations or restrictions attaching to
13	the restricted license until one (1) year has elapsed from the
14	date of issuance of a restricted license to Respondent BROCK.
15	D. Any restricted real estate broker license issued to
16	Respondent BROCK may be suspended or revoked for a violation by
17	Respondent BROCK of any of the conditions attaching to the
18	restricted license.
19	II
20	A. The real estate broker license and all license
21	rights of Respondent REED under the Real Estate Law are revoked.
22	B. A restricted real estate broker license shall be
23	issued to Respondent REED pursuant to Business and Professions
24	Code Section 10156.5 if Respondent REED makes application therefor
25	and pays to the Department the appropriate fee for said license
26	within ninety (90) days from the effective date of the Decision
27	herein.

COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 8-72)

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C. The restricted license issued to Respondent REED shall be subject to all the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of said Code:

(1) The license shall not confer any property right in the privileges to be exercised, and the Real Estate Commissioner may by appropriate order suspend the right to exercise any privileges granted under the restricted license in the event of:

The conviction of Respondent REED (including a (a) 10 plea of nolo contendere) to a crime which bears a 11 significant relation to Respondent REED's 12 fitness or capacity as a real estate licensee; or 13 The receipt of evidence that Respondent REED has (b) 14 violated provisions of the California Real Estate 15 Law, Subdivided Lands Law, Regulations of the Real 16

Estate Commissioner or conditions attaching to the restricted license.

Respondent REED shall not be eligible to apply (2)19 for issuance of an unrestricted real estate license nor the 20 removal of any of the conditions; limitations or restrictions 21 attaching to the restricted license until one (1) year has elapsed 22 from the date of issuance of a restricted license to Respondent 23 REED. 24 111 25 111 26 111 27

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1	B. Respondent REED shall, within nine (9) months from			
2	the effective date of the Decision, present evidence satisfactory			
. 3	to the Real Estate Commissioner that he has, since the most recent			
4	issuance of an original or renewal real estate license, taken and			
5	successfully completed the continuing education requirements of			
6	Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a			
· 7	real estate license. If Respondent REED fails to satisfy this			
8	condition, the Commissioner may order the suspension of the			
9	restricted license until Respondent REED presents such evidence.			
• • 10	The Commissioner shall afford Respondent REED the opportunity for			
11	a hearing pursuant to the Administrative Procedure Act to present			
12	Such evidence.			
13	E. Respondent REED shall, within six (6) months from			
14	the effective date of the restricted license, take and pass the			
15	Professional Responsibility Examination administered by the			
16	Department including the payment of the appropriate examination			
17	fee. If Respondent REED fails to satisfy this condition, the			
18	Commissioner may order suspension of the restricted license until			
19	Respondent passes the examination.			
20	F. Any restricted real estate broker license issued to			
21	Respondent REED may be suspended or revoked for a violation by			
22	Respondent REED of any of the conditions attaching to the			
23	restricted license.			
24	- Laure Mircht			
25	DATED DAVID A. PETERS, Counsel			
26	DEPARTMENT OF REAL ESTATE			
27	///			
COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 8-72) 85 34769	H-3029 SAC - 7 - M.J. BROCK & SONS, INC. DONALD EUGENE REED			

1 I have read the Stipulation and Agreement, have 2 discussed it with my counsel, and its terms are understood by me 3 and are agreeable and acceptable to me. I understand that I am 4 waiving rights given to me by the California Administrative 5 Procedure Act (including but not limited to Sections 11506, 6 11508, 11509, and 11513 of the Government Code), and I willingly, 7 intelligently, and voluntarily waive those rights, including the 8 right of requiring the Commissioner to prove the allegations in " 9 the Accusation at a hearing at which I would have the right to 10 cross-examine witnesses against me and to present evidence in 11 defense and mitigation of the charges. 12 13 9122195 14 DATED BROCK & SONS, INC. Respondent 15 By: FRANK J. SCARDINA President 16 11 - 21 - 9517 DONALD EUGENE REED Respondent 18 19 The foregoing Stipulation and Agreement for Settlement 20 is hereby adopted by the Real Estate Commissioner as Decision and 21 Order and shall become effective at 12 o'clock noon on 22 1996 30 January 23 12 1995. IT IS SO ORDERED 24 JIM ANTT, JR. 25 Real Estate Commissioner 26 27 COURT PAPER M.J. BROCK & SONS, INC. H-3029 SAC STATE OF CALIFORNIA STD. 113 (REV. 8-72) DONALD EUGENE REED

85, 34769

BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

Case No.

OAH No.

In the Matter of the Accusation of

M.J. BROCK & SONS, INC., DONALD EUGENE REED,

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H-3029 SAC	//

N-9408045

OF REAL ESTATE

Respondent

SECOND AMENDED NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at ______the____

Office of Administrative Hearings, 501 J Street, Suite 220 (Second Floor Hearing

Rooms), Sacramento, CA 95814

on ______, at the hour of 9:00 AM, or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

DEPARTMENT OF REAL ESTATE

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DAVID A. PETERS

Counsel

RE 501 (1/92)

Dated:

October 20, 1995



BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

By Jaurie a Zim

In the Matter of the Accusation of

M.J. BROCK & SONS, INC., DONALD EUGENE REED,

Case No	H-3029 SAC	-
OAH No.	N9408045	

Respondent

FIRST AMENDED NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby not	ified that a hearing will be held before the Department of Real Estat	eat <u>the</u>

Office of Administrative Hearings, 501 J Street, Suite 220 (Second

Floor H	Hearing	Rooms),	Sacramento,	CA	95814	

	on	ember 11 - 13, 1995, at the hour of <u>9:(</u>	DU AM
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or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

DEPARTMENT OF REAL ESTATE

Dated: January 26, 1995

BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

In the Matter of the Accusation of

M.J. BROCK & SONS, INC., DONALD EUGENE REED,

Case No. _ H-3029 SAC

OAH No. N9408045

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are	You are hereby notified that a hearing will be held before the Department of Real Estate at							
Office o	f Administrative Hearings, 501 J Street, Suit	e 220 (Second						
Floor He	aring Rooms), Sacramento, CA 95814							
on	March 15 - 17, 1995, at	the hour of $9:00$ AM,						

or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

- The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

DEPARTMENT OF REAL ESTATE

Bν PETERS Α.

Dated: __September 15, 1994

Counsel

× 1 .	-					
•	1	DAVID A. PETERS, Counsel Department of Real Estate				
	2	P. O. Box 187000 Sacramento, CA 95818-7000				
	3	DEPARTMENT OF STATE				
	4	Telephone: (916) 227-0789				
	5	Pr Allare di gan				
	6					
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	8	BEFORE THE				
	9					
	10	STATE OF CALIFORNIA				
	11	* * *				
	12	In the Matter of the Accusation of)) No. H-3029 SAC				
	13	M.J. BROCK & SONS, INC.,) <u>ACCUSATION</u>				
	14	DONALD EUGENE REED,)				
	15	Respondents.)				
	16					
	17	The Complainant, Peter J. Saverien, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation				
	18					
	19	against M.J. BROCK & SONS, INC. (hereinafter "respondent BROCK"),				
	20	and DONALD EUGENE REED (hereinafter "respondent REED"), is				
~	21	informed and alleges as follows:				
	22	_ I				
	23	The Complainant, Peter J. Saverien, a Deputy Real Estate				
	24	Commissioner of the State of California makes this Accusation				
	25	against Respondents in his official capacity.				
	26	///				
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1 At all times herein mentioned, Respondents are presently 2 licensed and/or have license rights under the Real Estate Law 3 (Part 1 of Division 4 of the Business and Professions Code) 4 (hereinafter "Code"). 5 TTT 6 At all times herein mentioned, respondent BROCK was 7 licensed as a real estate broker corporation acting by and through 8 its designated broker-officer respondent REED. 9 IV 10 At all times herein mentioned, respondent REED was 11 licensed as a real estate broker and as designated broker-officer 12 for respondent BROCK. 13 V 14 Between May 21, 1993 and September 22, 1993, respondent 15 BROCK acquired certain subdivided real property as defined in 16 Section 11000 and 11003 of the Code, commonly known as Montara 17 Estates, Lot 17 through Lot 42 of Laguna Creek West Unit 15A, 18 (hereinafter "the Subdivision"), owned by Pama-Laguna Limited 19 Partnership. 20 VI 21 On or about September 24, 1993, respondent BROCK acting 22 by and through respondent REED, filed or caused to be filed with 23 the California Department of Real Estate (hereinafter 24 "Department") a Final Subdivision Public Report-Amendment 25Application for the Subdivision naming respondent BROCK as the 26 successor subdivider. 27

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COURT PAPER STATE OF CALIFORNIA STD 113 (REV. 8-72) II

1	VII							
2	Beginning on or about July 28, 1993 through on or about							
3	November 19, 1993, Respondents solicited prospective purchasers,							
4	offered for sale or sold lots, units or parcels in the Subdivision							
5	as follows:							
6	PURCHASER	CONTRACT DATE	LOT NO.					
7	Marietta Leiser & Luciano Aguilar	July 28, 1993	32					
8	Douglas J. & Cecelia C. Baganz	August 9, 1993	27					
10	Jeffrey G. Frost & Susan L. Miller	August 22, 1993	29					
11	Felipe & Rocio Leon	August 25, 1993	31					
12	Elease & Stanley L. Walton	September 3, 1993	22					
13	Gary Suzuki & Mary Trechter	September 16, 1993	28					
14 15	Roy W. Kidwell & Dawn L. & David Hagins	September 16, 1993	33					
16	John & Presely Sarette	September 25, 1993	35					
17	Karen Lynn Hardy	October 2, 1993	25					
18	Charles H.G. & Helen L. Thomas	October 15, 1993	37					
19	Brian R. & Karen Musket	October 31, 1993	26					
20	Rodman & Fae Read	November 12, 1993	24					
21	Wilson K. & Ellyanna L. Ho	November 19, 1993	21					
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COURT PAPER STATE OF CALIFORNIA STD 113 (REV 8.72)

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Respondents sold or offered for sale the Lots in the 2 Subdivision as described in Paragraph IX above, without having 3 first obtained a public report from the Department of Real Estate 4 as required by Section 11018.2 of the Code and Section 2794 of the 5 Title 10, California Code of Regulations (hereinafter 6 "Regulations"). 7 TΧ 8 The acts and omissions of Respondents set forth above 9 are grounds for the suspension or revocation of Respondents'

VIII

licenses and/or license rights under Section 10177(d) of the Code 11 in conjunction with Section 11018.2 of the Code and Section 2794 12 of the Regulations. 13

PRIOR DISCIPLINARY ACTION

On March 23, 1989, effective March 29, 1989, in Case No. 15 H-1614 SD, the Real Estate Commissioner suspended the real estate 16 broker license of respondent BROCK for thirty (30) days for 17 violation of Sections 11018.1(a), 11018.2, and 10177(g) of the 18 Code. 19

On March 23, 1989, effective March 29, 1989, in Case No. 20 H-1614 SD, the Real Estate Commissioner publicly reproved 21 respondent REED for violation of Section 10177(h) of the Code. 22 111 23

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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 Respondents, under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other provisions of law. SAVĚRIEN .Τ Deputy Real Estate Commissioner Dated at Sacramento, California, this <u>/8++</u> day of July, 1994. COURT PAPER STATE OF CALIFORNIA