

SACD
May

FILED
MAY -2 2007

DEPARTMENT OF REAL ESTATE



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-33685 LA
1031 COMMERCIAL EXCHANGE, INC.,)	
)	
)	
Respondent.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On January 29, 2007, an Accusation was filed in this matter against Respondent 1031 COMMERCIAL EXCHANGE, INC.

On February 5, 2007, Respondent petitioned the Commissioner to voluntarily surrender its real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent 1031 COMMERCIAL EXCHANGE, INC.'s petition for voluntary surrender of its real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated February 5,

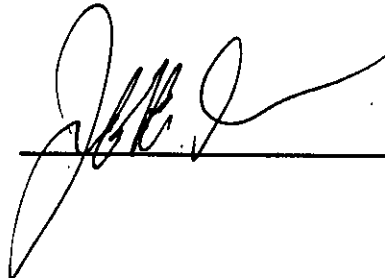
1 2007 (attached as Exhibit "A" hereto). Respondent's license
2 certificates, pocket cards and any branch office license
3 certificate shall be sent to the below listed address so that
4 they reach the Department on or before the effective date of this
5 Order:

6 DEPARTMENT OF REAL ESTATE
7 Attn: Licensing Flag Section
8 P. O. Box 187000
9 Sacramento, CA 95818-7000

10 This Order shall become effective at 12 o'clock noon
11 on May 22, 2007.

12 DATED: 4-3, 2007

13 JEFF DAVI
14 Real Estate Commissioner

15 
16 _____
17
18
19
20
21
22
23
24
25
26
27

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-33685 LA
)	
1031 COMMERCIAL EXCHANGE, INC.,)	
)	
)	
Respondent.)	

DECLARATION

My name is Henry Eric Liu and that I am currently an officer of 1031 COMMERCIAL EXCHANGE, INC., which is licensed as a real estate broker and/or has license rights with respect to said license. I am authorized and empowered to sign this declaration on behalf of 1031 COMMERCIAL EXCHANGE, INC. I am acting on behalf of 1031 COMMERCIAL EXCHANGE, INC. in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Business and Professions Code) 1031 COMMERCIAL EXCHANGE, INC. wishes to voluntarily surrender its

1 real estate license issued by the Department of Real Estate
2 ("Department"), pursuant to Business and Professions Code
3 Section 10100.2.

4 I understand that 1031 COMMERCIAL EXCHANGE, INC., by so
5 voluntarily surrendering its license, can only have it reinstated
6 in accordance with the provisions of Section 11522 of the
7 Government Code. I also understand that by so voluntarily
8 surrendering its license, 1031 COMMERCIAL EXCHANGE, INC. agrees
9 to the following:

10 The filing of this Declaration shall be deemed as its
11 petition for voluntary surrender. It shall also be deemed to be
12 an understanding and agreement by 1031 COMMERCIAL EXCHANGE, INC.
13 that, it waives all rights it has to require the Commissioner to
14 prove the allegations contained in the Accusation filed in this
15 matter at a hearing held in accordance with the provisions of the
16 Administrative Procedure Act (Government Code Sections 11400 et
17 seq.), and that it also waives other rights afforded to it in
18 connection with the hearing such as the right to discovery, the
19 right to present evidence in defense of the allegations in the
20 Accusation and the right to cross-examine witnesses. I further
21 agree on behalf of 1031 COMMERCIAL EXCHANGE, INC. that upon
22 acceptance by the Commissioner, as evidenced by an appropriate
23 order, all affidavits and all relevant evidence obtained by the
24 Department in this matter prior to the Commissioner's acceptance,
25 and all allegations contained in the Accusation filed in the
26 Department Case No. H-33685 LA, may be considered by the
27 Department to be true and correct for the purpose of deciding

1 whether or not to grant reinstatement of 1031 COMMERCIAL
 2 EXCHANGE, INC.'s license pursuant to Government Code Section
 3 11522.

4 I declare under penalty of perjury under the laws of
 5 the State of California that the above is true and correct and
 6 that I am acting freely and voluntarily on behalf of 1031
 7 COMMERCIAL EXCHANGE, INC. to surrender its license and all
 8 license rights attached thereto.

9 2/5/07 Covina, CA.
 10 Date and Place



1031 COMMERCIAL EXCHANGE, INC.
 By: Henry Eric Liu

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Sac.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

JAMES R. PEEL, Counsel (SBN 47055)
Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, CA 90013-1105

Telephone: (213) 576-6982
-or- (213) 576-6913 (Direct)

FILED

JAN 29 2007

DEPARTMENT OF REAL ESTATE
BY: Honesty

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	NO. H-33685 LA
1031 COMMERCIAL EXCHANGE, INC.,)	<u>ACCUSATION</u>
Respondent,)	

The Complainant, Janice A. Waddell, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against 1031 COMMERCIAL EXCHANGE, INC., alleges as follows:

I

The Complainant, Janice A. Waddell, acting in her official capacity as a Deputy Real Estate Commissioner of the State of California, makes this Accusation against 1031 COMMERCIAL EXCHANGE, INC.

II

1031 COMMERCIAL EXCHANGE, INC. (hereinafter referred to as "Respondent") is presently licensed and/or has license rights

1 under the Real Estate Law (Part 1 of Division 4 of the Business
2 and Professions Code) (hereinafter Code).

3 III

4 Respondent 1031 COMMERCIAL EXCHANGE, INC. was licensed
5 as a real estate broker effective September 25, 2004.

6 IV

7 On or about September 1, 2006, the Franchise Tax Board
8 of the State of California, forfeited the powers, rights and
9 privileges of Respondent.

10 V

11 The conduct of Respondent, 1031 COMMERCIAL EXCHANGE,
12 INC., as alleged above, was in violation of Section 2742 of Title
13 10, Chapter 6, California Code of Regulations, and subjects its
14 real estate license and license rights to suspension or
15 revocation pursuant to Sections 10177(d) and (f) of the Code.

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

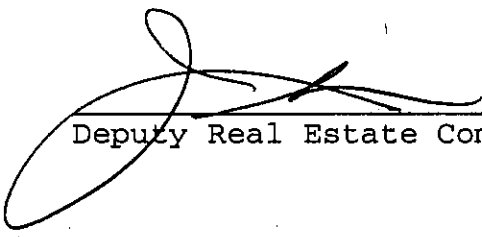
26 ///

27

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

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 1031 COMMERCIAL EXCHANGE, INC. 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 applicable provisions of law.

Dated at Los Angeles, California
this 15 day of November, 2006.


Deputy Real Estate Commissioner

cc: 1031 Commercial Exchange, Inc.
Janice A. Waddell
Sacto