

1 ROLAND ADICKES, Counsel
2 Department of Real Estate
3 P. O. Box 187000
4 Sacramento, CA 95818-7000
5
6 (916) 739-3607
7

FILED
MAY 10 1988

DEPARTMENT OF REAL ESTATE

By Kathleen Contreas

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 ENNIS REALTY, INC.,)
13 BEN ARTHUR ENNIS,)
14 PATRICK JAMES McCUSKER,)
15 DONNA LOUISE BRALY,)
16 CRYSTAL LYNN COWART,)
17 NANCY LOU WINTON,)
18 Respondents.)

NO. H-895 FRESNO

ACCUSATION

17 The Complainant, Jerry Fiscus, a Deputy Real Estate
18 Commissioner of the State of California, for cause of Accusation
19 against ENNIS REALTY, INC.; BEN ARTHUR ENNIS; PATRICK JAMES
20 McCUSKER; DONNA LOUISE BRALY; CRYSTAL LYNN COWART; and NANCY LOU
21 WINTON (hereinafter referred to as Respondents) is informed and
22 alleges as follows:

23 1.

24 The Complainant, Jerry Fiscus, a Deputy Real Estate
25 Commissioner of the State of California, is acting in his official
26 capacity in making this Accusation against Respondents.

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2.

Respondents are licensed under the Real Estate Law
(Business and Professions Code) as follows:

BEN ARTHUR ENNIS, as a real estate broker.

ENNIS REALTY, INC., as a corporate real estate broker
through Ben Arthur Ennis as designated officer.

PATRICK JAMES McCUSKER, as a real estate salesperson.

DONNA LOUISE BRALY, as a real estate salesperson.

CRYSTAL LYNN COWART, as a real estate broker.

NANCY LOU WINTON, as a real estate salesperson.

3.

On or about July 11, 1986, Ennis Realty, acting through
Donohue, Braly, and Ennis, entered into a listing contract with
Bracton Corporation for the sale of Parcels No. 4, 11, 12, 13,
14-23, of Deer Creek Heights, Tulare County, California, a
subdivision within the meaning of Business and Professions Code
Section 11000 (herein the "Subdivision").

4.

During 1986, 1987, and 1988, Ennis Realty, Inc., and
Ben Arthur Ennis, acting through real estate salespersons in their
employ, offered for sale and/or sold several parcels in the
Subdivision without first obtaining a subdivision public report as
required by Business and Professions Code Section 11018.2.

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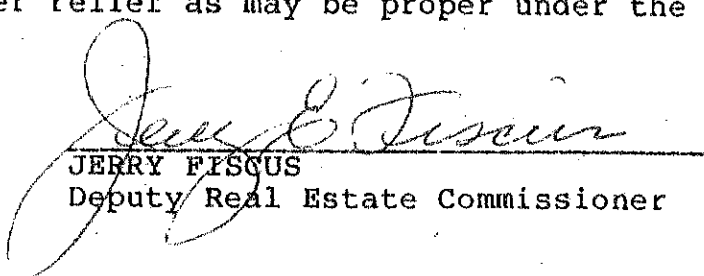
1 In particular, some of the lots or parcels offered for
2 sale were:

3	<u>Lot Number</u>	<u>Buyer</u>	<u>Real Estate Salesperson</u>
4	14	Eller	McCusker
	4	Campbell	Braly
5	12	Lager	Cowart
6	13, 23	Laughlin	Winton

7 Ennis Realty, Inc., Ennis and McCusker, Braly, Cowart
8 and Winton acted in these transactions on behalf of Bracton
9 Corporation and for compensation or in expectation of compensation.
10 5.

11 The acts and/or omissions of respondents ENNIS REALTY,
12 INC.; BEN ARTHUR ENNIS; PATRICK JAMES MCCUSKER; DONNA LOUISE BRALY;
13 CRYSTAL LYNN COWART; and NANCY LOU WINTON described above are
14 grounds for the suspension or revocation of Respondents' licenses
15 under Section 10177(d) in conjunction with Section 11018.2 of the
16 Business and Professions Code of the State of California.

17 WHEREFORE, complainant prays that a hearing be conducted
18 on the allegations of this Accusation and that upon proof thereof,
19 a decision be rendered imposing disciplinary action against all
20 licenses and license rights of Respondents under the Real Estate
21 Law (Part 1 of Division 4 of the Business and Professions Code),
22 and for such other and further relief as may be proper under the
23 provisions of law.

24 
25 JERRY FISCUS
Deputy Real Estate Commissioner

26 Dated at Fresno, California
27 this 9th day of May, 1988.