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BUREAU OF REAL ESTATE

By *[Signature]*

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-37605 LA
)	
<u>FRANK H. WHITEHEAD III</u> , and)	
EVELYN VELASQUEZ ,)	
)	
Respondent(s).)	
)	

ORDER SUSPENDING REAL ESTATE LICENSE

TO: FRANK H. WHITEHEAD III, Respondent
4685 Tumbleweed Drive
Brighton, Colorado 80601

On or about August 15, 2012, your real estate broker license was suspended by the Bureau for a period of ninety (90) days with the entire period stayed for two (2) years on the terms, conditions and restrictions set forth in the Real Estate Commissioner's Order made pursuant to the Stipulation and Agreement in Case No. H-37605 LA. Among those terms, conditions

1 and restrictions, you were required to make restitution within
2 one year of the effective date of the Decision to those persons
3 who allegedly suffered monetary loss as a result of the
4 allegations set forth in the Accusation filed in this case as
5 follows:

6 1. Respondent shall provide proof of restitution
7 satisfactory to the Real Estate Commissioner of restitution to
8 the following individuals and in the amounts specified:

- 9 a. Josefina Cortes in the amount of \$2,770;
- 10 b. Raul Lopez Silva in the amount of \$1,995;
- 11 c. Paulo Azevedo in the amount of \$1,000;
- 12 d. Evaristo Figueroa in the amount of \$3,000; and
- 13 e. Rafael Rodriguez in the amount of \$7,500.

14 2. All proof of payment of restitution shall be
15 submitted to Bureau Counsel Cheryl Keily, Attention: Legal
16 Section, Bureau of Real Estate, 320 W. Fourth St., Suite 350,
17 Los Angeles, California 90013-1105, on or before the time set
18 for performance.

19 3. If Respondent fails to satisfy these conditions,
20 the Real Estate Commissioner may order suspension of
21 Respondent's license until Respondent provides proof of
22 restitution satisfactory to the Commissioner.

23 The Commissioner has determined that as of October 21,
24 2013, you have failed to satisfy this condition.

25 ///

26 ///

27 ///

1 NOW, THEREFORE, IT IS ORDERED under authority of the
2 Order issued in this matter that the real estate broker license
3 heretofore issued to you and the exercise of any privileges
4 thereunder is hereby suspended until such time as you provide
5 proof satisfactory to the Bureau of compliance with the
6 "condition" referred to above, or pending final determination
7 after hearing (see "Hearing Rights" set forth below).

8 IT IS FURTHER ORDERED that all license certificates
9 and identification cards issued by the Bureau of Real Estate
10 which are in your possession be immediately surrendered by
11 personal delivery or by mailing in the enclosed self-addressed
12 envelope to:

13 Bureau of Real Estate
14 Attn: Flag Section
15 P.O. Box 137013
16 Sacramento, California 95813-7013

17 HEARING RIGHTS: You have the right to a hearing to
18 contest the Commissioner's determination that you are in
19 violation of the Order issued in this matter. If you desire a
20 hearing, you must submit a written request. The request may be
21 in any form, as long as it is in writing and indicates that you
22 want a hearing. Unless a written request for a hearing, signed
23 by or on behalf of you, is delivered or mailed to the Bureau at
24 320 W. Fourth St., Room 350, Los Angeles, CA. 90013, within 20
25 days after the date that this Order was mailed to or served on
26 you, the Bureau will not be required to furnish you a hearing.
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This Order shall be effective immediately.

DATED: OCT 30 2013,

Real Estate Commissioner

A handwritten signature in black ink, appearing to read "Jeffrey Mason", is written over a horizontal line. The signature is somewhat stylized and overlaps the text "Real Estate Commissioner" above it.

By: JEFFREY MASON
Chief Deputy Commissioner