


FILED
APR 10 2009

BEFORE THE DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA



* * * *

In the Matter of the Accusation of)
)
COASTVIEW CAPITAL, INC.,)
and RUTH GEORGENNE FARIAS,)
individually and as)
designated officer of)
Coastview Capital, Inc.,)
)
Respondents.)
)

NO. H-35077 LA

DECISION

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 December 24, 2008, and the findings of fact set forth herein are based on one or more of the following:

- (1) Respondent's express admissions; (2) affidavits; and
- (3) other evidence.

FINDINGS OF FACT

I

On June 12, 2008, Robin L. Trujillo made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondents' last known mailing address on file with the Department on June 30, 2008.

On December 24, 2008, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondents' default was entered herein.

II

COASTVIEW CAPITAL, INC. and RUTH GEORGENNE FARIAS (hereinafter referred to as Respondents) are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code).

III

Respondent COASTVIEW CAPITAL, INC. was licensed as a real estate broker effective October 30, 2004, with Respondent RUTH GEORGENNE FARIAS as its designated broker officer. Pursuant to Code Section 10159.2, Respondent FARIAS is responsible for the supervision and control of the activities on behalf of the corporation by its officers and employees as necessary to secure full compliance with the provisions of the real estate law.

IV

Respondent RUTH GEORGENNE FARIAS was previously subjected to discipline as a result of the Decision in case No. H-28982 LA effective September 17, 2001, and case No. H-31735 LA effective June 22, 2006.

V

During 2007 and 2008, Respondent COASTVIEW CAPITAL, INC. failed to maintain a definite place of business in the State of California which shall serve as its office for the transaction of business.

VI

During 2007 and 2008, Respondent COASTVIEW CAPITAL, INC. failed to retain copies of all listings, deposit receipts, canceled checks, trust records, and other documents executed by it or obtained by it in connection with transactions for which a real estate broker license is required.

VII

On or about August 28, 2007, in the Superior Court for the County of Orange, State of California, case No. 07CC03871, Mark Austerlitz, et al., Plaintiff vs. Ruth Farias, and Coastview Capital, Inc., et al., Defendants, a final judgment was obtained in a civil action against Respondents upon grounds of fraud, misrepresentation, or deceit with reference to a transaction for which a real estate license is required.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent COASTVIEW CAPITAL, INC. exists pursuant to Business and Professions Code Sections 10177(f), 10177.5, and 10177(d) for violation of Business and Professions Code Sections 10177.5, 10162, and 10148.

II

Cause for disciplinary action against Respondent RUTH GEORGENNE FARIAS exists pursuant to Business and Professions Code Sections 10177(f), 10177.5, and 10177(d) for violation of Business and Professions Code Sections 10159.2 and 10177.5.

III

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

ORDER

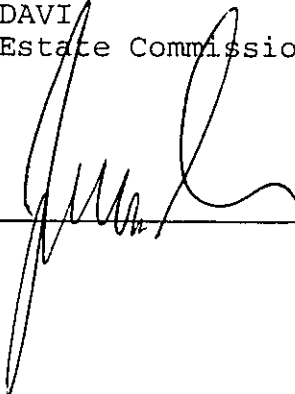
All licenses and license rights of Respondents COASTVIEW CAPITAL, INC. and RUTH GEORGENNE FARIAS under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on April 30, 2009.

DATED: _____

1-7-09

JEFF DAVIS
Real Estate Commissioner



5/20/08
2/29

FILED
JUN 30 2008
DEPARTMENT OF REAL ESTATE
By *[Signature]*

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2 Department of Real Estate
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7
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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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11 In the Matter of the Accusation of) No. H-35077 LA
12)
13) A C C U S A T I O N
14)
15) COASTVIEW CAPITAL, INC.,)
16) and RUTH GEORGENNE FARIAS,)
17) individually and as)
18) designated officer of)
19) Coastview Capital, Inc.,)
20) Respondents,)

21 The Complainant, Robin L. Trujillo, a Deputy Real
22 Estate Commissioner of the State of California, for cause of
23 Accusation against COASTVIEW CAPITAL, INC., and RUTH GEORGENNE
24 FARIAS, individually, and as designated officer of Coastview
25 Capital, Inc., alleges as follows:

I

26 The Complainant, Robin L. Trujillo, acting in her
27 official capacity as a Deputy Real Estate Commissioner of the
State of California, makes this Accusation against COASTVIEW
CAPITAL, INC., and RUTH GEORGENNE FARIAS.

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II

COASTVIEW CAPITAL, INC., and RUTH GEORGENNE FARIAS (hereinafter referred to as "Respondents") are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code).

III

Respondent COASTVIEW CAPITAL, INC. was licensed as a real estate broker effective October 30, 2004, with Respondent RUTH GEORGENNE FARIAS as its designated broker officer. Pursuant to Code Section 10159.2, Respondent FARIAS is responsible for the supervision and control of the activities on behalf of the corporation by its officers and employees as necessary to secure full compliance with the provisions of the real estate law.

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VIII

The conduct of Respondent, COASTVIEW CAPITAL, INC., as alleged above, was in violation of Code Sections 10162, 10148, and 10177.5, and subjects its real estate license and license rights to suspension or revocation pursuant to Sections 10177(d), 10177(f), 10177(g), and 10177.5 of the Code.

IX

The conduct of Respondent, RUTH GEORGENNE FARIAS, as alleged above, was in violation of Code Sections 10159.2 and 10177.5, and subjects her real estate broker license and license rights to suspension or revocation pursuant to Sections 10177(d), 10177(f), 10177(g), and 10177.5 of the Code.

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 all licenses and license rights of Respondents
5 COASTVIEW CAPITAL, INC., and RUTH GEORGENNE FARIAS, under the
6 Real Estate Law (Part 1 of Division 4 of the Business and
7 Professions Code) and for such other and further relief as may be
8 proper under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this 12 day of June, 2008.

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14 ROBIN L. TRUJILLO
15 Deputy Real Estate Commissioner
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23 cc: Coastview Capital, Inc.
24 Ruth Georgenne Farias
25 Robin L. Trujillo
26 Sacto
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