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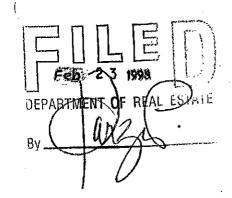
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COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 3-95) Department of Real Estate 107 South Broadway, Room 8107 Los Angeles, California, 90012

(213) 897-3937



DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

To:

FIRST TEAM REAL ESTATE-ORANGE COUNTY and CAMERON NATHAN MERAGE

H-27507 LA

ORDER TO DESIST

AND REFRAIN

The Real Estate Commissioner of the State of California has caused an investigation to be made of your activities as a real estate broker, and based on the findings of that investigation, is of the opinion that FIRST TEAM REAL ESTATE—ORANGE COUNTY has violated Sections 10145(a), 10148, and 10137 of the Business and Professions Code (hereinafter Code), as well as Regulations 2832.1, 2830, 2832, 2831, 2831.1, 2831.2, 2834, 2731, 2752, and 2726 (all references herein to Regulations refer to the California Code of Regulations, Title 10, Chapter 6, hereinafter the Regulations).

Ι

That at all times herein mentioned, you, FIRST TEAM REAL ESTATE-ORANGE COUNTY, were licensed by the Department of Real Estate of the State of California (hereinafter Department) as a

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corporate real estate broker and CAMERON NATHAN MERAGE, was licensed as the designated officer of said corporation.

At all times herein mentioned, you, FIRST TEAM REAL ESTATE-ORANGE COUNTY, on behalf of others in expectation of compensation, engaged in the business, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of Section 10131(a) and (b) of the Code, including soliciting buyers and sellers and negotiating the sale of real property, as well as soliciting renters and owners and collecting rents on behalf of the owners of real property.

III

During 1996, in connection with the aforesaid real estate brokerage activities, you, FIRST TEAM REAL ESTATE-ORANGE COUNTY, accepted or received funds from buyers/sellers and renters/owners and thereafter made disbursements of such funds.

In connection with your activities as a real estate broker, as described above, you, FIRST TEAM REAL ESTATE-ORANGE COUNTY and CAMERON NATHAN MERAGE, acted in violation of the Real Estate Law as follows:

- Violated Section 10145(a) of the Code and Regulation 2832.1 by maintaining a shortage in trust account No. 00973-34347 as of October 31, 1996, in the amount of \$352.18.
- Violated Regulation 2830/2832 in that not all trust accounts were maintained in the broker's name as trustee, and

COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 3-95) earnest money deposits and rents collected were not deposited into a trust account by the next business day.

- 3. Violated Regulation 2831 in that the columnar records did not always show a running daily balance. There was no record maintained for some earnest money deposits received in sales transactions.
- 4. Violated Regulation 2834 by allowing salespersons JOAN COURTNEY, TOMI LAKATOSH, JUDITH LAUREN, ANDY LAKATOSH, GERRI DUARTE, and GARY HOUSLEY, who were not licensed to respondents to be trust account signatories. There was no fidelity bond converge.
- 5. Violated Regulation 2831.2 by failing to maintain a monthly record of trust fund account reconciliation. The columnar record was not reconciled to the separate records on a monthly basis for account Nos. 00973-34347 and 01039135.
- 6. Violated Section 10148 of the Code by failing to maintain copies of all bank statements, canceled checks and invoices prior to October 1996 for account No. 00977-34784.
- 7. Violated Regulation 2731 by using the unlicensed fictitious business names "Nolan Real Estate", "First Team Real Estate", and "First Team Nolan Real Estate" in its real estate brokerage business.
- 8. Violated Regulation 2752 by failing to notify the Department of Real Estate when salespersons JOAN COURTNEY, GARY HAWLEY, ANDREW LAKATOSH, TOMI LAKATOSH, CODY FERRIS, and WILLIAM ROLFING were employed by respondents.

	9.	Violate	ed Re	gulatio	n 2726	рХ	fail:	ing	to	main	tain	
employment	: con	tracts	with	salesp	ersons	JOA	N COU	IR T N.	EY,	GAR:	Z HAV	VLE Y
JUDITH LAU	JREN,	WILLIA	M ROI	FING,	CHARLES	GR	ANT,	and	DC	NNA (COLBI	ERT.

- 10. Violated Section 10137 of the Code by employing DERIK BRIAN to perform activities requiring a real estate license in sales transactions after his license was suspended on July 25, 1996.
- 11. Violated Regulation 2831.1 in that separate records were not always maintained for sales transactions for rents received and disbursed.

NOW, THEREFORE, YOU, FIRST TEAM REAL ESTATE-ORANGE COUNTY and CAMERON NATHAN MERAGE, ARE ORDERED TO DESIST AND REFRAIN from performing any and all activities for which a real estate broker license is required until you comply with all provisions of the Real Estate Law as discussed in this Order.

DATED: 2/5/98

First Team Real Estate-Orange County &

600 Anton Boulevard, Suite 800

600 Anton Boulevard, Suite 800 Costa Mesa, California 92626

Costa Mesa, California

Cameron Nathan Merage

JIM ANTT, JR. Real Estate Commissioner

JRP/rgp

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