

FILED

OCT 30 2020

DEPARTMENT OF REAL ESTATE

By [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of:	)	Case No. H-6841 SAC
	)	
DANCE HALL INVESTORS, INC.,	)	
OHD, INC., WAYNE THOMAS HALL,	)	
RONALD EDWARD KEEFER,	)	
<u>GREGORY THOMAS PHILLIPS</u> , and	)	
RACHEL ADAMS LEE,	)	
	)	
Respondents.	)	
	)	

DEFAULT DECISION  
AS TO GREGORY THOMAS PHILLIPS ONLY

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 August 6, 2020, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) the express admissions of GREGORY THOMAS PHILLIPS (herein "Respondent"); (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license and/or license rights on grounds of Respondent on the grounds set forth below.

Pursuant to Government Code section 11521, the Department of Real Estate may order reconsideration of this Decision on petition of any party. The Department's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On October 25, 2019, TRICIA PARKHURST made the Accusation in her official capacity as a Supervising Special Investigator of the State of California, Department of Real

Estate. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department of Real Estate of the State of California (hereinafter "Department") October 25, 2019.

On August 6, 2020, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (herein "Code") as a real estate salesperson. Respondent's real estate salesperson license expired on March 13, 2019. Pursuant to Code Section 10103, the Department retains jurisdiction.

3.

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

4.

At all relevant times OHD, Inc. served as Respondent's broker of record. Nevertheless, Respondent performed real estate services under the team name "The Rachel Adams Group" in the following transactions:

<b>Transaction address</b>	<b>Close of Escrow Date</b>
2306 Las Palomas Loop, Lincoln CA 95648	April 25, 2017
272 Helen Way, Livermore CA 94550	May 29, 2017
2135 Ranch View Drive, Rocklin CA 95765	July 11, 2017
1632 Carmelo Drive, Carmichael CA 95608	July 11, 2017
4679 Branding Iron Drive, Fairfield CA 94534	August 3, 2017

5.

At all relevant times the advertising and soliciting materials for Respondent regarding "The Rachel Adams Group" implied the existence of a real estate entity independent of OHD, Inc.

6.

At all relevant time, the responsible broker for "The Rachel Adams Group," as required by Section 10159.6 of the Code, was Dance Hall Investors, Inc., not OHD, Inc.

7.

The acts and/or omissions of Respondent, as described above in Paragraphs 17 through 20, violated the fictitious business name requirements of 10159.5 and/or 10159.6 of the Code in that Respondent used a fictitious business name that was not authorized or permitted by OHD, Inc.

8.

The acts and/or omissions of Respondent, as alleged above in Paragraphs 1 through 7, constitute grounds for the suspension or revocation of all licenses and license rights of Respondent under Sections 10177(d), 10177(g) 10159.5 and 10159.6 of the Code, in conjunction with Title 10, Section 2731 of the California Code of Regulations (herein "the Regulations").

DETERMINATION OF ISSUES

1.

Cause for disciplinary action against Respondent exists pursuant to Sections 10177(d), 10177(g), 10159.5 and 10159.6 of the Code, and 2731 of the Regulations.

2.

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

ORDER

All licenses and licensing rights of Respondent GREGORY THOMAS PHILLIPS 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 NOV 20 2020.

DATED: 10.1.20.

REAL ESTATE COMMISSIONER

  
DOUGLAS R. McCAULEY

1 Department of Real Estate  
1651 Exposition, Blvd.  
2 Sacramento, CA, 95815

**FILED**

AUG 06 2020

DEPARTMENT OF REAL ESTATE  
By K. Kuepp

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of: ) DRE NO. *H-6841 SAC*  
12 )  
12 GREGORY THOMAS PHILLIPS, ) DEFAULT ORDER  
13 )  
13 Respondent. )  
14 )

15 Respondent GREGORY THOMAS PHILLIPS, having failed to file a  
16 Notice of Defense within the time required by Section 11506 of the Government Code, is  
17 now in default. It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED AUGUST 6, 2020.

19 DOUGLAS R. McCAULEY  
20 REAL ESTATE COMMISSIONER

21  
22 By:   
23 SANDRA KNAU  
24 Assistant Commissioner, Administration  
25  
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