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DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-1093 SD
LA JOLLA INTERNATIONAL BROKERS,)	
INC., a Corporation, aka)	L-25354
Apartment Investment Realty,)	
Inc., CARL LEE MOORE, DONALD)	
ALLAN DAHLSTROM, JASON CONRAD)	
LANDON, and ALVIN LOUIS LIPTON,)	
Respondents.)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On October 25, 1982, a Decision was rendered herein revoking the real estate salesperson license of respondent JASON CONRAD LANDON, but granting respondent the right to the issuance of a restricted salesperson license. A restricted real estate salesperson license was issued to respondent LANDON on December 16, 1982, and respondent has operated as a restricted licensee without cause for disciplinary action against him since that time.

On June 21, 1984, respondent LANDON petitioned for reinstatement of said real estate salesperson license and the

1 Attorney General of the State of California has been given notice
2 of the filing of said petition.

3 I have considered respondent LANDON's petition and the
4 evidence and arguments in support thereof including his record
5 as a restricted licensee. Respondent has demonstrated to my
6 satisfaction that grounds do not presently exist to deny the
7 issuance of an unrestricted real estate salesperson license to
8 him.

9 NOW, THEREFORE, IT IS ORDERED that respondent's
10 petition for reinstatement is granted. An unrestricted real
11 estate salesperson license shall be issued to respondent if he
12 satisfies the following conditions within six months from the
13 date of this order:

14 1. Submittal of a completed application and payment
15 of the fee for a real estate salesperson license.

16 2. Submittal of evidence of the completion of
17 45 hours of approved continuing education offerings within the
18 four-year period immediately preceding the date of submittal of
19 the evidence to the Department.

20 This Order shall be effective immediately.

21 DATED: October 9, 1984

22 JAMES A. EDMONDS, JR.
23 Real Estate Commissioner

24 By: 
25 W. JEROME THOMAS
Assistant Commissioner

26 cc: Jason Conrad Landon
27 916 Senita Drive
Barstow, CA 92311

Handwritten signature

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

11	In the Matter of the Accusation of)	No. H-1093 SD
12	LA JOLLA INTERNATIONAL BROKERS,)	
13	INC., a corporation, aka)	L-25354
14	Apartment Investment Realty,)	
15	Inc., CARL LEE MOORE, DONALD)	
16	ALLAN DAHLSTROM, JASON CONRAD)	
17	LANDON, and ALVIN LOUIS)	
	LIPTON,)	
	Respondents.)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On October 25, 1982, a Decision was rendered herein revoking the real estate salesperson license of respondent ALVIN LOUIS LIPTON, but granting respondent the right to the issuance of a restricted salesperson license. Respondent LIPTON did not exercise his right to said restricted license.

On October 31, 1983, respondent LIPTON petitioned for reinstatement of said real estate salesperson license and the Attorney General of the State of California has been given notice of the filing of said petition.

1 I have considered respondent LIPTON's petition and the
2 evidence and arguments in support thereof. Respondent has
3 demonstrated to my satisfaction that grounds do not presently
4 exist to deny the issuance of an unrestricted real estate
5 salesperson license to him.

6
7 NOW, THEREFORE, IT IS ORDERED that respondent ALVIN
8 LOUIS LIPTON's petition for reinstatement is granted and that a
9 real estate salesperson license be issued to him if he satisfies
10 the following conditions within six (6) months from the date of
11 this Order:

12 1. Submittal of a completed application and payment of
13 the fee for a real estate salesperson license.

14 2. Submittal of evidence of the completion of 45 hours
15 of approved continuing education offerings which shall include a
16 three-hour course in ethics, professional conduct, and legal
17 aspects of real estate within the four-year period immediately
18 preceding the date on which the evidence of completion is
19 submitted to the Department.

20 This Order shall be effective immediately.

21 DATED: December 15, 1983

22
23 
24 JAMES A. EDMONDS, JR.
Real Estate Commissioner

25 cc: Alvin Louis Lipton
26 1161 Via Angelina
27 La Jolla, CA 92037

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

NOV-4 1982

RECEIVED
11/4/82
J. J. J. J.

In the Matter of the Accusation of)

LA JOLLA INTERNATIONAL BROKERS,)
INC., a Corporation, aka Apartment)
Investment Realty, Inc., CARL LEE)
MOORE, DONALD ALLAN DAHLSTROM,)
JASON CONRAD LANDON, and ALVIN)
LOUIS LIPTON,)

No. H- 1093 SD

L- 25354

Respondents.)

DECISION

The Proposed Decision dated October 12, 1982,
of the Administrative Law Judge of the Office of Administrative
Hearings, is hereby adopted as the Decision of the Real Estate
Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock
noon on November 24, 1982.

IT IS SO ORDERED

10/25/82

E. J. Brazil

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8 DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Accusation of)

No. H-1093 SD

12 LA JOLLA INTERNATIONAL BROKERS,)
13 INC., a Corporation, aka Apartment)
14 Investment Realty, Inc., CARL)
15 LEE MOORE, DONALD ALLAN DAHLSTROM,)
16 JASON CONRAD LANDON, and ALVIN)
LOUIS LIPTON,)

L-25354

PROPOSED DECISION

Respondents.)

17 This matter came on regularly for hearing before
18 Willis Mevis , Administrative Law Judge of the Office of
19 Administrative Hearings, on August 23 , 1982, at
20 San Diego, California. Complainant was represented by Robert F.
21 Howell, Counsel. Respondents LA JOLLA INTERNATIONAL BROKERS, INC.,
22 and CARL LEE MOORE were represented by their attorneys, Seltzer,
23 Caplan, Wilkins and McMahon, and Bernard Porter, Esq. Respondent
24 MOORE was personally present. Respondents DONALD ALLAN DAHLSTROM
25 and JASON CONRAD LANDON appeared and represented themselves. No
26 appearance was made by or on behalf of Respondent ALVIN LOUIS
27 LIPTON. On motion of Complainant, the hearing was bifurcated and

1 Respondents LA JOLLA INTERNATIONAL BROKERS, INC., and CARL LEE
2 MOORE were severed from the other Respondents for purposes of
3 hearing and decision. The matter as to LA JOLLA INTERNATIONAL
4 BROKERS, INC., and CARL LEE MOORE, only, was submitted upon the
5 written stipulation between those two Respondents and Complainant,
6 and pursuant thereto it is found, determined, and ordered as follows:

7 FINDINGS OF FACT

8 I

9 The complainant, Carl Lewis, a Deputy Real Estate
10 Commissioner of the State of California, makes this accusation in
11 his official capacity.

12 II

13 Respondents, and each of them, are presently licensed
14 and/or have license rights under the Real Estate Law (Part 1 of
15 Division 4 of the Business and Professions Code).

16 III

17 At all times herein mentioned, Apartment Investment
18 Realty Inc. (hereinafter "AIR") was a corporation licensed by the
19 Department of Real Estate of the State of California (hereinafter
20 "DRE") as a corporate real estate broker by and through its
21 designated officer, CARL LEE MOORE.

22 On November 26, 1980, the corporate name of AIR was
23 changed to LA JOLLA INTERNATIONAL BROKERS, INC.; MOORE remained
24 and now is the Designated Officer of LA JOLLA INTERNATIONAL
25 BROKERS, INC.

26 IV

27 At all times herein mentioned, MOORE was licensed by

1 the DRE in his individual capacity as a real estate broker, and
2 conducted his individual real estate broker business under the
3 fictitious business name "Apartment Investment Realty".

4
5 V

6 At all times mentioned herein, Donald Allan Dahlstrom,
7 Jason Conrad Landon, and Alvin Louis Lipton were licensed by the
8 DRE as real estate salespersonsemployed by AIR, and in committing
9 the acts and undertaking the performance of the services herein-
10 after described, were acting within the scope and course of their
11 employment with AIR, and under the supervision of MOORE. Each
12 such act and undertaking was performed for compensation or in
13 expectation of receiving a compensation.

14 VI

15 On or about the dates designated below, the individuals
16 identified below negotiated the sale of four-plex units. The seller
17 of each such four-plex unit was STG, Inc., a Texas corporation.
18 Each such four-plex unit was located in a real estate development
19 commonly known as Cedar Ridge, located in Bryan, Texas. Each of
20 the following described sales were negotiated within, and each
21 purchaser was a resident of, the State of California.

<u>Date</u>	<u>Respondent(s)</u>	<u>Address(es)</u>	<u>Purchaser</u>	<u>Units</u>
4/23/79	Landon	2709, 2711 Evergreen	Metz	Two
4/11/79	Lipton	2707 Evergreen Cir. 2810 Cypress Bend	Wheeler	Two
5/1/79	Lipton/Moore	2705 Poplar Cir.	Kucher	One
3/26/79	Lipton	2805A 2805E Cypress	Bigsby/Webb	Two
3/5/79	Dahlstrom/Moore	2813, 2815 Cypress Bend Cir.	Biggs	Three
5/16/79	Dahlstrom	2704 Poplar Cir.	Heil	One

1	4/9/79	Dahlstrom	2702 Poplar Cir.	Dunkley	One
2	4/23/79	Dahlstrom	2803 Cypress Bend Cir.	Mote	One
3					
4	5/1/79	Dahlstrom	2702 Evergreen Cir.	Helsel	One
5	5/1/79	Dahlstrom/ Landon	2811 Cypress Bend Cir.	Watson	One

VII

7 The Cedar Ridge Development consisted of improved or
8 unimproved land or lands divided or proposed to be divided, for
9 the purpose of sale, into 38 parcels. Cedar Ridge was accordingly
10 a "subdivision" or "subdivided lands" as defined in Section 11000
11 and 10249.1 of the Business and Professions Code.

12 Respondents or their principal, or the subdivider,
13 were accordingly required, prior to the offering of said parcels
14 for sale by respondents, to file in writing with the Commissioner
15 of the DRE a notice of intent to sell said subdivided lands, by
16 virtue of Sections 11010 and 10249 of the Business and Professions
17 Code. The required notice was not filed with the Commissioner.

VIII

19 On or about the dates designated below, the respondents
20 identified below negotiated the sale of single family homes to
21 the indicated purchasers. The seller of each home was Cruse
22 Corporation, a Texas corporation. Each such home was located in
23 a real estate development commonly known as the Richards Street
24 Addition, located in College Station, Texas. Each of the
25 following described sales was negotiated within, and each
26 purchaser was a resident of, the State of California.

/

1	<u>Date</u>	<u>Respondents(s)</u>	<u>Address</u>	<u>Purchaser</u>	<u>No. of Homes</u>
2	5/1/79	Dahlstrom	108B Steiling St. 309B Steiling St.	Akamatsu	2
3	5/1/79	Lipton	308A Richards St. 308B Richards St.	Lee	2
4	5/1/79	Lipton/Landon	304A Richards St. 304B Richards St.	Bridges	2
5					
6					

7 IX

8 The Richards Street Addition consisted of improved
9 or unimproved land or lands divided or proposed to be divided,
10 for the purpose of sale, into 37 parcels. The Richards Street
11 Addition was accordingly a "subdivision" or "subdivided lands" as
12 defined in Sections 11000 and 10249.1 of the Business and
13 Professions Code.

14 Respondents, or their principal, or the subdivider,
15 were therefore required, prior to respondents' offering said
16 parcels for sale, to file in writing with the Commissioner of the
17 DRE a notice of intent to sell said subdivided lands, by virtue of
18 Sections 11010 and 10249 of the Business and Professions Code.
19 The required notice was not filed with the Commissioner.

20 DETERMINATION OF ISSUES

21 I.

22 The conduct and violations of Respondents, as described
23 in Findings V through VII, inclusive, constitutes failure to exer-
24 cise reasonable supervision over the activities of their employed
25 salespersons, and negligence or incompetence in the performance
26 of acts for which a real estate license is required, and is cause
27 to suspend or revoke each Respondent's real estate license and

1 license rights under the provisions of Sections 10177(d), 10177(g),
2 and 10177(h) of the Business and Professions Code.

3 II.

4 The conduct and violations of each Respondent, as
5 described in Findings VIII and IX, constitutes failure to exercise
6 reasonable supervision over the activities of their employed
7 salespersons, and negligence or incompetence in the performance of
8 acts for which a real estate license is required, and is cause to
9 suspend or revoke each Respondent's real estate licenses and
10 license rights under the provisions of Sections 10177(d), 10177(g)
11 and 10177(h) of the Business and Professions Code.

12 ORDER

13 WHEREFORE, THE FOLLOWING ORDERS ARE HEREBY MADE
14 pursuant to the written stipulation of Complainant and Respondents
15 LA JOLLA INTERNATIONAL BROKERS, INC., and CARL LEE MOORE:

16 I.

17 All real estate licenses and license rights held by
18 LA JOLLA INTERNATIONAL BROKERS, INC., under Part 1 of Division 4
19 of the Business and Professions Code are suspended for a period of
20 two hundred seventy (270) days.

21 II.

22 All real estate licenses and license rights held by
23 CARL LEE MOORE under Part I of Division 4 of the Business and
24 Professions Code are suspended for a period of two hundred seventy
25 (270) days.

26 /

27 /

1 I hereby submit the foregoing
2 Proposed Decision, which is
3 based upon the written
4 stipulation of the parties
5 received by me on
6 1982, to the Real Estate
7 Commissioner for his action
8 thereon.

W. H. H.

Administrative Law Judge

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

101-4 112

Charles J. King

In the Matter of the Accusation of)

LA JOLLA INTERNATIONAL BROKERS,)
INC., a Corporation, aka Apartment)
Investment Realty, Inc., CAR LEE)
MOORE, DONALD ALLAN DAHLSTROM,)
JASON CONRAD LANDON, and ALVIN)
LOUIS LIPTON,)

No. H- 1093 SD

L- 25354

Respondents.)

DECISION

The Proposed Decision dated September 22, 1982,
of the Administrative Law Judge of the Office of Administrative
Hearings, is hereby adopted as the Decision of the Real Estate
Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock
noon on November 24, 1982

IT IS SO ORDERED

10/25/82

E. Lee Buzal

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:)	
)	
LA JOLLA INTERNATIONAL BROKERS,)	
INC., a Corporation, aka Apartment)	
Investment Realty, Inc., CARL LEE)	
MOORE, DONALD ALLAN DAHLSTROM,)	
JASON CONRAD LANDON, and ALVIN)	CASE NO. H-1093 SD
LOUIS LIPTON,)	
)	
)	L-25354
)	
Respondents.)	ALVIN LOUIS LIPTON
)	
)	

PROPOSED DECISION

This matter came on regularly for hearing before Willis Mevis, Administrative Law Judge of the Office of Administrative Hearings, on August 23, 1982, at San Diego, California at the hour of 11:00 a.m. Robert F. Howell, Counsel, represented the Department. Bernard Porter represented respondents La Jolla International Brokers, Inc., a corporation, aka Apartment Investment Realty, Inc., and Carl Lee Moore. Otto Sorenson represented Donald Allan Dahlstrom, Jason Conrad Landon appears and represented himself. No appearance was made for or on behalf of respondent Alvin Louis Lipton. The Department complied with Sections 11505 and 11509 of the Government Code.

Upon motion of counsel for the Department, it was ordered that each respondent be severed from the others with separate proposed decisions thereon, except that the La Jolla International and Carl Lee Moore matters be considered together. Separate written stipulations were entered into by the Department and respondents Dahlstrom and Landon as to facts and proposed order. A separate written stipulation is being entered into by the Department and respondents La Jolla International Brokers and Moore. The matter proceeded as a default as to respondent Lipton. Evidence, both oral and documentary, was received and the matter submitted.

As to respondent Alvin Louis Lipton it is found, determined and ordered as follows:

I

The complainant, Carl Lewis, a Deputy Real Estate Commissioner of the State of California, made the Accusation in his official capacity.

II

Respondents, and each of them, are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code).

3. At all times herein mentioned, Apartment Investment Realty, Inc. (hereinafter "AIR") was a corporation licensed by the Department of Real Estate of the State of California (hereinafter "DRE") as a corporate real estate broker by and through its designated officer, Carl Lee Moore.

On November 26, 1980, the corporate name of AIR was changed to La Jolla International Brokers, Inc.; Moore remained and now is the Designated Officer of La Jolla International Brokers, Inc.

4. At all times herein mentioned, Moore was licensed by the DRE as the Designated Officer of AIR, to qualify and to act on behalf of said corporation as a real estate broker.

At all times mentioned herein, Moore was also licensed by the DRE in his individual capacity as a real estate broker. At all times mentioned herein, Moore was licensed by the DRE, in his individual capacity, to conduct his individual real estate broker business under the fictitious business name "Apartment Investment Realty".

5. At all times mentioned herein, respondents Donald Allan Dahlstrom and Alvin Louis Lipton were licensed by the DRE as real estate salespersons employed by AIR. At all times mentioned, each of said respondents, in committing the acts and undertaking the performance of the services hereinafter described, was acting within the scope and course of his employment with AIR, and under the supervision of Moore. Each such act and undertaking was performed for compensation or in expectation of receiving a compensation.

6. On or about the dates designated below, the respondents identified below negotiated the sale of four-plex units to the indicated purchasers. The seller of each such four-plex unit was STG, Inc., a Texas corporation. Each such four-plex unit was located in a real estate development commonly known as Cedar Ridge, located in Bryan, Texas. Each of the following described sales were negotiated within, and each purchaser was a resident of, the State of California.

<u>DATE</u>	<u>RESPONDENT(S)</u>	<u>ADDRESS(ES)</u>	<u>PURCHASER(S)</u>	<u>UNITS</u>
4/11/79	LIPTON	2707 Evergreen Cir. 2810 Cypress Bend	Wheeler	Two
5/1/79	LIPTON/MOORE	2705 Poplar Cir.	Kucher	One
5/1/79	LIPTON/MOORE			
3/26/79	LIPTON	2805A. 2805E Cypress	Bigsby/Webb	Two

7. The Cedar Ridge Development consisted of improved or unimproved land or lands divided or proposed to be divided, for the purpose of sale, into 38 parcels. Cedar Ridge was accordingly a "subdivision" or "subdivided lands" as defined in Sections 11000 and 10249.1 of the Business and Professions Code.

Respondents, or their principal, or the subdivider, were accordingly required, prior to the offering of said parcels for sale by respondents, to file in writing with the Commissioner of the DRE a notice of intent to sell said subdivided lands, by virtue of Sections 11010 and 10249 of the Business and Professions Code. The required notice was not filed with the Commissioner.

8. On or about the dates designated below, the respondents identified below negotiated the sale of single family homes to the indicated purchasers. The seller of each home was Cruse Corporation, a Texas corporation. Each such home was located in a real estate development commonly known as the Richards Street Addition, located in College Station, Texas. Each of the following described sales was negotiated within, and each purchaser was resident of, the State of California.

<u>DATE</u>	<u>RESPONDENT(S)</u>	<u>ADDRESS</u>	<u>PURCHASER</u>	<u>NO. OF HOMES</u>
5/1/79	LIPTON/LANDON	304A Richard St. 304B Richard St.	Bridges	2

9. The Richards Street Addition consisted of improved or unimproved land or lands divided or proposed to be divided for the purpose of sale, into 37 parcels. The Richards Street Addition was accordingly a "subdivision" or "subdivided lands" as defined in Section 11000 of the Business and Professions Code.

Respondents, or their principal, or the subdivider, was therefore required, prior to respondents' offering said parcels for sale, to file in writing with the Commissioner of the DRE a notice of intent to sell said subdivided lands, by virtue of Sections 11010 and 10249 of the Business and Professions Code. The required notice was not filed with the Commissioner.

* * * * *

Pursuant to the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:

Grounds to suspend or revoke the respondent's real estate license and licensing rights were established pursuant to the provisions of Sections 10177(d) and 10177(g) of the Business and Professions Code.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The real estate salesperson license and all other license rights of respondent Alvin Louis Lipton under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) are revoked; provided, however, that a restricted real estate salesperson license shall be issued to respondent pursuant to Section 10156.5 of the Business and Professions Code if respondent makes application and pays the fee for the license to the Department of Real Estate within ninety (90) days from the effective date of this Decision.

The restricted license issued to respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of said Code:

A. Said restricted license may be suspended prior to hearing by order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which bears a significant relation to respondent's fitness or capacity as a real estate licensee.

B. Said restricted license may be suspended prior to hearing by order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, regulations of the Real Estate Commissioner or conditions attaching to said restricted license.

C. With his application for license, or with his application for transfer to a new employing broker, respondent shall submit a statement signed by the prospective employing broker on a form approved by the Department of Real Estate wherein the employing broker shall certify as follows:

1) That the broker has read the
Accusation which is the basis for the
issuance of the restricted license; and

2) That the broker will carefully
review all transaction documents prepared
by the restricted licensee and otherwise
exercise close supervision over the licensee's
performance of acts for which a license is
required.

D. Respondent shall not be eligible to apply for
the issuance of an unrestricted real estate license nor
the removal of any of the conditions, limitations or
restrictions attaching to the restricted license until
one (1) year has elapsed from the date of issuance of
the restricted license to respondent.

I hereby submit the foregoing
which constitutes my Proposed
Decision in the above entitled
matter as a result of the hearing
had before me on August 23, 1982,
at San Diego, California, and
recommend its adoption as the
decision of the Real Estate
Commissioner.

DATED: 9/20/82

WILLIS MEVIS
Administrative Law Judge
Office of Administrative Hearings

WM:ss

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

NOV-4 1982

RECEIVED
BY *[Signature]*

In the Matter of the Accusation of)

LA JOLLA INTERNATIONAL BROKERS,)
INC., a Corporation, aka Apartment)
Investment Realty, Inc., CARL LEE)
MOORE, DONALD ALLAN DAHLSTROM,)
JASON CONRAD LANDON, and ALVIN)
LOUIS LIPTON,)

No. H- 1093 SD

L- 25354

Respondents.)

DECISION

The Proposed Decision dated September 22, 1982,
of the Administrative Law Judge of the Office of Administrative
Hearings, is hereby adopted as the Decision of the Real Estate
Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock
noon on November 24, 1982.

IT IS SO ORDERED

10/25/82

[Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE
OF THE STATE OF CALIFORNIA

In the Matter of the Accusation of)	
LA JOLLA INTERNATIONAL BROKERS,)	
INC., a Corporation, aka Apartment)	NO. H-1093 SD
Investment Realty, Inc., CARL LEE)	L-25354
MOORE, DONALD ALLAN DAHLSTROM,)	
JASON CONRAD LANDON, and ALVIN)	
LOUIS LIPTON,)	
Respondents.)	
_____)	

PROPOSED DECISION
(LANDON)

This matter came on regularly for hearing before Willis Mevis, Administrative Law Judge of the Office of Administrative Hearings on August 23, 1982 at San Diego, California at 11:00 a.m. Robert Howell, Counsel, represented the Department of Real Estate. Bernard Porter represented respondents La Jolla International Brokers, Inc., a corporation, aka Apartment Investment Realty, Inc., and Carl Lee Moore, Otto Sorenson respresented Donald Allan Dahlstrom, Jason Contrad Landon appeared and represented himself. No appearance was made for or on behalf of respondent Alvin Louis Lipton. The Department complied with Sections 11505 and 11509 of the Government Code.

Upon motion of counsel for the Department, it was ordered that each respondent be severed from the others with separate proposed decisions thereon, except that La Jolla International and Carl Moore matters be considered together. Separate written stipulations were entered into by the Department and respondents Dahlstrom and Landon as to facts and proposed order. A separate written stipulation is being entered into by the Department and respondents La Jolla International and Moore. The matter proceeded as a default as to respondent Lipton.

Evidence, both oral and documentary, was received and the matter submitted. The matter was submitted as to respondent Landon and pursuant to the stipulation it is found, determined and ordered as follows:

I

The complainant, Carl Lewis, a Deputy Real Estate Commissioner of the State of California, made the Accusation in his official capacity.

II

Respondents, and each of them, are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code).

III

At all times herein mentioned, Apartment Investment Realty Inc. (hereinafter "AIR") was a corporation licensed by the Department of Real Estate of the State of California (hereinafter "DRE") as a corporate real estate broker by and through its designated officer, Carl Lee Moore.

On November 26, 1980, the corporate name of AIR was changed to La Jolla International Brokers, Inc.; Moore remained and now is the designated officer of La Jolla International Brokers, Inc.

IV

At all times herein mentioned, Moore was licensed by the DRE as the designated officer of AIR, to qualify and to act on behalf of said corporation as a real estate broker.

At all times mentioned herein, Moore was also licensed by the DRE in his individual capacity as a real estate broker. At all times mentioned herein, Moore was licensed by the DRE, in his individual capacity, to conduct his individual real estate broker business under the fictitious business name "Apartment Investment Realty."

V

At all times mentioned herein, respondent Jason Conrad Landon was licensed by the DRE as a real estate salesperson employed by AIR. At all times herein mentioned, said respondent, in committing the acts and undertaking the performance of the services hereinafter described, was acting within the scope and course of his employment with AIR, and under the supervision of Moore. Each such act and undertaking was performed for compensation or in expectation of receiving a compensation.

VI

On or about the dates designated below, the respondent identified below negotiated the sale of four-plex units to the indicated purchasers. The seller of each such four-plex unit was STG, Inc., a Texas corporation. Each such four-plex unit was located Bryan, Texas. Each of the following described sales were negotiated within, and each purchaser was a resident of, the State of California.

<u>Date</u>	<u>Respondent(s)</u>	<u>Address(es)</u>	<u>Purchaser(s)</u>	<u>Units</u>
4/23/79	Landon	2709, 2711 Evergreen	Metz	Two
5/1/79	Dahlstrom/ Landon	.2811 Cypress Bend	Watson	One

VII

The Cedar Ridge Development consisted of improved or unimproved land or lands divided or proposed to be divided, for the purpose of sale, into 38 parcels. Cedar Ridge was accordingly a "subdivision" or subdivided lands" as defined in Sections 11000 and 10249.1 of the Business and Professions Code.

Respondents or their principal, or the subdivider, were accordingly required, prior to the offering of said parcels for sale by respondents, to file in writing with the Commissioner of the DRE a notice of intent to sell said subdivided lands, by virtue of Sections 11010 and 10249 of the Business and Professions Code. The required notice was not filed with the Commissioner.

VIII

On or about the dates designated below, the respondents identified below negotiated the sale of single family homes to the indicated purchasers. The seller of each home was Cruse Corporation, a Texas corporation. Each such home was located in a real estate development commonly known as the Richards Street Addition, located in College Station, Texas. Each of the following described sales was negotiated within, and each purchaser was resident of, the State of California.

<u>Date</u>	<u>Respondent(s)</u>	<u>Address</u>	<u>Purchaser</u>	<u>No. of Homes</u>
5/1/79	Lipton/Landon	304A Richards St. 304B Richards St.	Bridges	2

IX

The Richards Street Addition consisted of improved or unimproved land or lands divided or proposed to be divided, for the purpose of sale, into 37 parcels. The Richards Street Addition was accordingly a "subdivision" or "subdivided lands" as defined in Sections 11000 and 10249.1 of the Business and Professions Code.

Respondents, or their principal, or the subdivider was therefore required, prior to respondents' offering said parcels for sale, to file in writing with the Commissioner of the DRE a notice of intent to sell said subdivided lands, by virtue of Sections 11010 and 10249 of the Business and Professions Code. The required notice was not filed with the Commissioner.

* * * * *

Pursuant to the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:

Grounds to suspend or revoke the respondent's real estate license and licensing rights were established pursuant to the provisions of Section 10177(d) and (g) of the Business and Professions Code

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made pursuant to the stipulation of the parties:

The real estate salesperson license and all other license rights of respondent Jason Conrad Landon under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) are hereby revoked; provided, however, that a restricted real estate salesperson license shall be issued to respondent pursuant to Section 10156.5 of the Business and Professions Code if respondent makes application and pays the fee for the license to the Department of Real Estate within ninety (90) days from the effective date of this Decision.

The restricted license issued to respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of said Code:

A. Said restricted license may be suspended prior to hearing by order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which bears a significant relation to respondent's fitness or capacity as a real estate licensee.

B. Said restricted license may be suspended prior to hearing by order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, regulations of the Real Estate Commissioner or conditions attaching to said restricted license.

C. With his application for license, or with his application for transfer to a new employing broker, respondent shall submit a statement signed by the prospective employing broker on a form approved by the Department of Real Estate wherein the employing broker shall certify as follows:

1) That the broker has read the Accusation which is the basis for the issuance of the restricted license; and

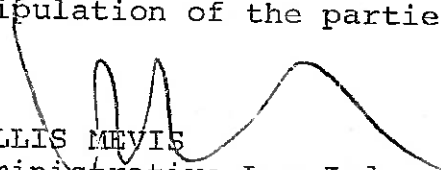
2) That the broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

D. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations or restrictions attaching to the restricted license until one year has elapsed from the date of issuance of the restricted license to respondent.

That, in the event the Real Estate Commissioner, in his discretion, does not issue an Order providing substantially as set forth in Paragraph 3 hereinabove, respondent shall retain his right to a further hearing and proceeding on the Accusation in the above-captioned matter, and shall not be bound by any admission made herein.

I hereby submit the foregoing Proposed Decision in the above-entitled matter to the Commissioner for his action thereon based upon the stipulation of the parties.

DATED: 9/21/12


WILLIS MEVIS
Administrative Law Judge
Office of Administrative Hearings

WM:mh

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

NOV-4 1982

DEPARTMENT OF REAL ESTATE
BY *[Signature]*

In the Matter of the Accusation of)

LA JOLLA INTERNATIONAL BROKERS,)
INC., a Corporation, aka)
Apartment Investment Realty,)
Inc., CARL LEE MOORE, DONALD)
ALLAN DAHLSTROM, JASON CONRAD)
LONDON, and ALVIN LOUIS LIPTON,)

No. H- 1093 SD

L- 25354

Respondents.)

DECISION

The Proposed Decision dated September 22, 1982,
of the Administrative Law Judge of the Office of Administrative
Hearings, is hereby adopted as the Decision of the Real Estate
Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock
noon on November 24, 1982.

IT IS SO ORDERED

10/25/82
[Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation)	
of:)	
)	No. H-1093 SD
)	
LA JOLLA INTERNATIONAL BROKERS,)	L-25354
INC., a Corporation, aka)	
Apartment Investment Realty,)	
Inc., CARL LEE MOORE, DONALD)	
ALLAN DAHLSTROM, JASON CONRAD)	
LANDON, and ALVIN LOUIS LIPTON,)	
)	
)	
)	
Respondents.)	
)	

PROPOSED DECISION
(Dahlstrom)

This matter came on regularly for hearing before Willis Mevis, Administrative Law Judge, of the Office of Administrative Hearings, at San Diego, California, on August 23, 1982, at 11:00 a.m. Robert Howell, Counsel, represented the Department. Bernard Porter represented respondents La Jolla International Brokers, Inc., a corporation, aka Apartment Investment Realty, Inc. and Carl Lee Moore. Otto Sorenson represented Donald Allan Dahlstrom, Jason Conrad Landon appeared and represented himself. No appearance was made for or on behalf of respondent Alvin Louis Lipton. The Department complied with Sections 11505 and 11509 of the Government Code.

Upon motion of Counsel for the Department, it was ordered that each respondent be severed from the others with separate proposed decisions thereon, except that the La Jolla International and Carl Moore matters be considered together. Separate written stipulations were entered into by the Department and respondents Dahlstrom and Landon as to the facts and proposed decision. A separate written stipulation is being entered into by the Department and respondent La Jolla International and Moore. The matter proceeded as a default as to respondent Lipton. Evidence, both oral and documentary was received and the matter submitted.

The matter was submitted as to respondent Dahlstrom and pursuant thereto, it is found determined and ordered as follows: .

I

The complainant, Carl Lewis, a Deputy Real Estate Commissioner of the State of California, made this accusation in his official capacity.

II

Respondents, and each of them, are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code).

III

At all times herein mentioned, Apartment Investment Realty Inc. (hereinafter "AIR") was a corporation licensed by the Department of Real Estate of the State of California (hereinafter "DRE") as a corporate real estate broker by and through its designated officer, Carl Lee Moore.

On November 26, 1980, the corporate name of AIR was changed to La Jolla International Brokers, Inc.; Moore remained and now is the Designated Officer of La Jolla International Brokers, Inc.

IV

At all times herein mentioned, Moore was licensed by the DRE as the Designated Officer of AIR, to qualify and to act on behalf of said corporation as a real estate broker.

At all times mentioned herein, Moore was also licensed by the DRE in his individual capacity as a real estate broker. At all times mentioned herein, Moore was licensed by the DRE, in his individual capacity, to conduct his individual real estate broker business under the fictitious business name "Apartment Investment Realty."

V

At all times mentioned herein, respondent Donald Allan Dahlstrom, was licensed by the DRE as a real estate salesperson employed by AIR. At all times herein mentioned, said respondent, in committing the acts and undertaking the performance of the services hereinafter described, was acting within the scope and course of his employment with AIR, and under the supervision of Moore. Each such act and undertaking was performed for compensation or in expectation of receiving a compensation.

VI

On or about the dates designated below, the respondents negotiated the sale of four-plex units to the indicated purchasers. The seller of each such four-plex unit was STG, Inc., a Texas corporation. Each such four-plex unit was located in a real estate development commonly known as Cedar Ridge, located in Bryan, Texas. Each of the following described sales were negotiated within, and each purchaser was a resident of, the State of California.

Date	Respondent(s)	Address(es)	Purchaser(s)	Units
3/5/79	Dahlstrom/Moore	2813, 2815 Cypress Bend Cir.	Biggs	Three
5/16/79	Dahlstrom	2704 Poplar Cir.	Heil	One
4/9/79	Dahlstrom	2702 Poplar Cir.	Dunkley	One
4/23/79	Dahlstrom	2803 Cypress Bend Cir.	Mote	One
5/1/79	Dahlstrom	2702 Evergreen Cir.	Helsel	One
5/1/79	Dahlstrom/ Landon	2811 Cypress Bend Cir.	Watson	One

VII

The Cedar Ridge Development consisted of improved or unimproved land or lands divided or proposed to be divided, for the purpose of sale, into 38 parcels. Cedar Ridge was accordingly a "subdivision" or "subdivided lands" as defined in Sections 11000 and 10249.1 of the Business and Professions Code.

Respondents or their principal, or the subdivider, were accordingly required, prior to the offering of said parcels for sale by respondents, to file in writing with the Commissioner of the DRE a notice of intent to sell said subdivided lands, by virtue of Sections 11010 and 10249 of the Business and Professions Code. The required notice was not filed with the Commissioner.

VIII

On or about the dates designated below, the respondent identified below negotiated the sale of single family homes to the indicated purchaser. The seller of each home was Cruse Corporation, a Texas corporation. Each such home was located in a real estate development commonly known as the Richards Street Addition, located in College Station, Texas. Each of the following described sales was negotiated within, and each purchaser was resident of, the State of California.

<u>Date</u>	<u>Respondent(s)</u>	<u>Address</u>	<u>Purchaser</u>	<u>No. of Homes</u>
5/1/79	Dahlstrom	108B Steiling St.	Akamatsu	2

IX

The Richards Street Addition consisted of improved or unimproved land or lands divided or proposed to be divided, for the purpose of sale, into 37 parcels. The Richards Street Addition was accordingly a "subdivision" or "subdivided lands" as defined in Sections 11000 and 10249.1 of the Business and Professions Code.

Respondents, or their principal, or the subdivider, was therefore required, prior to respondents' offering said parcels for sale, to file in writing with the Commissioner of the DRE a notice of intent to sell said subdivided lands, by virtue of Sections 11010 and 10249 of the Business and Professions Code. The required notice was not filed with the Commissioner.

* * * * *

Pursuant to the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:

Grounds to suspend or revoke the respondents real estate license and licensing rights were established pursuant to the provisions of Section 10177(g) of the Business and Professions Code.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made pursuant, to the stipulation of the parties.

The real estate broker license and all other license rights of respondent Donald Allan Dahlstrom under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) are hereby suspended for three hundred sixty five days (365); provided, however, that execution of said order of suspension is hereby stayed as to all but the first ninety (90) days of said suspension on the condition that no further cause for disciplinary action against the real estate broker license of respondent occurs within one year from the effective date of this Decision.

If the Real Estate Commissioner determines pursuant to the Administrative Procedure Act that further cause for disciplinary action against the real estate broker license of respondent has occurred within one year from the effective date of this Decision,

the stay of suspension hereby granted, or such portion as the Real Estate Commissioner shall deem to be appropriate, shall be vacated.

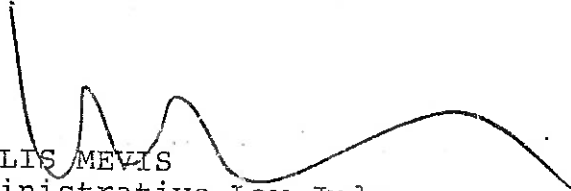
That if further cause for disciplinary action against the real estate broker license of respondent does not occur within one year from the effective date of this Decision, the stay hereby granted shall become permanent.

That, in the event the Real Estate Commissioner, in his discretion, does not issue an Order providing substantially as set forth in Paragraph 3 hereinabove, respondent shall retain his right to a further hearing and proceedings on the Accusation in the above-captioned matter, and shall not be bound by any admission made herein.

I hereby submit the foregoing proposed decision in the above entitled matter to the Commissioner based upon the written stipulation of the parties.

DATED: _____

9/24/82


WILLIS MEVIS
Administrative Law Judge
Office of Administrative Hearings

WM:bbt

1 ROBERT F. HOWELL, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, California 90012
5
6
7
8 (213) 620-4790

AUG 17 1982

K. H. H. H. H. H.

9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * * *

12 In the Matter of the Accusation of)
13 LA JOLLA INTERNATIONAL BROKERS,)
14 INC., a Corporation, aka)
15 Apartment Investment Realty,)
16 Inc., CARL LEE MOORE, DONALD)
ALLAN DAHLSTROM, JASON CONRAD)
LANDON, and ALVIN LOUIS LIPTON,)
Respondents.)

No. H-1093 SD
L-25354
AMENDMENT TO
ACCUSATION

17 The Complainant, Carl Lewis, makes this Amendment to
18 Accusation in his official capacity as a Deputy Real Estate
19 Commissioner. The Accusation filed herein on October 5, 1981, is
20 hereby amended pursuant to Government Code Section 11507 as
21 follows:

22 I.

23 At page 4, lines 1 and 2 are amended to read as
24 follows:

25 "a 'subdivision' or 'subdivided lands' as defined
26 in Sections 11000 and 10249.1 of the Business and Professions
27 Code."

1 II.

2 At page 4, lines 9 through 14, inclusive, are hereby
3 deleted.

4 III.

5 At page 6, line 16 is amended to read as follows:
6 "defined in Sections 11000 and 10249.1 of the
7 Business and Professions Code."

8 IV.

9 At page 6, lines 23 through 27 are hereby deleted,
10 and at page 7, line 1 is deleted.

11
12 IN ALL OTHER RESPECTS, the Accusation remains as
13 filed herein on October 5, 1981.

14 Dated at San Diego, California
15 this 17th day of August, 1982.

16
17 CARL LEWIS

18 CARL LEWIS
19 Deputy Real Estate Commissioner
20
21

22 cc: La Jolla International Brokers, Inc.
23 Carl Lee Moore
24 Donald Allen Dahlstrom
25 Jason Conrad Landon
26 Alvin Louis Lipton
Sacto.
OAH
PJS

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

DEC 28 1981

DEPARTMENT OF REAL ESTATE
REV. 12/28/81

In the Matter of the Accusation of)

LA JOLLA INTERNATIONAL, et al.,)
Respondent)

No. H-1093 SD
L-25354

NOTICE OF HEARING ON ACCUSATION

(Pursuant to Section 11509 of the Government Code)

TO THE RESPONDENT ABOVE NAMED:

YOU ARE HEREBY NOTIFIED that a hearing will be held before the Department of Real Estate at 1350 Front St., San Diego, CA 92103 (Rm. B-107)

August 23, 1982 @ 11:00 a.m., August 24, 1982 @ 9:00 a.m., 8-25-82 @ 9:00a or as soon thereafter as the matter can be heard, upon the charges made in the Accusation served upon you.

As in all adversary proceedings, you may be present at the hearing, and may be represented by counsel but you are neither required to be present at the hearing, nor are you required to be represented by counsel. However, if you are not present at the hearing in person, nor represented at the hearing by counsel, the agency may take disciplinary action against you upon any express admissions, or upon other evidence, and in the event that a notice of defense has not been filed by you, upon affidavits, without further notice to you.

You may present any relevant evidence, and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

Dated: December 28, 1981

cc: La Jolla International
Carl Lee Moore
Donald Allan Dahlstrom
Jason Conrad Landon
Alvin Louis Lipton
James. B. Franklin, Esq.
Sacto
OAH
PJS
R/E Form 501
11-7-69

REAL ESTATE COMMISSIONER

By

[Signature]
Attorney

hrd

1 ROBERT F. HOWELL, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, CA 90012
5
6
7
8 (213) 620-4790

PGT-5 LL

Jana B. Orma

9 DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * * *

12 In the Matter of the Accusation of)
13 LA JOLLA INTERNATIONAL BROKERS,)
14 INC., a Corporation, aka Apartment)
15 Investment Realty, Inc., CARL LEE)
16 MOORE, DONALD ALLAN DAHLSTROM,)
17 JASON CONRAD LANDON, and ALVIN)
18 LOUIS LIPTON,)
19 Respondents.)

NO. H-1093 SD

A C C U S A T I O N

20 FIRST CAUSE OF ACCUSATION

21 The complainant, Carl Lewis, a Deputy Real Estate
22 Commissioner of the State of California, for a first cause of
23 accusation against LA JOLLA INTERNATIONAL BROKERS, INC., a
24 Corporation, aka Apartment Investment Realty, Inc., CARL LEE MOORE,
25 DONALD ALLAN DAHLSTROM, JASON CONRAD LANDON, and ALVIN LOUIS
26 LIPTON alleges as follows:

27 1. The complainant, Carl Lewis, a Deputy Real Estate
Commissioner of the State of California, makes this accusation
in his official capacity.

1 2. Respondents, and each of them, are presently
2 licensed and/or have license rights under the Real Estate Law
3 (Part 1 of Division 4 of the Business and Professions Code).

4 3. At all times herein mentioned, Apartment Investment
5 Realty Inc. (hereinafter "AIR") was a corporation licensed by the
6 Department of Real Estate of the State of California (hereinafter
7 "DRE") as a corporate real estate broker by and through its
8 designated officer, CARL LEE MOORE.

9 On November 26, 1980, the corporate name of AIR was
10 changed to LA JOLLA INTERNATIONAL BROKERS, INC.; MOORE remained
11 and now is the Designated Officer of LA JOLLA INTERNATIONAL
12 BROKERS, INC.

13 4. At all times herein mentioned, MOORE was licensed
14 by the DRE as the Designated Officer of AIR, to qualify and to
15 act on behalf of said corporation as a real estate broker.

16 At all times mentioned herein, MOORE was also licensed
17 by the DRE in his individual capacity as a real estate broker.
18 At all times mentioned herein, MOORE was licensed by the DRE, in
19 his individual capacity, to conduct his individual real estate
20 broker business under the fictitious business name "Apartment
21 Investment Realty".

22 5. At all times mentioned herein, Respondents DONALD
23 ALLAN DAHLSTROM, JASON CONRAD LANDON, and ALVIN LOUIS LIPTON were
24 licensed by the DRE as real estate salespersons employed by AIR.
25 At all times herein mentioned, each of said respondents, in
26 committing the acts and undertaking the performance of the
27 services hereinafter described, was acting within the scope and

1 course of his employment with AIR, and under the supervision of
2 MOORE. Each such act and undertaking was performed for
3 compensation or in expectation of receiving a compensation.

4 6. On or about the dates designated below, the
5 respondents identified below negotiated the sale of four-plex
6 units to the indicated purchasers. The seller of each such
7 four-plex unit was STG, Inc., a Texas corporation. Each such
8 four-plex unit was located in a real estate development commonly
9 known as Cedar Ridge, located in Bryan, Texas. Each of the
10 following described sales were negotiated within , and each
11 purchaser was a resident of, the State of California.

<u>Date</u>	<u>Respondent(s)</u>	<u>Address(es)</u>	<u>Purchaser(s)</u>	<u>Units</u>
4/23/79	LANDON	2709, 2711 Evergreen	Metz	Two
4/11/79	LIPTON	2707 Evergreen Cir. 2810 Cypress Bend	Wheeler	Two
5/1/79	LIPTON/MOORE			
5/1/79	LIPTON/MOORE	2705 Poplar Cir.	Kucher	One
3/26/79	LIPTON	2805A, 2805E Cypress	Bigsby/Webb	Two
3/5/79	DAHLSTROM/MOORE	2813, 2815 Cypress Bend Cir.	Biggs	Three
5/16/79	DAHLSTROM	2704 Poplar Cir.	Heil	One
4/9/79	DAHLSTOM	2702 Poplar Cir.	Dunkley	One
4/23/79	DAHLSTROM	2803 Cypress Bend Cir.	Mote	One
5/1/79	DAHLSTROM	2702 Evergreen Cir.	Helsel	One
5/1/79	DAHLSTROM/ LANDON	2811 Cypress Bend Cir.	Watson	One

25 7. The Cedar Ridge Development consisted of improved or
26 unimproved land or lands divided or proposed to be divided, for
27 the purpose of sale, into 38 parcels. Cedar Ridge was accordingly

1 a "subdivision" or subdivided lands" as defined in Section
2 11000 of the Busienss and Professions Code.

3 Respondents or their principal, or the subdivider,
4 were accordingly required, prior to the offering of said parcels
5 for sale by respondents, to file in writing with the Commissioner
6 of the DRE a notice of intent to sell said subdivided lands, by
7 virtue of Sections 11010 and 10249 of the Business and Professions
8 Code. The required notice was not filed with the Commissioner.

9 Respondents were also required, prior to the sale or the
10 offering for sale of said parcels, to obtain from the Commissioner
11 a public report on said subdivided lands, by virtue of Sections
12 11018.2 and 10249 of the Business and Professions Code.

13 Respondents did not obtain said public report prior to offering
14 said subdivided lands for sale, or at any other time.

15 8. The conduct of each respondent as described in
16 Paragraphs 5-7, inclusive, constitutes grounds for the suspension
17 or revocation of each of their real estate license rights under
18 the provisions of Section 10177(d) of the Business and Professions
19 Code.

20 9. The conduct of LA JOLLA INTERNATIONAL BROKERS, INC.,
21 as alleged in Paragraphs 5-7, inclusive, also constitutes failure
22 to exercise reasonable supervision over the activities of its
23 employed salespersons, and thereby constitutes additional grounds
24 for the suspension or revocation of its real estate license rights
25 under the provisions of Section 10177(h) of the Business and
26 Professions Code.

1 10. The conduct of MOORE, as alleged in Paragraphs
2 5-7, inclusive, also constitutes failure to exercise reasonable
3 supervision over the activities of salespersons under his
4 supervision, and failure to exercise reasonable supervision and
5 control of the activities of the corporation for which a real
6 estate license is required, and thereby constitutes additional
7 grounds for the suspension or revocation of his real estate
8 license rights under the provisions of Section 10177(h) of the
9 Business and Professions Code.

10 11. The conduct of each respondent, as alleged in
11 Paragraphs 5-7, inclusive, also constitutes negligence or
12 incompetence in the performance of acts for which a real estate
13 license is required, and thereby constitutes additional grounds
14 for the suspension or revocation of each respondent's real estate
15 license rights under the provisions of Section 10177(g) of the
16 Business and Professions Code.

17 SECOND CAUSE OF ACCUSATION

18 The complainant, Carl Lewis, a Deputy Real Estate
19 Commissioner of the State of California, for a second cause of
20 accusation against respondents, and each of them, alleges as
21 follows:

22 12. Complainant incorporates by this reference, as if
23 fully set forth at length herein, the allegations of Paragraphs
24 1-5, inclusive, of the First Cause of Accusation.

25 13. On or about the dates designated below, the
26 respondents identified below negotiated the sale of single family
27 homes to the indicated purchasers. The seller of each home was

1 Cruse Corporation, a Texas corporation. Each such home was
2 located in a real estate development commonly known as the
3 Richards Street Addition, located in College Station, Texas.
4 Each of the following described sales was negotiated within, and
5 each purchaser was resident of, the State of California.

<u>Date</u>	<u>Respondent(s)</u>	<u>Address</u>	<u>Purchaser</u>	<u>No. of Homes</u>
5/1/79	DAHLSTROM	108B Steiling St. 309B Steiling St.	Akamatsu	2
5/1/79	LIPTON	308A Richards St. 308B Richards St.	Lee	2
5/1/79	LIPTON/LANDON	304A Richards St. 304B Richards St.	Bridges	2

12 14. The Richards Street Addition consisted of improved
13 or unimproved land or lands divided or proposed to be divided,
14 for the purpose of sale, into 37 parcels. The Richards Street
15 Addition was accordingly a "subdivision" or "subdivided lands" as
16 defined in Section 11000 of the Business and Professions Code.

17 Respondents, or their principal, or the subdivider, was
18 therefore required, prior to respondents' offering said parcels
19 for sale, to file in writing with the Commissioner of the DRE a
20 notice of intent to sell said subdivided lands, by virtue of
21 Sections 11010 and 10249 of the Business and Professions Code.
22 The required notice was not filed with the Commissioner.

23 Respondents were also required, prior to the sale or
24 the offering for sale of said parcels, to obtain from the
25 Commissioner a public report on said subdivided lands, by virtue
26 of Sections 11018.2 and 10249 of the Business and Professions
27 Code. Respondents did not obtain said public report prior to

1 offering said subdivided lands for sale, or at any other time.

2 15. The conduct of each respondent, as alleged in
3 Paragraphs 5, 13 and 14 hereinabove, constitutes grounds for the
4 suspension or revocation of each respondent's real estate license
5 rights under the provisions of Section 10177(d) of the Business
6 and Professions Code.

7 16. The conduct of LA JOLLA INTERNATIONAL BROKERS, INC.
8 as alleged in Paragraphs 5, 13 and 14 hereinabove, also constitutes
9 failure to exercise reasonable supervision over the activities of
10 its employed salespersons, and thereby constitutes additional
11 grounds for the suspension or revocation of its real estate
12 license rights under the provisions of Section 10177(h) of the
13 Business and Professions Code.

14 17. The conduct of MOORE, as alleged in Paragraphs 5,
15 13 and 14 hereinabove, also constitutes failure to exercise
16 reasonable supervision over the activities of salespersons under
17 his supervision, and failure to exercise reasonable supervision
18 and control of the activities of the corporate respondent for
19 which a real estate license is required, and thereby constitutes
20 additional grounds for the suspension or revocation of his real
21 estate license rights under the provisions of Section 10177(h) of
22 the Business and Professions Code.

23 18. The conduct of each respondent, as alleged in
24 Paragraphs 5, 13 and 14 hereinabove, also constitutes negligence
25 or incompetence in the performance of acts for which a real estate
26 license is required, and thereby constitutes additional grounds
27 for the suspension or revocation of each respondent's real estate

1 license rights under the provisions of Section 10177(g) of the
2 Business and Professions Code.
3

4 WHEREFORE, complainant prays that a hearing be
5 conducted on the allegations of this Accusation and that upon
6 proof thereof, a decision be rendered imposing disciplinary
7 action against all licenses and license rights of respondents
8 LA JOLLA INTERNATIONAL BROKERS, INC., a Corporation, aka Apartment
9 Investment Realty, Inc., CARL LEE MOORE, DONALD ALLAN DAHLSTROM,
10 JASON CONRAD LANDON, and ALVIN LOUIS LIPTON under the Real
11 Estate Law (Part 1 of Division 4 of the Business and Professions
12 Code) and for such other and further relief as may be proper
13 under other applicable provisions of law.

14 Dated at San Diego, California
15 this 5th day of October, 1981.
16
17
18

CARL LEWIS
Deputy Real Estate Commissioner

19
20
21 cc: La Jolla International Brokers Inc. Alvin Louis Lipton
22 8950 Villa La Jolla Drive Ste. 2244 630 Cole Place
La Jolla, CA 92037 Beverly Hills, 90210
23 Carl Lee Moore Sacto.
24 7801 Mission Center Court. Ste. 209 OAH
San Diego, CA 92108 PJS
25 Donald Allen Dahlstrom
26 P.O. Box 355
La Jolla, CA 92038
27 Jason Conrad Landon
7801 Mission Center Crt. Ste. 209
San Diego, CA 92108

lbo