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FILED
AUG 29 2006

DEPARTMENT OF REAL ESTATE

By Juan P. ...

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA
* * *

In the Matter of the Accusation of) No. H-8443 SF
WESTERN MANAGEMENT PROPERTIES, INC.,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On November 7, 2003, a Decision was rendered herein
revoking the corporate real estate broker license of Respondent
effective December 1, 2003, but granting Respondent the right to
the issuance of a restricted corporate real estate broker
license. A restricted corporate real estate broker license was
issued to Respondent on December 1, 2003, and Respondent has
operated as a restricted licensee since that time.

On May 31, 2006, Respondent petitioned for
reinstatement of said corporate real estate broker license, and
the Attorney General of the State of California has been given
notice of the filing of said petition.

///

1 I have considered the petition of Respondent and the
2 evidence and arguments in support thereof. Respondent has
3 demonstrated to my satisfaction that Respondent meets the
4 requirements of law for the issuance to Respondent of an
5 unrestricted corporate real estate broker license and that it
6 would not be against the public interest to issue said license to
7 Respondent.


8 NOW, THEREFORE, IT IS ORDERED that Respondent's
9 petition for reinstatement is granted and that a corporate real
10 estate broker license be issued to Respondent if Respondent
11 satisfies the following conditions within nine (9) months from
12 the date of this Order:

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

15 This Order shall become effective immediately.

16 DATED: 8-15, 2006.

17 JEFF DAVI
18 Real Estate Commissioner

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1 I have considered the petition of Respondent and the
2 evidence and arguments in support thereof. Respondent has
3 demonstrated to my satisfaction that Respondent meets the
4 requirements of law for the issuance to Respondent of an
5 unrestricted real estate broker license and that it would not be
6 against the public interest to issue said license to Respondent.

7 NOW, THEREFORE, IT IS ORDERED that Respondent's
8 petition for reinstatement is granted and that a real estate
9 broker license be issued to Respondent if Respondent satisfies
10 the following conditions within nine (9) months from the date of
11 this Order:

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

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

19 This Order shall be effective immediately.

20 DATED: _____

21 _____
22 JEFF DAVI
23 Real Estate Commissioner
24 _____
25 _____
26 _____
27 _____

ORIGINAL
COPY

FILED
NOV 07 2003

1 Department of Real Estate
2 P. O. Box 187000
3 Sacramento, CA 95818-7000
4 Telephone: (916) 227-0789

DEPARTMENT OF REAL ESTATE

Shelly [Signature]

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11	In the Matter of the Accusation of)	No. H-8443 SF
12	BRUCE ROBERT CHAMBERS and)	<u>STIPULATION AND AGREEMENT</u>
13	WESTERN MANAGEMENT)	<u>IN SETTLEMENT AND ORDER</u>
14	PROPERTIES, INC.,)	
15	Respondents)	

16 It is hereby stipulated by and between BRUCE ROBERT
17 CHAMBERS and WESTERN MANAGEMENT PROPERTIES, INC., (hereinafter
18 "Respondents"), and their attorney of record, Maxine Monaghan,
19 and the Complainant, acting by and through David B. Seals,
20 Counsel for the Department of Real Estate, as follows for the
21 purpose of settling and disposing of the Accusation filed on May
22 31, 2003, in this matter:

23 1. All issues which were to be contested and all
24 evidence which was to be presented by Complainant and Respondents
25 at a formal hearing on the First Amended Accusation which hearing
26 was to be held in accordance with the provisions of the
27 Administrative Procedure Act (APA), shall instead and in place

H-8443 SF

1 thereof be submitted solely on the basis of the provisions of
2 this Stipulation and Agreement in Settlement.

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

7 3. On June 18, 2003, Respondents filed a Notice of
8 Defense pursuant to Section 11505 of the Government Code for the
9 purpose of requesting a hearing on the allegations in the
10 Accusation. Respondents hereby freely and voluntarily withdraw
11 said Notice of Defense. Respondents acknowledge that they
12 understand that by withdrawing said Notice of Defense they will
13 thereby waive their right to require the Commissioner to prove
14 the allegations in the Accusation at a contested hearing held in
15 accordance with the provisions of the APA and that they will
16 waive other rights afforded to them in connection with the
17 hearing such as the right to present evidence in defense of the
18 allegations in the Accusation and the right to cross-examine
19 witnesses.

20 4. This Stipulation is based on the factual
21 allegations contained in the Accusation. In the interests of
22 expedience and economy, Respondents choose not to contest these
23 allegations, but to remain silent and understand that, as a
24 result thereof, these factual allegations, without being admitted
25 or denied, will serve as a prima facie basis for the disciplinary
26 action stipulated to herein. The Real Estate Commissioner shall
27 ///

1 not be required to provide further evidence to prove said factual
2 allegations.

3 5. It is understood by the parties that the Real
4 Estate Commissioner may adopt the Stipulation and Agreement in
5 Settlement as her decision in this matter thereby imposing the
6 penalty and sanctions on Respondents' real estate licenses and
7 license rights as set forth in the below "Order". In the event
8 that the Commissioner in her discretion does not adopt the
9 Stipulation and Agreement in Settlement, it shall be void and of
10 no effect, and Respondents shall retain the right to a hearing
11 and proceeding on the Accusation under all the provisions of the
12 APA and shall not be bound by any admission or waiver made
13 herein.

14 6. The Order or any subsequent Order of the Real
15 Estate Commissioner made pursuant to this Stipulation and
16 Agreement in Settlement shall not constitute an estoppel, merger
17 or bar to any further administrative or civil proceedings by the
18 Department of Real Estate with respect to any matters which were
19 not specifically alleged to be causes for accusation in this
20 proceeding.

21 7. Respondents have received, read and understand the
22 "Notice Concerning Costs of Subsequent Audits". Respondents
23 understand that by agreeing to this Stipulation and Agreement in
24 Settlement, the findings set forth below in the DETERMINATION OF
25 ISSUES become final, and that the Commissioner may charge
26 Respondents for the costs of any audit for which they are charged
27 pursuant to Section 10148 of the Business and Professions Code

1 (hereinafter the "Code"). The reasonable cost of the audits which
2 led to this disciplinary action is \$4,312.00.

3 The maximum cost of the subsequent audits will not exceed
4 \$5,724.00.

5 DETERMINATION OF ISSUES

6 I

7 The facts alleged above are grounds for the suspension
8 or revocation of the licenses and license rights of Respondents
9 BRUCE ROBERT CHAMBERS and WESTERN MANAGEMENT PROPERTIES, INC.,
10 under Section 10176(e) of the Code and under Section 10177(d) of
11 the Code in conjunction with Sections 10145, 10229(j), 10232,
12 10232.2, and 10233 of the Code, and Sections 2831, 2831.1,
13 2831.2, 2832, 2832.1, and 2835 of the Regulations, as to
14 Respondent WESTERN MANAGEMENT PROPERTIES, INC. and under Section
15 10177(h) of the Code and Section 2725 of the Regulations in
16 conjunction with Section 10177(d) of the Code, as to Respondent
17 BRUCE ROBERT CHAMBERS.

18 ORDER

19 I

20 All licenses and licensing rights of Respondent BRUCE
21 ROBERT CHAMBERS (hereinafter "CHAMBERS") under the Real Estate
22 Law are revoked; provided, however, a restricted real estate
23 broker license shall be issued to Respondent CHAMBERS pursuant to
24 Section 10156.5 of the Business and Professions Code if
25 Respondent CHAMBERS makes application therefor and pays to the
26 Department of Real Estate the appropriate fee for the restricted
27 license within 90 days from the effective date of this Decision.

1 The restricted license issued to Respondent CHAMBERS shall be
2 subject to all of the provisions of Section 10156.7 of the
3 Business and Professions Code and to the following limitations,
4 conditions and restrictions imposed under authority of Section
5 10156.6 of that Code:

6 1. The restricted license issued to Respondent
7 CHAMBERS may be suspended prior to hearing by Order of the Real
8 Estate Commissioner in the event of Respondent CHAMBERS's
9 conviction or plea of nolo contendere to a crime which is
10 substantially related to Respondent CHAMBERS's fitness or
11 capacity as a real estate licensee.

12 2. The restricted license issued to Respondent
13 CHAMBERS may be suspended prior to hearing by Order of the Real
14 Estate Commissioner on evidence satisfactory to the Commissioner
15 that Respondent CHAMBERS has violated provisions of the
16 California Real Estate Law, the Subdivided Lands Law, Regulations
17 of the Real Estate Commissioner or conditions attaching to the
18 restricted license.

19 3. Respondent CHAMBERS shall not be eligible to apply
20 for the issuance of an unrestricted real estate license nor for
21 the removal of any of the conditions, limitations or restrictions
22 of a restricted license until two (2) years has elapsed from the
23 effective date of this Decision.

24 4. Respondent CHAMBERS shall, within nine months from
25 the effective date of this Decision, present evidence
26 satisfactory to the Real Estate Commissioner that Respondent
27 CHAMBERS has, since the most recent issuance of an original or

1 renewal real estate license, taken and successfully completed the
2 continuing education requirements of Article 2.5 of Chapter 3 of
3 the Real Estate Law for renewal of a real estate license. If
4 Respondent CHAMBERS fails to satisfy this condition, the
5 Commissioner may order the suspension of the restricted license
6 until Respondent CHAMBERS presents such evidence. The
7 Commissioner shall afford Respondent CHAMBERS the opportunity for
8 a hearing pursuant to the Administrative Procedure Act to present
9 such evidence.

10 5. Respondent CHAMBERS shall, within six months from
11 the effective date of this Decision, take and pass the
12 Professional Responsibility Examination administered by the
13 Department including the payment of the appropriate examination
14 fee. If Respondent CHAMBERS fails to satisfy this condition, the
15 Commissioner may order suspension of Respondent CHAMBERS's
16 license until Respondent CHAMBERS passes the examination.

17 6. Respondent CHAMBERS shall, prior to and as a
18 condition of the issuance of the restricted license, submit proof
19 satisfactory to the Commissioner of having taken and successfully
20 completed the continuing education course on trust fund
21 accounting and handling specified in subdivision (a) of Section
22 10170.5 of the Business and Professions Code. Proof of
23 satisfaction of this requirement includes evidence that
24 Respondent CHAMBERS has successfully completed the trust fund
25 account and handling continuing education course within 120 days
26 prior to the effective date of the Decision in this matter.

27 ///

1 Respondent WESTERN MANAGEMENT PROPERTIES, INC.'s conviction or
2 plea of nolo contendere to a crime which is substantially related
3 to Respondent WESTERN MANAGEMENT PROPERTIES, INC.'s fitness or
4 capacity as a real estate licensee.

5 2. The restricted license issued to Respondent
6 WESTERN MANAGEMENT PROPERTIES, INC. may be suspended prior to
7 hearing by Order of the Real Estate Commissioner on evidence
8 satisfactory to the Commissioner that Respondent WESTERN
9 MANAGEMENT PROPERTIES, INC. has violated provisions of the
10 California Real Estate Law, the Subdivided Lands Law, Regulations
11 of the Real Estate Commissioner or conditions attaching to the
12 restricted license.

13 3. Respondent WESTERN MANAGEMENT PROPERTIES, INC.
14 shall not be eligible to apply for the issuance of an
15 unrestricted corporate real estate license nor for the removal of
16 any of the conditions, limitations or restrictions of a
17 restricted license until two (2) years has elapsed from the
18 effective date of this Decision.

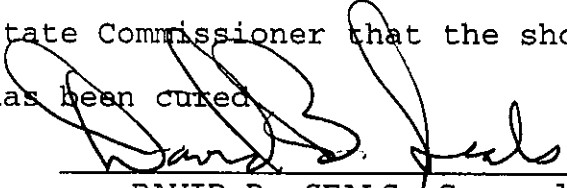
19 4. Pursuant to Section 10148 of the Business and
20 Professions Code, Respondents CHAMBERS and WESTERN MANAGEMENT
21 PROPERTIES, INC. shall pay the Commissioner's reasonable cost for
22 the audit which led to this disciplinary action and a subsequent
23 audit to determine if Respondent WESTERN MANAGEMENT PROPERTIES,
24 INC. has corrected the trust fund violation(s) found in paragraph
25 I of the Determination of Issues. In calculating the amount of
26 the Commissioner's reasonable cost, the Commissioner may use the
27 estimated average hourly salary for all persons performing audits

1 of real estate brokers, and shall include an allocation for
2 travel time to and from the auditor's place of work. Respondents
3 CHAMBERS and WESTERN MANAGEMENT PROPERTIES, INC. shall pay such
4 cost within 60 days of receiving an invoice from the Commissioner
5 detailing the activities performed during the audit and the
6 amount of time spent performing those activities: The
7 Commissioner may suspend the restricted license issued to
8 Respondents CHAMBERS and WESTERN MANAGEMENT PROPERTIES, INC.
9 pending a hearing held in accordance with Section 11500, et seq.,
10 of the Government Code, if payment is not timely made as provided
11 for herein, or as provided for in a subsequent agreement between
12 Respondents CHAMBERS and WESTERN MANAGEMENT PROPERTIES, INC. and
13 the Commissioner. The suspension shall remain in effect until
14 payment is made in full or until Respondents CHAMBERS and WESTERN
15 MANAGEMENT PROPERTIES, INC. enter into an agreement satisfactory
16 to the Commissioner to provide for payment, or until a decision
17 providing otherwise is adopted following a hearing held pursuant
18 to this condition.

19 5. Prior to and as a condition of the issuance of the
20 restricted license as provided herein, Respondents CHAMBERS and
21 WESTERN MANAGEMENT PROPERTIES, INC. shall provide evidence
22 satisfactory to the Real Estate Commissioner that the shortage
23 alleged in the Accusation has been cured.

24 8/29/2003

DATED


25 DAVID B. SEALS, Counsel
26 DEPARTMENT OF REAL ESTATE

26 ///

27 ///

H-8443 SF

- 9 -

BRUCE ROBERT CHAMBERS and
WESTERN MANAGEMENT PROPERTIES, INC.

1 * * *

2 I have read the Stipulation and Agreement, have had the
3 opportunity to consult with legal counsel, and its terms are
4 understood by me and are agreeable and acceptable to me. I
5 understand that I am waiving rights given to me by the California
6 Administrative Procedure Act (including but not limited to
7 Sections 11506, 11508, 11509 and 11513 of the Government Code),
8 and I willingly, intelligently and voluntarily waive those
9 rights, including the right of requiring the Commissioner to
10 prove the allegations in the Accusation at a hearing at which I
11 would have the right to cross-examine witnesses against me and to
12 present evidence in defense and mitigation of the charges.

13 8/26/03

14 _____
DATED

13 

14 _____
BRUCE ROBERT CHAMBERS
Respondent

15 8/26/03

16 _____
DATED

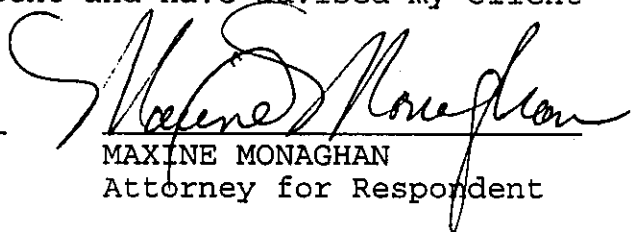
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16 _____
WESTERN MANAGEMENT
PROPERTIES, INC.
Respondent

17
18
19 I have reviewed the Stipulation and Agreement in
20 Settlement as to form and content and have advised my client
21 accordingly.

22 8/27/03

23 _____
DATED

22 

23 _____
MAXINE MONAGHAN
Attorney for Respondent

24 ///

25 ///

26 ///

27 ///

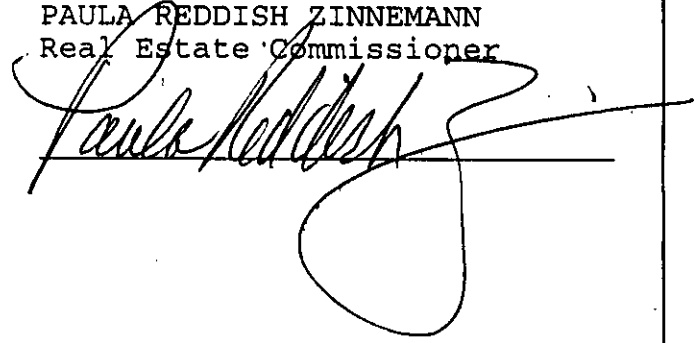
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The foregoing Stipulation and Agreement for Settlement is hereby adopted by the Real Estate Commissioner as her Decision and Order and shall become effective at 12 o'clock noon on December 1, 2003.

IT IS SO ORDERED September 18, 2003.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
JUL 10 2003

DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

BRUCE ROBERT CHAMBERS and
WESTERN MANAGEMENT PROPERTIES, INC.

}

Case No. H-8443 SF

OAH No. N-2003070014

Shelly Ely

Respondents

NOTICE OF HEARING ON ACCUSATION

To the above named respondents:

You are hereby notified that a hearing will be held before the Department of Real Estate at **THE OFFICE OF ADMINISTRATIVE HEARINGS, ELIHU M. HARRIS BUILDING, 1515 CLAY STREET, SUITE 206, OAKLAND, CALIFORNIA 94612** on **MONDAY--AUGUST 25, 2003**, at the hour of **9:00 AM**, or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 subpoenas 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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: JULY 10, 2003

DEPARTMENT OF REAL ESTATE
By *David B. Seals*
DAVID B. SEALS, Counsel

flag

1 DAVID B. SEALS, Counsel (SBN 69378)
Department of Real Estate
2 P. O. Box 187000
Sacramento, CA 95818-7000
3
4 Telephone: (916) 227-0789
-or- (916) 227-0792 (Direct)

FILED

MAY 3 1 2003

DEPARTMENT OF REAL ESTATE

By *Jean R. ...*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 BRUCE ROBERT CHAMBERS and,) NO. H- 8443 SF
13 WESTERN MANAGEMENT PROPERTIES,) ACCUSATION
INC.,)
14 Respondents.)

16 The Complainant, Les R. Bettencourt, a Deputy Real
17 Estate Commissioner of the State of California for cause of
18 Accusation against BRUCE ROBERT CHAMBERS (hereinafter "Respondent
19 CHAMBERS") and WESTERN MANAGEMENT PROPERTIES, INC. (hereinafter
20 "Respondent WMP") is informed and alleges as follows:

21 I

22 The Complainant, Les R. Bettencourt, a Deputy Real
23 Estate Commissioner of the State of California, makes this
24 Accusation in his official capacity.

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1 II

2 Respondent WMP is presently licensed and/or has license
3 rights under the Real Estate Law, Part 1 of Division 4 of the
4 California Business and Professions Code (hereinafter "Code"), as
5 a corporate real estate broker.

6 III

7 Respondent CHAMBERS is presently licensed and/or has
8 license rights under the Real Estate Law, Part 1 of Division 4 of
9 the Code as real estate broker and as the designated officer of
10 Respondent WMP.

11 IV

12 Whenever reference is made in an allegation in this
13 Accusation to an act or omission of Respondent WMP, such
14 allegation shall be deemed to mean that the officers, directors,
15 employees, agents and real estate licensees employed by or
16 associated with Respondent WMP committed such act or omissions
17 while engaged in furtherance of the business or operation of
18 Respondent WMP and while acting within the course and scope of
19 their corporate authority and employment.

20 V

21 That at all times herein mentioned, Respondent WMP,
22 engaged in the business of, acted in the capacity of, advertised,
23 or assumed to act as a real estate broker in the State of
24 California within the meaning of Section 10131(b) of the Code,
25 for or in expectation of compensation, by leasing or renting or
26 offering to lease or rent, or placing for rent, or soliciting
27 listings of places for rent, or soliciting for prospective

1 tenants, or negotiating the sale, purchase or exchange of leases
2 on real property, or on a business opportunity, or collecting
3 rents from real property, or improvements thereon, or from
4 business opportunities, or within the meaning of Section 10131
5 (d) of the Code, for or in expectation of compensation by
6 soliciting borrowers or lenders for or negotiating loans or
7 collecting payments or performing services for borrowers or
8 lenders or note owners in connection with loans secured directly
9 or collaterally by liens on real property or on a business
10 opportunity.

11 VI

12 That at all times mentioned herein, Respondent WMP
13 accepted or received funds in trust (hereafter trust funds) from
14 and on behalf of its principals placing them in bank accounts and
15 at times thereafter made disbursements of such funds.

16 VII

17 From March 1, 2001 through June 21, 2001 two
18 investigative audits were performed by the Department of the
19 records and bank records of Respondent WMP for the period from
20 January 1, 2001 to December 31, 2001, as said records related to
21 its activities as a real estate broker.

22 VIII

23 Respondent WMP maintained one bank account into which
24 trust funds were placed for both its property management
25 activities and its mortgage loan activities. The account was
26 located at United California Bank, 4900 Telegraph Ave., Oakland,

27 ///

1 CA 94609, Account No. 0113-09979 in the name of Western
2 Management Properties Client Trust Account.

3 IX

4 The adjusted balance of the trust account as of May 31,
5 2001 was Four Hundred Ninety Thousand Six Hundred Five and 42/100
6 Dollars (\$490,605.42) and the trust fund accountability in the
7 account as of May 31, 2001 was Five Hundred Thirty-Seven Thousand
8 Seven Hundred Sixty-Seven and 07/100 Dollars (\$537,767.07).
9 Therefore, Respondent, as of May 31, 2001, had a trust fund
10 shortage of Forty-Seven Thousand One Hundred Sixty-One and 65/100
11 Dollars (\$47,161.65).

12 X

13 Respondent WPM caused the disbursement of trust funds
14 from the trust account without the written consent of every
15 principal who was an owner of the funds, causing the balance of
16 the funds in the account to be an amount less than the existing
17 aggregate trust fund liability of Respondent WPM to all owners of
18 said funds in violation of Section 10145 of the Code and Section
19 2832.1, Title 10, California Code of Regulations (hereinafter the
20 "Regulations").

21 XI

22 During the period covered by the audit Respondent WMP
23 failed to provide and retain a chronological record of all trust
24 funds received and disbursed detailing all receipts and
25 disbursements in violation of Section 2831 of the Regulations.

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XII

Respondent WPM failed to maintain adequate beneficiary records for each beneficiary or transaction in that they did not include a balance after posting each transaction, check numbers, dates of deposit for all deposits, and dates for all checks in violation of Section 2831.1 of the Regulations.

XIII

Respondent WPM failed to maintain an adequate log of trust funds received but not placed into a trust account in violation of Section 2831 of the Regulations.

XIV

Respondent WPM failed to reconcile on a monthly basis the balance of all separate beneficiary records with the record of all trust funds received and disbursed in violation of Section 2831.2 of the Regulations.

XV

Respondent WPM failed to deposit trust funds into the trust account within three business days from receipt in violation of Section 2832 of the Regulations.

XVI

As of November 30, 2001, Respondent WPM had \$6,966.07 of its own funds in the trust account for longer than 25 days in violation of Section 2835 of the Regulations and Section 10176(e) of the Code.

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XVII

Respondent WMP failed to maintain adequate loan servicing agreements by failing to include provisions that all funds received would be placed into a trust account and would not be commingled with the assets of the servicing agent nor did they state that payments received would be forwarded to the purchasers or lenders within 25 days, in violation of Section 10233 and 10229(j) of the Code.

XVIII

Respondent WMP reached \$250,000 in loan servicing in April 2001 but failed to notify the Department of their reaching said threshold in a timely manner in violation of Section 10232 of the Code and also failed to file quarterly and annual reports required by Section 10232.2 of the Code.

XIX

At all times mentioned herein, Respondent CHAMBERS failed to exercise reasonable supervision over the activities of Respondent WMP, and permitted, ratified and/or caused the conduct described above. Respondent CHAMBERS failed to reasonably or adequately review, oversee, inspect and manage the personnel and activities of Respondent WMP, and/or to establish reasonable policies, rules, procedures and systems for such review, oversight, inspection and management.

MATTERS IN AGGRAVATION

XX

Respondent WMP was audited by the Department in 1995 and 1996. That audit revealed and Respondent WMP was told that

1 they met the threshold reporting requirements for loan servicing
2 at that time. However, Respondent WMP failed to notify the
3 Department of meeting such threshold from 1995 through the time
4 of this audit.

5 XXI

6 The acts and/or omissions of Respondents WMP and
7 CHAMBERS described above are grounds for the revocation or
8 suspension of the licenses of Respondent WMP under Section
9 10176(e) of the Code and under Section 10177(d) of the Code in
10 conjunction with Sections 10145, 10229(j), 10232, 10232.2, and
11 10233 of the Code, and Sections 2831, 2831.1, 2831.2, 2832,
12 2832.1, and 2835 of the Regulations and are grounds for the
13 revocation or suspension of the licenses of Respondent CHAMBERS
14 only under Section 10177(h) of the Code and Section 2725 of the
15 Regulations in conjunction with Section 10177(d) of the Code.

16 WHEREFORE, Complainant prays that a hearing be
17 conducted on the allegations of this Accusation and that upon
18 proof thereof, a decision be rendered imposing disciplinary
19 action against all licenses and license rights of Respondents
20 under the Real Estate Law (Part 1 of Division 4 of the Business
21 and Professions Code), and for such other and further relief as
22 may be proper under other provisions of law.

23 

24 Les R. Bettencourt
25 Deputy Real Estate Commissioner

26 Dated at Oakland, California,
27 this 4th day of April, 2003.