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1 Department of Real Estate
2 320 West 4th Street, Ste. 350
3 Los Angeles, California 90013-1105

FILED

FEB 20 2008

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

4 (213) 576-6982

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12)
13 GLENDALE PROPERTIES INC. doing)
14 business as Trumark Real Estate)
15 Management and Services; and MARK)
16 CHRISTOPHER TRUEBLOOD,)
17 individually and as designated)
18 officer of Glendale Properties)
19 Inc.,)
20 Respondents.)

No. H-34215 LA.

STIPULATION
AND
AGREEMENT

18 It is hereby stipulated by and between Respondents
19 GLENDALE PROPERTIES INC., a corporate real estate broker and MARK
20 CHRISTOPHER TRUEBLOOD, individually and as designated officer of
21 Glendale Properties Inc. (sometimes collectively referred to as
22 "Respondents"), represented by Jerry K. Staub, Esq. and the
23 Complainant, acting by and through Elliott Mac Lennan, Counsel
24 for the Department of Real Estate, as follows for the purpose of
25 settling and disposing of the Accusation ("Accusation") filed on
26 August 21, 2007, in this matter:
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1 1. All issues which were to be contested and all
2 evidence which was to be presented by Complainant and Respondents
3 at a formal hearing on the Accusation, which hearing was to be
4 held in accordance with the provisions of the Administrative
5 Procedure Act ("APA"), shall instead and in place thereof be
6 submitted solely on the basis of the provisions of this
7 Stipulation and Agreement ("Stipulation").

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

12 3. Respondents timely filed a Notice of Defense
13 pursuant to Section 11506 of the Government Code for the purpose
14 of requesting a hearing on the allegations in the Accusation.
15 Respondents hereby freely and voluntarily withdraw said Notice of
16 Defense. Respondents acknowledge that they understand that by
17 withdrawing said Notice of Defense they thereby waive their right
18 to require the Commissioner to prove the allegations in the
19 Accusation at a contested hearing held in accordance with the
20 provisions of the APA and that they will waive other rights
21 afforded to them in connection with the hearing such as the right
22 to present evidence in their defense and the right to cross-
23 examine witnesses.
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1 4. This Stipulation is based on the factual
2 allegations contained in the Accusation. In the interest of
3 expedience and economy, Respondents choose not to contest these
4 allegations, but to remain silent and understand that, as a
5 result thereof, these factual allegations, without being admitted
6 or denied, will serve as a prima facie basis for the disciplinary
7 action stipulated to herein. The Real Estate Commissioner shall
8 not be required to provide further evidence to prove said factual
9 allegations.

10 5. This Stipulation and Respondents decision not to
11 contest the Accusation is made for the purpose of reaching an
12 agreed disposition of this proceeding and is expressly limited to
13 this proceeding and any other proceeding or case in which the
14 Department of Real Estate ("Department"), the state or federal
15 government, or any agency of this state, another state or federal
16 government is involved.

17 6. It is understood by the parties that the Real
18 Estate Commissioner may adopt this Stipulation as his Decision in
19 this matter thereby imposing the penalty and sanctions on
20 Respondents' real estate licenses and license rights as set forth
21 in the "Order" below. In the event that the Commissioner in his
22 discretion does not adopt the Stipulation, it shall be void and
23 of no effect and Respondents shall retain the right to a hearing
24 and proceeding on the Accusation under the provisions of the APA
25 and shall not be bound by any stipulation or waiver made herein.
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1 7. The Order or any subsequent Order of the Real
2 Estate Commissioner made pursuant to this Stipulation shall not
3 constitute an estoppel, merger or bar to any further
4 administrative or civil proceedings by the Department of Real
5 Estate with respect to any matters which were not specifically
6 alleged to be causes for Accusation in this proceeding but do
7 constitute a bar, estoppel and merger as to any allegations
8 actually contained in the Accusations against Respondent herein.

9 8. Respondents understand that by agreeing to this
10 Stipulation, Respondents agree to pay, pursuant to Business and
11 Professions Code Section 10148, the cost of the audit (LA 060029)
12 which led to this disciplinary action. The amount of said cost
13 for the audit is \$10,224.67.

14 9. Respondents have received, read, and understand the
15 "Notice Concerning Costs of Subsequent Audit". Respondents
16 further understand that by agreeing to this Stipulation, the
17 findings set forth below in the Determination of Issues become
18 final, and the Commissioner may charge Respondents for the cost
19 of any subsequent audit conducted pursuant to Business and
20 Professions Code Section 10148 to determine if the violations
21 have been corrected. The maximum cost of the subsequent audit
22 will not exceed \$10,224.67.

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DETERMINATION OF ISSUES

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2 By reason of the foregoing, it is stipulated and agreed
3 that the following determination of issues shall be made:

4 I.

5 The conduct, acts or omissions of GLENDALE PROPERTIES
6 INC. and MARK CHRISTOPHER TRUEBLOOD as described in Paragraph 4,
7 above, is in violation of Section 10145 of the Business and
8 Professions Code ("Code") and Sections 2832.1 and 2832(a) of
9 Title 10, Chapter 6 of the California Code of Regulations
10 ("Regulations") and is a basis for the suspension or revocation
11 of Respondent's license and license rights as a violation of the
12 Real Estate Law pursuant to Code Section 10177(d).

13 II.

14 The conduct, acts or omissions of MARK CHRISTOPHER
15 TRUEBLOOD, as described in Paragraph 4, constitutes a failure to
16 keep Glendale Properties Inc. in compliance with the Real Estate
17 Law during the time that he was the officer designated by a
18 corporate broker licensee in violation of Section 10159.2 of the
19 Code. This conduct is a basis for the suspension or revocation
20 of Respondent's license pursuant to Code Section 10177(h).

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ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

A. All licenses and licensing rights of Respondents
GLENDALE PROPERTIES INC. and MARK CHRISTOPHER TRUEBLOOD under the
Real Estate Law are suspended for a period of ninety (90) days
from the effective date of this Decision; provided, however, that
sixty (60) days of said suspension shall be stayed for two (2)
years upon the following terms and conditions:

1. Respondents shall obey all laws, rules and
regulations governing the rights, duties and responsibilities of
a real estate licensee in the State of California.

2. That no final subsequent determination be made,
after hearing or upon stipulation, that cause for disciplinary
action occurred within two (2) years of the effective date of
this Decision. Should such determination be made, the
Commissioner may, in his discretion, vacate and set aside the
stay order and reimpose all or a portion of the stayed
suspension. Should no such determination be made, the stay
imposed herein shall become permanent.

B. The initial thirty (30) day portion of said ninety
(90) day suspension shall commence on the effective date of this
Decision; provided, however, that if Respondents petition, said
suspension shall be stayed upon condition that:

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1 1. Pursuant to Section 10175.2 of the Business and
2 Professions Code, Respondents shall pay a monetary penalty of
3 fifty dollars (\$50.00) per day each or One Thousand Five Dollars
4 (\$1,500), totaling Three Thousand Dollars (\$3,000) for both
5 Respondents.

6 2. Said payment shall be in the form of a cashier's
7 check or certified check made payable to the Recovery
8 Account of the Real Estate Fund. Said check must be received
9 by the Department prior to the effective date of the Decision.

10 3. No further cause for disciplinary action against
11 the real estate license of Respondents occur within two (2) years
12 from the effective date of the Decision in this matter.

13 4. If Respondents fail to pay the monetary penalty in
14 accordance with the terms and conditions of the Decision, the
15 Commissioner may, without a hearing, order the immediate
16 execution of all or any part of the stayed suspension in which
17 event Respondents shall not be entitled to any repayment nor
18 credit, prorated or otherwise, for money paid to the Department
19 under the terms of this Decision.

20 5. If Respondents pay the monetary penalty and provide
21 evidence, above, and if no further cause for disciplinary action
22 against the real estate licenses of Respondents occur within two
23 (2) years from the effective date of the Decision, the stay
24 hereby granted shall become permanent.

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II.

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2 Pursuant to Section 10148 of the Business and
3 Professions Code, Respondents GLENDALE PROPERTIES INC. and MARK
4 CHRISTOPHER TRUEBLOOD shall pay the Commissioner's reasonable
5 cost for (a) the audit which led to this disciplinary action (b)
6 a subsequent audit to determine if Respondents are now in
7 compliance with the Real Estate Law. The cost of the audit which
8 led to this disciplinary action is \$10,224.67. In calculating
9 the amount of the Commissioner's reasonable cost, the
10 Commissioner may use the estimated average hourly salary for all
11 persons performing audits of real estate brokers, and shall
12 include an allocation for travel time to and from the auditor's
13 place of work. Said amount for the prior and subsequent audits
14 shall not exceed \$20,449.34

15
16 Respondents shall pay such cost within 60 days of
17 receiving an invoice from the Commissioner detailing the
18 activities performed during the audit and the amount of time
19 spent performing those activities.

20 The Commissioner may suspend the license of Respondents
21 pending a hearing held in accordance with Section 11500, et seq.,
22 of the Government Code, if payment is not timely made as provided
23 for herein, or as provided for in a subsequent agreement between
24 the Respondent and the Commissioner. The suspension shall remain
25 in effect until payment is made in full or until Respondents
26 enter into an agreement satisfactory to the Commissioner to
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1 provide for payment, or until a decision providing otherwise is
2 adopted following a hearing held pursuant to this condition.

3 III.

4 All licenses and licensing rights of Respondent MARK
5 CHRISTOPHER TRUEBLOOD are indefinitely suspended unless or until
6 Respondent provides proof satisfactory to the Commissioner, of
7 having taken and successfully completed the continuing education
8 course on trust fund accounting and handling specified in
9 paragraph (3) of subdivision (a) of Section 10170.5 of the
10 Business and Professions Code. Proof of satisfaction of this
11 requirement includes evidence that respondent has successfully
12 completed the trust fund account and handling continuing
13 education course within 120 days prior to the effective date of
14 the Decision in this matter.

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18 DATED: 11-26-07

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ELLIOTT MAC LENNAN, Counsel for
the Department of Real Estate

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EXECUTION OF THE STIPULATION

We have read the Stipulation and discussed it with our counsel. Its terms are understood by us and are agreeable and acceptable to us. We understand that we are waiving rights given to us by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and we willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which we would have the right to cross-examine witnesses against us and to present evidence in defense and mitigation of the charges.

MAILING AND FACSIMILE

Respondents (1) shall mail the original signed signature page of the stipulation herein to Elliott Mac Lennan: Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105. Additionally, Respondents (2) shall also facsimile a copy of signed signature page, to the Department at the following telephone/fax number: (213) 576-6917, Attention: Elliott Mac Lennan.


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1 A facsimile constitutes acceptance and approval of the
2 terms and conditions of this stipulation. Respondents agree,
3 acknowledge and understand that by electronically sending to the
4 Department a facsimile copy of Respondents' actual signature as
5 it appears on the stipulation, which receipt of the facsimile
6 copy by the Department shall be as binding on Respondents as if
7 the Department had received the original signed stipulation.

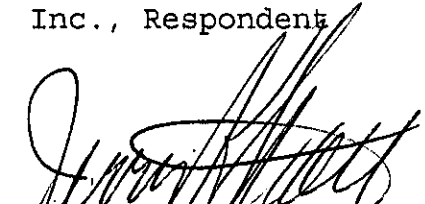
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9
10 DATED: 12-3-07


11 _____
12 GLENDALE PROPERTIES INC., a
13 corporate real estate broker,
14 BY: MARK CHRISTOPHER TRUEBLOOD
15 D.O., Respondent

16
17 DATED: 12-3-07


18 _____
19 MARK CHRISTOPHER TRUEBLOOD,
20 individually and as designated
21 officer of Glendale Properties
22 Inc., Respondent

23
24 DATED: 12-3-07


25 _____
26 PERRY W. STAUB, ESQ.
27 Attorney for Respondents
Approved as to form

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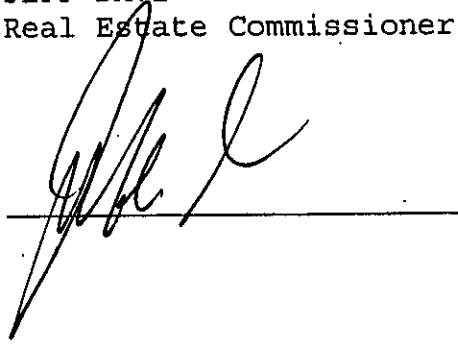
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The foregoing Stipulation and Agreement is hereby
adopted as my Decision as to Respondents GLENDALE PROPERTIES INC.
and MARK CHRISTOPHER TRUEBLOOD, individually and as designated
officer of Glendale Properties Inc., and shall become effective
at 12 o'clock noon on March 21, 2008.

IT IS SO ORDERED 2-4., 2008.

JEFF DAVI
Real Estate Commissioner



A handwritten signature in cursive script, appearing to read 'Jeff Davi', is written over a horizontal line.

fac.

1 ELLIOTT MAC LENNAN, SBN 66674
2 Department of Real Estate
3 320 West 4th Street, Ste. 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6911 (direct)
6 -or- (213) 576-6982 (office)

FILED

AUG 21 2007

DEPARTMENT OF REAL ESTATE
BY: ARF

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

No. H-34215 LA

12 GLENDALE PROPERTIES INC.,)
13 doing business as Trumark Real)
14 Estate Management and Services;)
15 and MARK CHRISTOPHER TRUEBLOOD,)
16 individually and as designated)
17 officer of Glendale Properties)
18 Inc.,)

A C C U S A T I O N

19 Respondents.

20 The Complainant, Maria Suarez, a Deputy Real Estate
21 Commissioner of the State of California, for cause of Accusation
22 against GLENDALE PROPERTIES INC. dba Trumark Real Estate
23 Management and Services, and MARK CHRISTOPHER TRUEBLOOD,
24 individually and as designated officer of Glendale Properties
25 Inc., alleges as follows:

26 1.

27 The Complainant, Maria Suarez, acting in her official
capacity as a Deputy Real Estate Commissioner of the State of

1 California, makes this Accusation against GLENDALE PROPERTIES
2 INC. and MARK CHRISTOPHER TRUEBLOOD.

3 2.

4 All references to the "Code" are to the California
5 Business and Professions Code and all references to "Regulations"
6 are to Title 10, Chapter 6, California Code of Regulations.

7 LICENSE HISTORY

8 3.

9 A. At all times mentioned, GLENDALE PROPERTIES INC.
10 ("GLENDALE") was licensed or had license rights issued by the
11 Department of Real Estate ("Department") as a corporate real
12 estate broker. On February 1, 1983, GLENDALE was originally
13 licensed as a real estate broker. On July 27, 1998, MARK
14 CHRISTOPHER TRUEBLOOD became the designated officer.

15 B. On November 10, 1990, GLENDALE's license was
16 suspended on terms and conditions, as more fully set forth below
17 in Paragraph 9. On March 4, 1991, an Order to Desist and Refrain
18 was issued to GLENDALE, as set forth in Paragraph 10.

19 C. At all times mentioned, MARK CHRISTOPHER TRUEBLOOD
20 ("TRUEBLOOD") was licensed or had license rights issued by the
21 Department as a real estate broker. On October 26, 1984,
22 TRUEBLOOD was originally licensed as a real estate salesperson.
23 On December 16, 1993, TRUEBLOOD was originally licensed as a real
24 estate broker.
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1 D. At all times material herein, GLENDALE was licensed
2 by the Department as a corporate real estate broker by and
3 through TRUEBLOOD, as the designated officer and broker
4 responsible, pursuant to Code Section 10159.2 for supervising the
5 activities requiring a real estate license conducted on behalf
6 GLENDALE of by GLENDALE's officers, agents and employees,
7 including TRUEBLOOD.

8 LICENSED ACTIVITIES AND BROKERAGE

9 GLENDALE PROPERTIES INC.

10 4.

11 At all times mentioned, in the City of Glendale, County
12 of Los Angeles, GLENDALE acted as a real estate broker and
13 conducted licensed activities within the meaning of Code Section
14 10131(b). GLENDALE operated a property management brokerage dba
15 Trumark Real Estate Management and Services.
16

17 AUDIT

18 5.

19 On May 25, 2007, the Department completed an audit
20 examination of the books and records of GLENDALE pertaining to
21 the property management activities described in Paragraph 4, that
22 require a real estate license. The audit examination covered a
23 period of time beginning on July 1, 2005 to March 30, 2007. The
24 audit examination revealed violations of the Code and the
25 Regulations as set forth in the following paragraphs, and more
26 fully discussed in Audit Report LA 060029 and the exhibits and
27

1 work papers attached to said audit report.

2 TRUST ACCOUNT

3 6.

4 At all times mentioned, in connection with the
5 activities described in Paragraph 4, above, GLENDALE accepted or
6 received funds including funds in trust (hereinafter "trust
7 funds") from or on behalf of actual or prospective parties to
8 transactions handled by GLENDALE including property owners and
9 tenants.
10

11
12 "Glendale Properties Inc. dba Trumark Real Estate Management
13 Commercial Trust Account
14 0001-742671"
15 Mellon 1st Business Bank
16 Los Angeles, CA 90071 (T/A #1)

17 "Glendale Properties Inc. dba Trumark Real Estate Management
18 Residential Trust Account
19 0001-742663"
20 Mellon 1st Business Bank
21 Los Angeles, CA 90071 (T/A #2)

22 "Glendale Properties Inc. dba Trumark Real Estate Management
23 Services Management Trust Account
24 430415883"
25 City National Bank
26 Glendale, CA 91203 (B/A #3)
27

1 VIOLATIONS OF THE REAL ESTATE LAW

2 7.

3 In the course of activities described in Paragraphs 4
4 and 6, above, and during the examination period described in
5 Paragraph 5, Respondents GLENDALE and TRUEBLOOD, acted in
6 violation of the Code and the Regulations in that they:

7 (a) Permitted, allowed or caused the disbursement of
8 trust funds from the T/A #1 and T/A #2 where the disbursement of
9 funds reduced the total of aggregate funds in the trust accounts
10 set forth below, to an amount which was less than the existing
11 aggregate trust fund liability of GLENDALE to every principal who
12 was an owner of said funds, without first obtaining the prior
13 written consent of the owners of said funds, as required by Code
14 Section 10145 and Regulations 2832.1

- 15
- 16 • T/A #1 and T/A #2: \$14,116.85 (March 30, 2007)
 - 17 • T/A #1 and T/A #2: \$35,021.35 (June 30, 2006)
- 18

19 (b) Failed to maintain an accurate and complete control
20 record in the form of a columnar record in chronological order of
21 all trust funds received for the property management activities
22 in T/A #2, as required by Code Section 10145 and Regulation 2831.

23 (c) Failed to perform a monthly reconciliation of the
24 balance of all separate beneficiary or transaction records
25 maintained pursuant to Regulation 2831.1 with the record of all
26 trust funds received and disbursed for property management
27

1 activities, as required by Code Section 10145 and Regulation
2 2831.2.

3 (d) Failed to place trust funds, including deposits and
4 rents into the hands of the owner of the funds, a neutral escrow
5 depository or into a trust fund account in the name of the
6 trustee at a bank or other financial institution, as required by
7 Code Section 10145 and Regulation 2832(a). B/A #3 was not
8 designated as a trust account.

9 (e) Permitted Maria Estavillo and Glorya Rane,
10 unlicensed and under bonded persons, to be authorized signatories
11 on all trust accounts, in violation of Code Section 10145 and
12 Regulation 2834.

13 (f) Had no system in place for regularly monitoring
14 GLENDALE's compliance with the Real Estate Law especially in
15 regard to establishing policies to review trust fund handling, in
16 violation of Code Sections 10159.2, 10177(h) and Regulation 2725.

17 (g) Performed acts for which a real estate license is
18 required, including soliciting for prospective tenants and
19 negotiating leases on real property and executing property
20 management agreements with property owners for managing their
21 real properties after GLENDALE's corporate broker license had
22 expired on February 1, 2007 to April 16, 2007, in violation of
23 Code Section 10130.
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DISCIPLINARY STATUTES AND REGULATIONS

8.

The conduct of Respondents GLENDALE and TRUEBLOOD, as alleged and described in Paragraph 7, above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
7 (a)	Code Section 10145 and Regulation 2832.1
7 (b)	Code Section 10145 and Regulation 2831
7 (c)	Code Section 10145 and Regulation 2831.2
7 (d)	Code Section 10145 and Regulation 2832 (a)
7 (e)	Code Section 10145 and Regulation 2834
7 (f)	Code Sections 10159.2, 10177 (h) and Regulation 2725
7 (g)	Code Section 10130)

1 The foregoing violations constitutes cause for the suspension or
2 revocation of the real estate license and license rights of
3 GLENDALE and TRUEBLOOD under the provisions of Code Sections
4 10177(d), 10177(g) and/or 10177(h).

5 PRIOR DEPARTMENTAL ACTION

6 DESIST AND REFRAIN ORDER

7 9.

8 On March 4, 1991, in Case No. H-24519 LA, an Accusation
9 was filed against Respondent GLENDALE PROPERTIES INC. that
10 resulted in discipline by means of a stayed suspension and
11 monetary penalty for said Respondent for violations of Code
12 Sections 10145 and 10176(e) and Regulations 2731, 2830, 2831,
13 2831.2 and 2832.1.

14 PRIOR DEPARTMENTAL ACTION

15 ACCUSATION

16 10.

17 On December 31, 1986, in Case No. H-22748 LA, an ORDER
18 TO DESIST AND REFRAIN was filed against Respondent GLENDALE
19 PROPERTIES INC., under Section 10086 of the Code (Engaging in
20 Prohibited Activity, Order to Desist and Refrain) for violations
21 of Code Sections 10145 and 10176(e) and Regulations 2731, 2830,
22 2831, 2831.2 and 2832.1.

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11.

1 The overall conduct of Respondents GLENDALE and
2 TRUEBLOOD constitutes negligence or incompetence. This conduct
3 and violation are cause for the suspension or revocation of the
4 real estate license and license rights of said Respondents
5 pursuant to Code Section 10177(g).
6

12.

7 The overall conduct of Respondent TRUEBLOOD constitutes
8 a failure on his part, as officer designated by a corporate
9 broker licensee, to exercise the reasonable supervision and
10 control over the licensed activities of GLENDALE as required by
11 Code Section 10159.2, and to keep GLENDALE in compliance with the
12 Real Estate Law, and is cause for the suspension or revocation of
13 the real estate license and license rights of TRUEBLOOD pursuant
14 to the provisions of Code Section 10177(h).
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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against the license and license rights of Respondents
5 GLENDALE PROPERTIES INC. dba Trumark Real Estate Management and
6 Services, and MARK CHRISTOPHER TRUEBLOOD, under the Real Estate
7 Law (Part 1 of Division 4 of the Business and Professions Code)
8 and for such other and further relief as may be proper under
9 other applicable provisions of law.

10 Dated at Los Angeles, California

11 this *21st* day of August 2007 
12 Deputy Real Estate Commissioner

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24 cc: Glendale Properties Inc.
25 c/o Mark Christopher Trueblood D.O.
26 Maria Suarez
27 Sacto
Audits - Robert S. Brody