

PAG

FILED

OCT - 8 2009

DEPARTMENT OF REAL ESTATE

By K. Mat

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of

VERONICA CARROLL,

Respondent.

No. H-2435 SD

ORDER GRANTING REINSTATEMENT OF LICENSE

On February 10, 1999, a Decision was rendered herein revoking the real estate salesperson license of Respondent Veronica Carroll aka Veronica A. Tenuto aka Veronica A. Tenuto Carroll, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on November 10, 1999, and Respondent has operated as a restricted licensee since that time.

On October 3, 2006, Respondent 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 the petition.

I have considered Respondent's petition and the evidence and arguments in support thereof. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an unrestricted real estate salesperson license and that it would not be against the public interest to issue said license to Respondent.

1                    NOW, THEREFORE, IT IS ORDERED that Respondent's petition for  
2 reinstatement be and hereby is granted and that a real estate salesperson license be issued to  
3 Respondent if Respondent satisfies the following conditions within twelve (12) months from the  
4 date of this order:

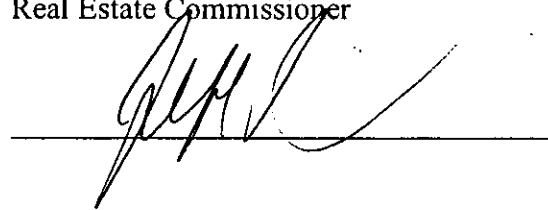
- 5                    1.     Submittal of a completed application and payment of the fee for a real  
6 estate salesperson license.
- 7                    2.     Submittal of evidence of having, since the most recent issuance of an  
8 original or renewal real estate license, taken and successfully completed the continuing education  
9 requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate  
10 license.

11                    This Order shall become effective immediately.

12                    DATED: 9-29-09

13                    JEFF DAVI  
14                    Real Estate Commissioner

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27



FILED

MAR 22 2002

DEPARTMENT OF REAL ESTATE

By Juan Aranda

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
THOMAS A. PERRI, ) NO. H-2435 SD  
Respondent. )

ORDER GRANTING REINSTATEMENT OF LICENSE

On February 10, 1999, an Order was rendered herein revoking the real estate broker license of Respondent, but granting Respondent the right to the issuance of a restricted real estate broker license. A restricted real estate broker license was issued to Respondent on March 12, 1999.

On March 13, 2001, Respondent petitioned for reinstatement of said real estate broker license, and the Attorney General of the State of California has been given notice of the filing of said petition.

I have considered the petition of Respondent and the evidence and arguments in support thereof including Respondent's record as a restricted licensee. Respondent has demonstrated to

1 my satisfaction that Respondent meets the requirements of law for  
2 the issuance to Respondent of an unrestricted real estate broker  
3 license and that it would not be against the public interest to  
4 issue said license to Respondent.

5 NOW, THEREFORE, IT IS ORDERED that Respondent's  
6 petition for reinstatement is granted and that a real estate  
7 broker license be issued to Respondent, if Respondent satisfies  
8 the following conditions within nine months from the date of this  
9 Order:

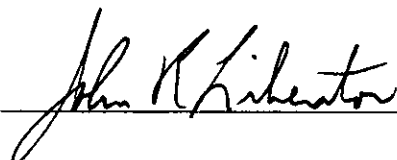
10 1. Submittal of a completed application and payment of  
11 the fee for a real estate broker license.

12 2. Submittal of evidence of having, since the most  
13 recent issuance of an original or renewal real estate license,  
14 taken and successfully completed the continuing education  
15 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
16 for renewal of a real estate license.

17 This Order shall be effective immediately.

18 DATED: February 8, 2002  
19

20 PAULA REDDISH ZINNEMANN  
21 Real Estate Commissioner

22   
23

24 BY: John R. Liberator  
25 Chief Deputy Commissioner  
26  
27

1 Department of Real Estate  
2 P. O. Box 187000  
3 Sacramento, CA 95818-7000  
4  
5 Telephone: (916) 227-0789  
6  
7

FILED  
JUL 13 2000

DEPARTMENT OF REAL ESTATE

*Laurie A. Zai*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-2435 SD  
12 )  
13 VERONICA A. TENUTO, )  
14 )  
15 Respondent. )

16 ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE

17 TO: VERONICA A. TENUTO

18 On November 10, 1999, a restricted real estate  
19 salesperson license was issued by the Department of Real Estate  
20 to Respondent VERONICA A. TENUTO, now by marriage Veronica A.  
21 Tenuto Carroll (hereinafter "Respondent"), on the terms,  
22 conditions and restrictions set forth in the Real Estate  
23 Commissioner's Order of February 10, 1999 in Case No. H-2435 SD.  
24 The Order became effective March 12, 1999. The Order of  
25 February 10, 1999 granted Respondent the right to the issuance  
26 of a restricted real estate salesperson license subject to the  
27 provisions of Section 10156.7 of the Business and Professions  
Code and to enumerated additional terms, conditions and

1 restrictions imposed under authority of Section 10156.6 of said  
2 Code.

3         Among those terms, conditions and restrictions,  
4 Respondent was required to take and pass the Professional  
5 Responsibility Examination (hereinafter "the condition") within  
6 six (6) months after November 10, 1999, the date the restricted  
7 license was issued. The Commissioner has determined that as of  
8 June 7, 2000, Respondent has failed to satisfy this condition,  
9 and as such, Respondent is in violation of Section 10177(k) of  
10 the Business and Professions Code.

11         NOW, THEREFORE, IT IS ORDERED under authority of  
12 Section 10156.7 of the Business and Professions Code of the  
13 State of California that the restricted real estate  
14 salesperson license heretofore issued to Respondent, and the  
15 exercise of any privileges thereunder, is hereby suspended  
16 until such time as Respondent provides proof satisfactory to  
17 the Department of compliance with the "condition" referred to  
18 above, or pending final determination made after hearing (see  
19 "Hearing Rights" set forth below). Furthermore, Respondent  
20 has no right to renew Respondent's restricted license if this  
21 condition isn't satisfied by the date Respondent's restricted  
22 license expires.

23         IT IS FURTHER ORDERED that all license certificates  
24 and identification cards issued by the Department which are in  
25 possession of Respondent be immediately surrendered by  
26 personal delivery or by mailing in the enclosed, self-  
27 addressed envelope to:

1 Department of Real Estate  
2 Attn: Flag Section  
3 P. O. Box 187000  
4 Sacramento, CA 95818-7000

5 HEARING RIGHTS: Pursuant to the provisions of  
6 Section 10156.7 of the Business and Professions Code, you have  
7 the right to a hearing to contest the Commissioner's  
8 determination that you are in violation of Section 10177(k).  
9 If you desire a hearing, you must submit a written request.  
10 The request may be in any form, as long as it is in writing  
11 and indicates that you want a hearing. Unless a written  
12 request for a hearing, signed by or on behalf of you, is  
13 delivered or mailed to the Department at:

14 Department of Real Estate  
15 Attn: James L. Beaver, Legal Section  
16 P. O. Box 187000  
17 Sacramento, CA 95818-7000

18 within 20 days after the date that this Order was mailed to or  
19 served on you, the Department will not be obligated or  
20 required to provide you with a hearing.

21 This Order shall be effective immediately.

22 IT IS SO ORDERED

23 *June 29, 2000.*  
24 PAULA REDDISH ZINNEMANN  
25 Real Estate Commissioner  
26 *Paula Reddish Zinnemann*  
27

FILED  
FEB 19 1999

DEPARTMENT OF REAL ESTATE  
P. O. Box 187000  
Sacramento, CA 95818-7000  
Telephone: (916) 227-0789

DEPARTMENT OF REAL ESTATE

By Laurie A. Zinn

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of ) DRE No. H-2435 SD  
)  
TALP, INC., a corporation, )  
and THOMAS A. PERRI, ) STIPULATION AND AGREEMENT  
)  
Respondents. )

It is hereby stipulated by and between Respondents,  
TALP, INC. and THOMAS A. PERRI (hereinafter "Respondents"), and  
the Complainant, acting by and through James L. Beaver, Counsel  
for the Department of Real Estate, as follows for the purpose of  
settling and disposing of the Accusation filed on September 8,  
1998 in this matter (hereinafter "the Accusation"):

1. All issues which were to be contested and all  
evidence which was to be presented by Complainant and  
Respondents at a formal hearing on the Accusation, which hearing  
was to be held in accordance with the provisions of the  
Administrative Procedure Act (APA), shall instead and in place  
thereof be submitted solely on the basis of the provisions of  
this Stipulation and Agreement.

H-2435 SD

TALP, INC. and  
THOMAS A. PERRI



1           2.     Respondents have received, read and understand  
2 the Statement to Respondent, the Discovery Provisions of the APA  
3 and the Accusation filed by the Department of Real Estate in  
4 this proceeding.

5           3.     On November 2, 1998, Respondents filed a Notice  
6 of Defense pursuant to Section 11505 of the Government Code for  
7 the purpose of requesting a hearing on the allegations in the  
8 Accusation. Respondents hereby freely and voluntarily withdraw  
9 said Notice of Defense. Respondents acknowledge that  
10 Respondents understand that by withdrawing said Notice of  
11 Defense Respondents will thereby waive Respondents' right to  
12 require the Commissioner to prove the allegations in the  
13 Accusation at a contested hearing held in accordance with the  
14 provisions of the APA and that Respondents will waive other  
15 rights afforded to Respondents in connection with the hearing  
16 such as the right to present evidence in defense of the  
17 allegations in the Accusation and the right to cross-examine  
18 witnesses.

19           4.     Respondents, pursuant to the limitations set  
20 forth below, hereby admit that the factual allegations  
21 pertaining to Respondents in the Accusation are true and correct  
22 and the Real Estate Commissioner shall not be required to  
23 provide further evidence of such allegations.

24           5.     It is understood by the parties that the Real  
25 Estate Commissioner may adopt the Stipulation and Agreement as  
26 his decision in this matter, thereby imposing the penalty and  
27 sanctions on Respondents' real estate license and license rights

1 as set forth in the "Order" below. In the event that the  
2 Commissioner in his discretion does not adopt the Stipulation  
3 and Agreement, it shall be void and of no effect, and  
4 Respondents shall retain the right to a hearing and proceeding  
5 on the Accusation under all the provisions of the APA and shall  
6 not be bound by any admission or waiver made herein.

7 6. Except for any cause for Accusation against  
8 Respondents for violating Section 10137 of the Code during 1996,  
9 the Order or any subsequent Order of the Real Estate  
10 Commissioner made pursuant to this Stipulation and Agreement  
11 shall not constitute an estoppel, merger or bar to any further  
12 administrative or civil proceedings by the Department of Real  
13 Estate with respect to any matters which were not specifically  
14 alleged to be causes for accusation in this proceeding.

15 DETERMINATION OF ISSUES

16 By reason of the foregoing stipulations, admissions  
17 and waivers and solely for the purpose of settlement of the  
18 pending Accusation without hearing, it is stipulated and agreed  
19 that the following Determination of Issues shall be made:

20 I

21 The acts and omissions of Respondents as described in  
22 the Accusation are grounds for the suspension or revocation of  
23 the licenses and license rights of Respondents under the  
24 following provisions of the California Business and Professions  
25 Code (hereinafter "the Code") and/or Chapter 6, Title 10,  
26 California Code of Regulations (hereinafter "the Regulations"):

1 (a) As to Respondent TALP and Paragraphs VIII and IX  
2 of the First Cause of Accusation under Section 10177(g) of the  
3 Code;

4 (b) As to Respondent TALP and Paragraphs X and XI of  
5 the First Cause of Accusation under Section 10137 the Code in  
6 conjunction with Section 10177(d) of the Code;

7 (c) As to Respondent PERRI and the Second Cause for  
8 Accusation under Section 10177(h) of the Code and Section  
9 10159.2 of the Code in conjunction with Section 10177(d) of the  
10 Code.

11 ORDER

12 I

13 All licenses and licensing rights of Respondent TALP,  
14 INC. under the Real Estate Law are revoked; provided, however, a  
15 restricted real estate broker license shall be issued to said  
16 Respondent pursuant to Section 10156.5 of the Business and  
17 Professions Code if, within 90 days from the effective date of  
18 the Decision entered pursuant to this Order Respondent makes  
19 application for the restricted license and pays to the Department  
20 of Real Estate the appropriate fee therefor.

21 The restricted license issued to Respondent shall be  
22 subject to all of the provisions of Section 10156.7 of the  
23 Business and Professions Code and to the following limitations,  
24 conditions and restrictions imposed under authority of Section  
25 10156.6 of that Code:

26 1. The restricted license issued to Respondent may be  
27 suspended prior to hearing by Order of the Real Estate

H-2435 SD

TALP, INC. and  
THOMAS A. PERRI



1 Commissioner in the event of Respondent's conviction or plea of  
2 nolo contendere to a crime which is substantially related to  
3 Respondent's fitness or capacity as a real estate licensee.

4 2. The restricted license issued to Respondent may be  
5 suspended prior to hearing by Order of the Real Estate  
6 Commissioner on evidence satisfactory to the Commissioner that  
7 Respondent has violated provisions of the California Real Estate  
8 Law, the Subdivided Lands Law, Regulations of the Real Estate  
9 Commissioner or conditions attaching to the restricted license.

10 3. Respondent shall not be eligible to apply for the  
11 issuance of an unrestricted real estate license nor for the  
12 removal of any of the conditions, limitations or restrictions of  
13 a restricted license until one (1) year has elapsed from the  
14 effective date of this Decision.

15 4. Any restricted real estate broker license issued  
16 to Respondent may be suspended or revoked for a violation by  
17 Respondent of any of the conditions attaching to the restricted  
18 license.

19 II

20 All licenses and licensing rights of Respondent THOMAS  
21 A. PERRI under the Real Estate Law are revoked; provided,  
22 however, a restricted real estate broker license shall be issued  
23 to said Respondent pursuant to Section 10156.5 of the Business  
24 and Professions Code if, within 90 days from the effective date  
25 of the Decision entered pursuant to this Order, Respondent makes  
26 application for the restricted license and pays to the Department  
27 of Real Estate the appropriate fee therefor.



1           The restricted license issued to Respondent shall be  
2 subject to all of the provisions of Section 10156.7 of the  
3 Business and Professions Code and to the following limitations,  
4 conditions and restrictions imposed under authority of Section  
5 10156.6 of that Code:

6           1.   The restricted license issued to Respondent may be  
7 suspended prior to hearing by Order of the Real Estate  
8 Commissioner in the event of Respondent's conviction or plea of  
9 nolo contendere to a crime which is substantially related to  
10 Respondent's fitness or capacity as a real estate licensee.

11           2.   The restricted license issued to Respondent may be  
12 suspended prior to hearing by Order of the Real Estate  
13 Commissioner on evidence satisfactory to the Commissioner that  
14 Respondent has violated provisions of the California Real Estate  
15 Law, the Subdivided Lands Law, Regulations of the Real Estate  
16 Commissioner or conditions attaching to the restricted license.

17           3.   Respondent shall not be eligible to apply for the  
18 issuance of an unrestricted real estate license nor for the  
19 removal of any of the conditions, limitations or restrictions of  
20 a restricted license until one (1) year has elapsed from the  
21 effective date of this Decision.

22           4.   Respondent shall, within nine (9) months from the  
23 effective date of the Decision herein, present evidence  
24 satisfactory to the Real Estate Commissioner that Respondent  
25 has, since the most recent issuance of an original or renewal  
26 real estate license, taken and successfully completed the  
27 continuing education requirements of Article 2.5 of Chapter 3 of

1 the Real Estate Law for renewal of a real estate license. If  
2 Respondent fails to satisfy this condition, the Commissioner may  
3 order the suspension of the restricted license until the  
4 Respondent presents such evidence. The Commissioner shall  
5 afford Respondent the opportunity for a hearing pursuant to the  
6 Administrative Procedure Act to present such evidence.

7         5. Respondent shall, within six (6) months from the  
8         issuance of the restricted license, take and pass the  
9         Professional Responsibility Examination administered by the  
10        Department including the payment of the appropriate examination  
11        fee. If Respondent fails to satisfy this condition, the  
12        Commissioner may order the suspension of the restricted license  
13        until Respondent passes the examination.

14        6. Any restricted real estate broker license issued  
15        to Respondent may be suspended or revoked for a violation by  
16        Respondent of any of the conditions attaching to the restricted  
17        license.

18        *January 27, 1999*  
19        DATED

20        *[Signature]*  
21        JAMES L. BEAVER, Counsel  
22        Department of Real Estate

23        \* \* \*

24        I have read the Stipulation and Agreement and its  
25        terms are understood by me and are agreeable and acceptable to  
26        me. I understand that I am waiving rights given to me by the  
27        California Administrative Procedure Act (including but not  
28        limited to Sections 11506, 11508, 11509, and 11513 of the  
29        Government Code), and I willingly, intelligently, and  
30        voluntarily waive those rights, including the right of requiring

31        H-2435 SD

32        TALP, INC. and  
33        THOMAS A. PERRI



1 the Commissioner to prove the allegations in the Accusation at a  
2 hearing at which I would have the right to cross-examine  
3 witnesses against me and to present evidence in defense and  
4 mitigation of the charges.

5 1-27-99  
6 DATED

TALP, INC.  
Respondent

7 By [Signature]  
8 THOMAS A. PERRI  
9 Designated Officer - Broker

10 1-27-99  
11 DATED

[Signature]  
THOMAS A. PERRI  
Respondent

12 \* \* \*

13 The foregoing Stipulation and Agreement is hereby  
14 adopted by as my Decision in this matter and shall become  
15 effective at 12 o'clock noon on March 12, 1999.

16 IT IS SO ORDERED February 10, 1999.

17 JOHN R. LIBERATOR  
18 Interim Real Estate Commissioner

19 [Signature]  
20

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 187000  
3 Sacramento, CA 95818-7000  
4 Telephone: (916) 227-0789

FILED  
FEB 19 1999

DEPARTMENT OF REAL ESTATE

By Laurel A. Zarr

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-2435 SD  
12 )  
13 VERONICA A. TENUTO, )  
14 )  
15 Respondent. ) STIPULATION AND AGREEMENT  
16 )  
17 )  
18 )  
19 )  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )

15 It is hereby stipulated by and between Respondent  
16 VERONICA A. TENUTO (hereinafter "Respondent"), individually and  
17 by and through Thomas J. Hurley, Esq., Respondent's attorney of  
18 record herein, and the Complainant, acting by and through James  
19 L. Beaver, Counsel for the Department of Real Estate, as follows  
20 for the purpose of settling and disposing of the Accusation  
21 filed on September 8, 1998 in this matter (hereinafter "the  
22 Accusation"):

23 1. All issues which were to be contested and all  
24 evidence which was to be presented by Complainant and Respondent  
25 at a formal hearing on the Accusation, which hearing was to be  
26 held in accordance with the provisions of the Administrative  
27 Procedure Act (APA), shall instead and in place thereof be

NO. H-2435 SD

VERONICA A. TENUTO



1 submitted solely on the basis of the provisions of this  
2 Stipulation and Agreement.

3 2. Respondent has received, read and understands  
4 the Statement to Respondent, the Discovery Provisions of the APA  
5 and the Accusation filed by the Department of Real Estate in  
6 this proceeding.

7 3. On October 26, 1998, Respondent filed a Notice  
8 of Defense pursuant to Section 11505 of the Government Code for  
9 the purpose of requesting a hearing on the allegations in the  
10 Accusation. Respondent hereby freely and voluntarily withdraws  
11 said Notice of Defense. Respondent acknowledges that Respondent  
12 understands that by withdrawing said Notice of Defense  
13 Respondent will thereby waive Respondent's right to require the  
14 Commissioner to prove the allegations in the Accusation at a  
15 contested hearing held in accordance with the provisions of the  
16 APA and that Respondent will waive other rights afforded to  
17 Respondent in connection with the hearing such as the right to  
18 present evidence in defense of the allegations in the Accusation  
19 and the right to cross-examine witnesses.

20 4. Respondent, pursuant to the limitations set  
21 forth below, hereby admits that the factual allegations in the  
22 Accusation are true and correct, and agrees that the Real Estate  
23 Commissioner shall not be required to provide further evidence  
24 to prove such allegations.

25 5. It is understood by the parties that the Real  
26 Estate Commissioner may adopt the Stipulation and Agreement as  
27 his decision in this matter, thereby imposing the penalty and



1 sanctions on Respondent's real estate license and license rights  
2 as set forth in the "Order" below. In the event that the  
3 Commissioner in his discretion does not adopt the Stipulation  
4 and Agreement, it shall be void and of no effect, and Respondent  
5 shall retain the right to a hearing and proceeding on the  
6 Accusation under all the provisions of the APA and shall not be  
7 bound by any admission or waiver made herein.

8 6. The Order or any subsequent Order of the Real  
9 Estate Commissioner made pursuant to this Stipulation and  
10 Agreement shall not constitute an estoppel, merger or bar to any  
11 further administrative or civil proceedings by the Department of  
12 Real Estate with respect to any matters which were not  
13 specifically alleged to be causes for accusation in this  
14 proceeding.

15 DETERMINATION OF ISSUES

16 By reason of the foregoing stipulations, admissions  
17 and waivers and solely for the purpose of settlement of the  
18 pending Accusation without hearing, it is stipulated and agreed  
19 that the following Determination of Issues shall be made:

20 I

21 The acts and omissions of Respondent described in the  
22 Accusation constitute cause for the suspension or revocation of  
23 the licenses and license rights of Respondent under under  
24 Section 10130 of the Code in conjunction with Section 10177(d)  
25 of the Code.

26 ///



ORDER

I

1  
2  
3 A. All licenses and licensing rights of Respondent  
4 VERONICA A. TENUTO under the Real Estate Law are revoked;  
5 provided, however, a restricted real estate salesperson license  
6 shall be issued to Respondent pursuant to Section 10156.5 of the  
7 Business and Professions Code if, within 90 days from the  
8 effective date of the Decision entered pursuant to this Order,  
9 Respondent makes application for the restricted license and pays  
10 to the Department of Real Estate the appropriate fee therefor.

11 B. The restricted license issued to Respondent shall  
12 be subject to all of the provisions of Section 10156.7 of the  
13 Business and Professions Code and to the following limitations,  
14 conditions and restrictions imposed under authority of Section  
15 10156.6 of that Code:

16 1. Any restricted real estate license issued to  
17 Respondent under any Decision entered pursuant to this Order  
18 shall be suspended for thirty (30) days from the date of issuance  
19 of said restricted license.

20 2. The restricted license issued to Respondent may be  
21 suspended prior to hearing by Order of the Real Estate  
22 Commissioner in the event of Respondent's conviction or plea of  
23 nolo contendere to a crime which is substantially related to  
24 Respondent's fitness or capacity as a real estate licensee.

25 3. The restricted license issued to Respondent may be  
26 suspended prior to hearing by Order of the Real Estate  
27 Commissioner on evidence satisfactory to the Commissioner that



1 Respondent has violated provisions of the California Real Estate  
2 Law, the Subdivided Lands Law, Regulations of the Real Estate  
3 Commissioner or conditions attaching to the restricted license.

4 4. Respondent shall not be eligible to apply for the  
5 issuance of an unrestricted real estate license nor the removal  
6 of any of the conditions, limitations or restrictions attaching  
7 to the restricted license until one (1) year has elapsed from the  
8 effective date of this Decision.

9 5. Respondent shall submit with any application for  
10 license under an employing broker, or any application for  
11 transfer to a new employing broker, a statement signed by the  
12 prospective employing real estate broker on a form approved by  
13 the Department of Real Estate which shall certify:

14 (a) That the employing broker has read the Decision  
15 of the Commissioner which granted the right to a  
16 restricted license; and

17 (b) That the employing broker will exercise close  
18 supervision over the performance by the restricted  
19 licensee relating to activities for which a real estate  
20 license is required.

21 6. Respondent shall, within nine months from the  
22 effective date of the Decision, present evidence satisfactory to  
23 the Real Estate Commissioner that Respondent has, since the most  
24 recent issuance of an original or renewal real estate license,  
25 taken and successfully completed the continuing education  
26 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
27 for renewal of a real estate license. If Respondent fails to



1 satisfy this condition, the Commissioner may order the suspension  
2 of the restricted license until the Respondent presents such  
3 evidence. The Commissioner shall afford Respondent the  
4 opportunity for a hearing pursuant to the Administrative  
5 Procedure Act to present such evidence.

6 7. Respondent shall, within six (6) months from the  
7 issuance of the restricted license, take and pass the  
8 Professional Responsibility Examination administered by the  
9 Department including the payment of the appropriate examination  
10 fee. If Respondent fails to satisfy this condition, the  
11 Commissioner may order the suspension of the restricted license  
12 until Respondent passes the examination.

13 8. Any restricted real estate salesperson license  
14 issued to Respondent may be suspended or revoked for a violation  
15 by Respondent of any of the conditions attaching to the  
16 restricted license.

17 1-29-99

DATED

  
JAMES L. BEAVER, Counsel  
Department of Real Estate

\* \* \*

19 I have read the Stipulation and Agreement and have  
20 discussed its terms with my attorney and its terms are  
21 understood by me and are agreeable and acceptable to me. I  
22 understand that I am waiving rights given to me by the  
23 California Administrative Procedure Act (including but not  
24 limited to Sections 11506, 11508, 11509, and 11513 of the  
25 Government Code), and I willingly, intelligently, and  
26 voluntarily waive those rights, including the right of requiring  
27



1 the Commissioner to prove the allegations in the Accusation at a  
2 hearing at which I would have the right to cross-examine  
3 witnesses against me and to present evidence in defense and  
4 mitigation of the charges.

5 1-19-99  
6 DATED

Veronica Tenuto Carroll  
7 VERONICA A. TENUTO  
8 Respondent

9 \* \* \*

10 I have reviewed the Stipulation and Agreement as to  
11 form and content and have advised my client accordingly.

12 1-19-99  
13 DATED

Thomas J. Hurley  
14 THOMAS J. HURLEY  
15 Attorney For Respondent

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

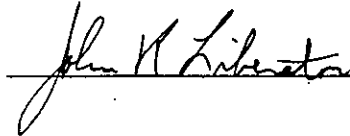
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

\* \* \*

The foregoing Stipulation and Agreement is hereby  
adopted by as my Decision in this matter and shall become  
effective at 12 o'clock noon on March 12, 1999.

IT IS SO ORDERED February 10, 1999.

JOHN R. LIBERATOR  
Acting Real Estate Commissioner

  
\_\_\_\_\_



FILED  
NOV 19 1998

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

By Laurie A. Zin

In the Matter of the Accusation of

TALP, INC., a corporation,  
THOMAS A. PERRI, and  
VERONICA A. TENUTO,

Case No. H-2435 SD

OAH No. L-1998110119

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at the  
Office of Administrative Hearings, 1350 Front Street, Suite 6022,  
San Diego, CA 92101

on January 27th & 28th, 1999, at the hour of 9:00 AM,  
or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of  
hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten  
(10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days  
will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You  
are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent  
yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the  
Department may take disciplinary action against you based upon any express admission or other evidence including  
affidavits, without any 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.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who  
does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The  
interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: November 19, 1998

DEPARTMENT OF REAL ESTATE

By

JAMES L. BEAVER

Counsel



1 JAMES L. BEAVER, Counsel (SBN 60543)  
2 Department of Real Estate  
3 P. O. Box 187000  
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789  
6 -or- (916) 227-0788 (Direct)  
7

FILED  
SEP - 8 1998  
DEPARTMENT OF REAL ESTATE

By *Laurie L. Zain*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 TALP, INC., a corporation, )  
13 THOMAS A. PERRI, and )  
14 VERONICA A. TENUTO, )  
Respondents. )

NO. H-2435 SD

ACCUSATION

15  
16 The Complainant, Daniel Hatt, a Deputy Real Estate  
17 Commissioner of the State of California, for cause of Accusation  
18 against TALP, INC., a corporation, THOMAS A. PERRI and VERONICA A.  
19 TENUTO (hereinafter "Respondents"), is informed and alleges as  
20 follows:

21 FIRST CAUSE OF ACCUSATION

22 I

23 Respondents are presently licensed and/or have license  
24 rights under the Real Estate Law, Part 1 of Division 4 of the  
25 Business and Professions Code (hereinafter "Code").

26 ///

27 ///



II

The Complainant, Daniel Hatt, a Deputy Real Estate Commissioner of the State of California, makes this Accusation against Respondents in his official capacity.

III

At all times herein mentioned, Respondent TALP, INC., (hereinafter "TALP") was and now is licensed by the Department of Real Estate of the State of California (hereinafter "the Department") by and through THOMAS A. PERRI (hereinafter "PERRI") as designated officer-broker of Respondent TALP to qualify said corporation and to act for said corporation as a real estate broker.

IV

At all times herein mentioned, Respondent PERRI was and now is licensed by the Department as designated officer-broker of Respondent TALP. As said designated officer-broker, Respondent PERRI was and now is responsible pursuant to Section 10159.2 of the Code for the supervision of the activities of the officers, agents, real estate licensees and employees of Respondent TALP for which a license is required.

V

On May 13, 1996, the real estate salesperson license of Respondent VERONICA A. TENUTO (hereinafter "TENUTO") expired and was not renewed until on and after October 19, 1996. At no time mentioned herein from May 13, 1996 through October 19, 1996 was Respondent TENUTO licensed by the Department as either a real estate broker or as a real estate salesperson. At all times



1 herein mentioned from and after October 19, 1996, Respondent  
2 TENUITO was and now is licensed by the Department as a real estate  
3 salesperson.

4 VI

5 Whenever reference is made in an allegation in this  
6 Accusation to an act or omission of Respondent TALP, such  
7 allegation shall be deemed to mean that the officers, directors,  
8 employees, agents and real estate licensees employed by or  
9 associated with Respondent TALP committed such act or omission  
10 while engaged in the furtherance of the business or operations of  
11 such corporate Respondent and while acting within the course and  
12 scope of their corporate authority and employment.

13 VII

14 At all times herein mentioned, Respondents engaged in  
15 the business of, acted in the capacity of, advertised and assumed  
16 to act as real estate brokers in the State of California:

17 (a) Within the meaning of Section 10131(a) of the Code,  
18 including the operation and conduct of a real estate resale  
19 brokerage with the public wherein, on behalf of others, for  
20 compensation or in expectation of compensation, Respondents sold  
21 and offered to sell, bought and offered to buy, solicited  
22 prospective sellers and purchases of, solicited and obtained  
23 listings of, and negotiated the purchase and sale of real  
24 property; and

25 (b) Within the meaning of Section 10131(b) of the Code,  
26 including the operation and conduct of a property management  
27 business with the public wherein, on behalf of others, for



1 compensation or in expectation of compensation, Respondents leased  
2 or rented and offered to lease or rent, and placed for rent, and  
3 solicited listings of places for rent, and solicited for  
4 prospective tenants of real property or improvements thereon, and  
5 collected rents from real property or improvements thereon.

6 VIII

7 In so acting as a real estate broker, as described in  
8 Paragraph VII, above, Respondent TALP accepted or received funds  
9 in trust (hereinafter "trust funds") from or on behalf of buyers  
10 and sellers and others in connection with the real estate resale  
11 brokerage activities described in Paragraph VII(a), above, and  
12 thereafter from time to time made disbursements of said trust  
13 funds.

14 IX

15 On or about December 7, 1996, in connection with the  
16 collection and disbursement of said trust funds, Respondent TALP  
17 violated Section 2831 of Chapter 6, Title 10, California Code of  
18 Regulations (hereinafter "the Regulations"), in that Respondent  
19 TALP failed to keep a record in columnar form of trust funds,  
20 consisting of a \$2,500.00 deposit toward the purchase of real  
21 property, received by Respondent TALP, but not deposited into any  
22 trust bank account.

23 X

24 At all times mentioned herein from May 13, 1996 through  
25 October 18, 1996, Respondent TALP employed and compensated  
26 Respondent TENUTO to perform the acts and conduct the activities  
27 described in Paragraph VII(a), above.



XI

Between May 13, 1996 and October 18, 1996, in the course of the activities and employment described in Paragraphs VII(a) and X, above, Respondent TENUTO:

(a) Negotiated the purchase and sale from Boston Harbor Corporation as seller to Bruce W. Cowardin as buyer of real property at 565 Rimrock Road, El Cajon, California;

(b) Solicited and obtained a listing for sale of real property at 5891 Jackson Drive, La Mesa, California; and

(c) Solicited and obtained a listing for sale of real property at 10307 Azuaga Street, #27, San Diego, California.

XII

In acting as described above, Respondent TENUTO violated Section 10130 of the Code.

SECOND CAUSE OF ACCUSATION

XIII

There is hereby incorporated in this second, separate and distinct Cause of Accusation, all of the allegations contained in Paragraphs I through XII of the First Cause of Accusation with the same force and effect as if herein fully set forth.

XIV

At all times mentioned herein, Respondent PERRI failed to exercise reasonable supervision over the acts of Respondent TALP and its agents and employees in such a manner as to allow the acts and omissions on the part of Respondent TALP, described above, to occur.

///



- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

## 2

3  
4  
5  
6  
7

## 8

9  
10  
11  
12  
13  
14  
15  
16  
17  
18

- 19  
20  
21  
22  
23  
24  
25  
26  
27

- 1 (j) 6955 Homer #18, Westminster, California;  
2 (k) 864 Ronald Street, Brawley, California; and  
3 (l) 13919 Arthur Avenue, #15, Los Angeles, California.

4 XVII

5 In conducting the activities described in Paragraph XVI,  
6 above, Respondent TENUTO:

- 7 (a) Held herself out as, advertised herself to be, and  
8 assumed to act as a real estate broker to tenants and others; and  
9 (b) Used the fictitious business name "M & V  
10 Associates".

11 XVIII

12 In acting as described in Paragraph XVI and XVII, above,  
13 Respondent TENUTO violated Section 10130 of the Code.

14 XIX

15 The facts alleged above are grounds for the suspension  
16 or revocation of the licenses and license rights of Respondents  
17 under the following provisions of the Code:

18 (a) As to Respondent TALP and Paragraphs VIII and IX of  
19 the First Cause of Accusation, under Section 10145 of the Code in  
20 conjunction with Section 2831 of the Regulations and Section  
21 10177(d) of the Code;

22 (b) As to Respondent TALP and Paragraphs X and XI of  
23 the First Cause of Accusation, under Section 10137 the Code in  
24 conjunction with Section 10177(d) of the Code;

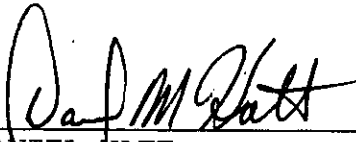
25 (c) As to Respondent TENUTO and Paragraphs XI and XII  
26 of the First Cause of Accusation, under Section 10130 the Code in  
27 conjunction with Section 10177(d) of the Code;



1 (d) As to Respondent PERRI and the Second Cause for  
2 Accusation, under Section 10177(g) and/or Section 10177(h) of the  
3 Code and Section 10159.2 of the Code in conjunction with Section  
4 10177(d) of the Code; and

5 (e) As to Respondent TENUTO and the Third Cause for  
6 Accusation, under Section 10130 the Code in conjunction with  
7 Section 10177(d) of the Code.

8 WHEREFORE, Complainant prays that a hearing be conducted  
9 on the allegations of this Accusation and that upon proof thereof,  
10 a decision be rendered imposing disciplinary action against all  
11 licenses and license rights of Respondents under the Real Estate  
12 Law (Part 1 of Division 4 of the Business and Professions Code),  
13 and for such other and further relief as may be proper under other  
14 provisions of law.

15  
16   
17 DANIEL HATT  
Deputy Real Estate Commissioner

18 Dated at Los Angeles, California  
19 this 2<sup>nd</sup> day of September, 1998.

20  
21  
22  
23  
24  
25  
26  
27

