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FILED
MAR 22 1991
DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 WILLIAM HOWARD DONOHOE,) NO. H-895 FRESNO
13 Respondent.) SECOND AMENDED ACCUSATION

14 The Complainant, Jerry E. Fiscus, a Deputy Real Estate
15 Commissioner of the State of California, for cause of Accusation
16 against WILLIAM HOWARD DONOHOE (hereinafter referred to as
17 Respondent) is informed and alleges as follows:

18 1.

19 The Complainant, Jerry E. Fiscus, a Deputy Real Estate
20 Commissioner of the State of California, is acting in his official
21 capacity in making this Amended Accusation against Respondent.

22 2.

23 Respondent is licensed under the Real Estate Law (Part 1
24 of Division 4 of the Business and Professions Code) (the Code) as
25 a real estate salesperson, and at the times described below, was
26 employed by Ennis Realty, Inc. with Ben Arthur Ennis as designated
27 broker officer (herein collectively referred to as "the Broker").

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

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9 During 1986, 1987, and 1988, the Broker, acting through
10 real estate salespersons in its employ, offered for sale and/or
11 sold several parcels in the Subdivision without first obtaining a
12 subdivision public report as required by Business and Professions
13 Code Section 11018.2.

14 In particular, some of the lots or parcels offered for
15 sale were:

16	<u>Lot Number</u>	<u>Buyer</u>	<u>Real Estate Salesperson</u>
17	14	Eller	McCusker
18	4	Campbell	Braly
19	12	Lager	Cowart
20	13, 23	Laughlin	Winton

21 The Broker acted in these transactions on behalf of
22 Bracton Corporation and for compensation or in expectation of
23 compensation. Respondent Donohoe caused the lots to be offered
24 for sale and received compensation in connection with Lots 4, 12,
25 and 14.

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The acts and/or omissions of respondent WILLIAM HOWARD
DONOHOE described above are grounds for the suspension or
revocation of Respondent's licenses under Section 10177(d) in
conjunction with Section 11018.2 of the Business and Professions
Code of the State of California.

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, 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 the
provisions of law.

JERRY E. FISCUS
Deputy Real Estate Commissioner

By: Les R. Bettencourt
LES R. BETTENCOURT
Deputy Real Estate Commissioner

Dated at Sacramento, California,
this 21st day of March, 1991.