

FILED

FEB 27 2010

DEPARTMENT OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-2598 SD
)	
GERALD JULIUS ZIMMERMAN,)	
)	
Respondent.)	
_____)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On May 14, 2001, a Decision 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 September 7, 2001 and Respondent has operated as a restricted licensee since that time.

On or about November 1, 2007, Respondent petitioned for reinstatement of said real estate broker license. The Attorney General of the State of California has been given notice of the filing of Respondent's petition.

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

5 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
6 reinstatement is granted and that an unrestricted real estate broker license be issued to
7 Respondent, if Respondent satisfies the following conditions within twelve (12) months from
8 the date of this Order:

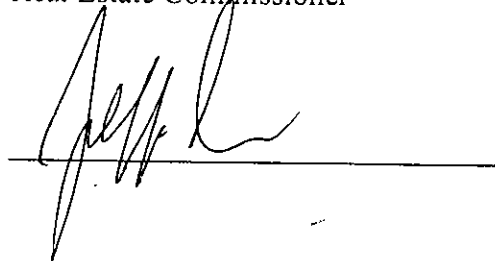
- 10 1. Submittal of a completed application and payment of the fee for a real estate
11 broker license.
12
13 2. Submittal of evidence of having, since the most recent issuance of an original
14 or renewal real estate license, taken and successfully completed the continuing education
15 requirements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

17 This Order shall be effective immediately.

18 Dated: 2/2/2010
19

20 JEFF DAVI
Real Estate Commissioner

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FILED

AUG - 1 2001

DEPARTMENT OF REAL ESTATE

Lucia L. Zini

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

No. H-2598 SD

GERALD JULIUS ZIMMERMAN,

OAH No. L-2001020342

Respondent.

ORDER DENYING RECONSIDERATION

On May 14, 2001, a Decision was rendered in the above-entitled matter. The Decision is to become effective August 1, 2001.

On June 27, 2001, Respondent petitioned for reconsideration of the Decision of May 14, 2001.

I have given due consideration to the petition of Respondent. I find no good cause to reconsider the Decision of May 14, 2001, and reconsideration is hereby denied.

IT IS HEREBY ORDERED *in - just, 2001.*

PAULA REDDISH ZINNEBANN
Real Estate Commissioner

Paula Reddish Zinnemann

FILED
JUN 28 2001

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-2598 SD
GERALD JULIUS ZIMMERMAN,)
Respondent.)

ORDER STAYING EFFECTIVE DATE

On May 14, 2001, a Stipulation and Agreement was rendered in the above-entitled matter to become effective July 2, 2001.

IT IS HEREBY ORDERED that the effective date of the Stipulation and Agreement of the Real Estate Commissioner of May 14, 2001, is stayed for a period of thirty (30) days.

The Stipulation and Agreement of the Real Estate Commissioner of May 14, 2001, shall become effective at 12 o'clock noon on August 1, 2001.

DATED: June 28, 2001.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner

Paula Reddish Zinnemann

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

FILED
JUN - 1 2001

DEPARTMENT OF REAL ESTATE

By Laurie A. Zim

7 BEFORE THE DEPARTMENT OF REAL ESTATE
8 STATE OF CALIFORNIA

9 * * *

10 In the Matter of the Accusation of)	No. H-2598 SD
11 GERALD JULIUS ZIMMERMAN,)	OAH No. L-2001020342
12 Respondent.)	<u>STIPULATION AND AGREEMENT</u>

13
14 It is hereby stipulated by and between Respondent
15 GERALD JULIUS ZIMMERMAN (hereinafter "ZIMMERMAN"), and the
16 Complainant, acting by and through James L. Beaver, Counsel for
17 the Department of Real Estate, as follows for the purpose of
18 settling and disposing of the Accusation filed on January 25,
19 2001 in this matter (hereinafter "the Accusation"):

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

27 ///

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

3. On February 9, 2001, Respondent filed a Notice of Defense pursuant to Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that Respondent understands that by withdrawing said Notice of Defense Respondent will thereby waive Respondent's right to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that Respondent will waive other rights afforded to Respondent in connection with the hearing such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

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

5. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation and Agreement as his decision in this matter, thereby imposing the penalty and sanctions on Respondent's real estate license and license rights as set forth in the "Order" below. In the event that

1 the Commissioner in his discretion does not adopt the
2 Stipulation and Agreement, it shall be void and of no effect,
3 and Respondent shall retain the right to a hearing and
4 proceeding on the Accusation under all the provisions of the APA
5 and shall not be bound by any admission or waiver made herein.

6 6. This Stipulation and Agreement shall not
7 constitute an estoppel, merger or bar to any further
8 administrative or civil proceedings by the Department of Real
9 Estate with respect to any matters which were not specifically
10 alleged to be causes for accusation in this proceeding.

11 7. Respondent understands that by agreeing to this
12 Stipulation and Agreement, Respondent agrees to pay, pursuant to
13 Section 10148 of the California Business and Professions Code,
14 the cost of the audit which resulted in the determination that
15 Respondent committed the trust fund violation(s) found in
16 paragraph I, below, of the Determination of Issues. The amount
17 of said costs is \$2,594.13.

18 8. Respondent further understands that by agreeing
19 to this Stipulation and Agreement in Settlement, the findings
20 set forth below in the Determination Of Issues become final, and
21 that the Commissioner may charge said Respondent for the costs
22 of any audit conducted pursuant to Section 10148 of the
23 California Business and Professions Code to determine if the
24 violations have been corrected. The maximum costs of said audit
25 shall not exceed \$2,594.13.

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(f) As to Paragraph IX(b), under Section 10177(d) of the Code in conjunction with Section 10146 of the Code;

(g) As to Paragraph IX(c), under Section 10177(d) of the Code in conjunction with Section 10146 of the Code and Section 2972 of the Regulations;

(h) As to Paragraph XI, under Section 10240 of the Code in conjunction with Section 10177(d) of the Code; and

(i) As to Paragraph XII, under Section 2726 of the Regulations in conjunction with Section 10177(d) of the Code.

ORDER

I

A. All licenses and licensing rights of Respondent GERALD JULIUS ZIMMERMAN under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to said Respondent pursuant to Section 10156.5 of the Business and Professions Code if, within ninety (90) days from the effective date of the Decision entered pursuant to this Order, Respondent ZIMMERMAN:

(1) Makes application for the restricted license and pays to the Department of Real Estate the appropriate fee therefor;

(2) Pays the sum of \$2,594.13 to the California Department of Real Estate as and for the cost of the audit which resulted in the determination that Respondent committed the trust fund violation(s) found in paragraph I of the Determination of Issues; and

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1 (3) Provides proof satisfactory to the Real Estate
2 Commissioner that Respondent has, since October 21, 1999:

3 (a) Paid George C. Ryon, MAI, \$6,000.00 toward the
4 unpaid balance for an appraisal of real property
5 on Monterey Drive in Palm Desert, California;

6 (b) Furnished J. Robert McClendon and John G. Nettles
7 the list required by Section 2972(h) of the
8 Regulations of the names and addresses of the
9 persons to whom information was submitted by
10 Respondent between June 28, 1999 and November 23,
11 1999 pertaining to a loan to J. Robert McClendon
12 and/or John G. Nettles to be secured by a lien or
13 liens upon real property on Monterey Drive in
14 Palm Desert, California.

15 B. Any restricted license issued to Respondent
16 pursuant to this Decision shall be subject to all of the
17 provisions of Section 10156.7 of the Business and Professions
18 Code and to the following limitations, conditions and
19 restrictions imposed under authority of Section 10156.6 of that
20 Code:

21 (1) Any restricted real estate license issued to
22 Respondent shall be suspended for a period of thirty (30) days
23 from the date of issuance of said restricted license; provided
24 however, that if Respondent petitions, said suspension (or a
25 portion thereof) shall be stayed upon condition that Respondent
26 pays a monetary penalty pursuant to Section 10175.2 of the Code
27 at the rate of \$100.00 for each day of the suspension for a

1 total monetary penalty of \$3,000.00, and upon condition that no
2 further cause for disciplinary action against the real estate
3 license of Respondent occurs within two (2) years from the
4 effective date of the Decision in this matter. Any stay granted
5 pursuant to this paragraph shall be subject to the following
6 terms:

7 (a) Said monetary penalty payment shall be in the
8 form of a cashier's check or certified check made
9 payable to the Recovery Account of the Real
10 Estate Fund. Said check must be received by the
11 Department prior to the effective date of the
12 Decision in this matter.

13 (b) The Commissioner may, if a final subsequent
14 determination is made, after hearing or upon
15 stipulation, that cause for disciplinary action
16 occurred during the two (2) year period following
17 the effective date of the Decision in this
18 matter, vacate and set aside the stay and order
19 the immediate execution of all or any part of the
20 stayed suspension, in which event the Respondent
21 shall not be entitled to any repayment nor
22 credit, prorated or otherwise, for money paid to
23 the Department under the terms of this Order.

24 (c) If Respondent fails to pay the monetary penalty
25 in accordance with the terms and conditions of
26 the Decision, the Commissioner may, without a
27 hearing, order the immediate execution of all or

1 any part of the stayed suspension in which event
2 the Respondent shall not be entitled to any
3 repayment nor credit, prorated or otherwise, for
4 money paid to the Department under the terms of
5 the Decision.

6 (d) If Respondent pays the monetary penalty and if no
7 order vacating the stay is made pursuant to
8 Paragraph (b), above, the stay granted pursuant
9 to this Decision shall become permanent.

10 (2) The restricted license issued to Respondent may
11 be suspended prior to hearing by Order of the Real Estate
12 Commissioner in the event of Respondent's conviction or plea of
13 nolo contendere to a crime which is substantially related to
14 Respondent's fitness or capacity as a real estate licensee.

15 (3) The restricted license issued to Respondent may
16 be suspended prior to hearing by Order of the Real Estate
17 Commissioner on evidence satisfactory to the Commissioner that
18 Respondent has violated provisions of the California Real Estate
19 Law, the Subdivided Lands Law, Regulations of the Real Estate
20 Commissioner or conditions attaching to the restricted license.

21 (4) Respondent shall not be eligible to apply for the
22 issuance of an unrestricted real estate license nor for the
23 removal of any of the conditions, limitations or restrictions of
24 a restricted license until two (2) years have elapsed from the
25 effective date of this Decision.

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1 (5) Pursuant to Section 10148 of the Business and
2 Professions Code, Respondent shall pay the Commissioner's
3 reasonable cost, not to exceed \$2,594.13, for an audit to
4 determine if Respondent has corrected the trust fund
5 violation(s) found in paragraph I of the Determination of
6 Issues. In calculating the amount of the Commissioner's
7 reasonable cost, the Commissioner may use the estimated average
8 hourly salary for all persons performing audits of real estate
9 brokers, and shall include an allocation for travel time to and
10 from the auditor's place of work. Respondent shall pay such
11 cost within forty-five (45) days of receiving an invoice from
12 the Commissioner detailing the activities performed during the
13 audit and the amount of time spent performing those activities.
14 The Commissioner may suspend the restricted license issued to
15 respondent pending a hearing held in accordance with Section
16 11500, et seq., of the Government Code, if payment is not timely
17 made as provided for herein, or as provided for in a subsequent
18 agreement between the Respondent and the Commissioner. The
19 suspension shall remain in effect until payment is made in full
20 or until Respondent enters into an agreement satisfactory to the
21 Commissioner to provide for payment, or until a decision
22 providing otherwise is adopted following a hearing held pursuant
23 to this condition.

24 (6) Respondent shall, within nine (9) months from the
25 effective date of the Decision, present evidence satisfactory to
26 the Real Estate Commissioner that Respondent has, since the most
27 recent issuance of an original or renewal real estate license,

1 taken and successfully completed the continuing education
2 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
3 for renewal of a real estate license. If Respondent fails to
4 satisfy this condition, the Commissioner may order the
5 suspension of the restricted license until the Respondent
6 presents such evidence. The Commissioner shall afford
7 Respondent the opportunity for a hearing pursuant to the
8 Administrative Procedure Act to present such evidence.

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

16
17 April 12, 2001
18 DATED

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JAMES L. BEAVER, Counsel
DEPARTMENT OF REAL ESTATE

* * *

20 I have read the Stipulation and Agreement and its
21 terms are understood by me and are agreeable and acceptable to
22 me. I 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 the Commissioner to prove the allegations in the Accusation at a

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

4 April 9, 2001
5 DATED

6 Gerald J. Zimmerman
GERALD JULIUS ZIMMERMAN
Respondent

7 * * *

8 The foregoing Stipulation and Agreement for
9 Settlement is hereby adopted by the Real Estate Commissioner as
10 his Decision and Order and shall become effective at 12 o'clock
11 noon on July 2, 2001.

12 IT IS SO ORDERED

13 May 14, 2001.
14 PAULA REDDISH ZINNEMANN
Real Estate Commissioner

15 Paula Reddish
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**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

FILED

FEB 28 2001

DEPARTMENT OF REAL ESTATE

By *David L. Zan*

In the Matter of the Accusation of

GERALD JULIUS ZIMMERMAN,

} Case No. H-2598 SD

} OAH No. L-2001020342

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, ROOM 6022, SAN DIEGO, CA 92101 on MAY 7 - 8, 2001, at the hour of 9:00 A.M., 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: FEBRUARY 28, 2001

DEPARTMENT OF REAL ESTATE

By *David L. Zan*

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 (916) 227-0788 (Direct)

FILED
JAN 25 2001

DEPARTMENT OF REAL ESTATE

By *Marie L. Jones*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No.: H-2598 SD
12 GERALD JULIUS ZIMMERMAN,) ACCUSATION
13 Respondent.)
14

15 The Complainant, J. Chris Graves, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against GERALD JULIUS ZIMMERMAN (hereinafter "Respondent"), is
18 informed and alleges as follows:

19 I

20 The Complainant, J. Chris Graves, a Deputy Real Estate
21 Commissioner of the State of California, makes this Accusation
22 in his official capacity.

23 II

24 At all times herein mentioned, Respondent was and now
25 is licensed and/or has license rights under the Real Estate Law
26 (Part 1 of Division 4 of the Business and Professions Code)
27 (hereinafter "the Code") as a real estate broker.

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III

At all times herein mentioned, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the State of California within the meaning of Sections 10131(d) and 10131.2 of the Code, including the operation and conduct of:

(a) A mortgage loan brokerage business with the public wherein Respondent solicited borrowers and lenders for loans secured directly or collaterally by liens on real property and such loans were arranged, negotiated, processed, and consummated by Respondent on behalf of others for compensation or in expectation of compensation; and

(b) An advance fee brokerage business with the public wherein, in connection with employment undertaken by Respondent to obtain a loan or loans to be secured by liens upon real property or a business opportunity, Respondent claimed, demanded, charged, received, collected or contracted for the collection of advance fees within the meaning of Sections 10026 and 10131.2 of the Code.

IV

In course of the mortgage loan brokerage and advance fee brokerage activities described in Paragraph III, above Respondent accepted or received funds in trust (hereinafter "trust funds") from or on behalf of borrowers and others in connection with the solicitation and negotiation of mortgage loans by Respondent.

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V

The aforesaid trust funds accepted or received by Respondent were deposited or caused to be deposited by Respondent into one or more bank accounts (hereinafter "trust fund accounts") maintained by Respondent for the handling of trust funds, including but not necessarily limited to the "Gerald J. Zimmerman dba Zimmerman Financial Services Clearing Account", account number 0810466421 (hereinafter "Bank Account 2"), maintained by Respondent at the Fallbrook, California, branch of Union Bank.

VI

Between on or about May 1, 1999 and on or about August 31, 2000, in connection with the collection and disbursement of said trust funds, Respondent:

(a) Failed to maintain a record of all trust funds received into and disbursed from Bank Account 2 in the manner required by Section 2831 of Chapter 6, Title 10, California Code of Regulations (hereinafter "the Regulations"), in that the record of trust funds received into and disbursed from Bank Account 2 failed to identify the date trust funds were received;

(b) Failed to maintain a separate record for each beneficiary or transaction, accounting therein for all said trust funds received, deposited into, and disbursed from Bank Account 2;

(c) Failed to perform, and failed to maintain a record of, any monthly reconciliation of separate beneficiary or transaction records with the record of trust funds received and

1 disbursed from Bank Account 2, as required by Section 2831.2 of
2 the Regulations;

3 (d) Failed to deposit trust funds entrusted to
4 Respondent into a trust fund account in the name of Respondent
5 as trustee at a bank or other financial institution, in
6 conformance with Section 2832(a) of the Regulations, in that
7 Respondent deposited such funds into Bank Account 2, which
8 account was not maintained in the name of Respondent as trustee;
9 and

10 (e) Caused, suffered or permitted the aggregate
11 balance of funds in Bank Account 2 to be reduced to an amount
12 which, as of July 31, 2000, was \$11,000 less than the aggregate
13 liability of Respondent to all owners of such funds, without
14 first obtaining the written consent of each and every owner of
15 such funds.

16 VII

17 Between on or about June 28, 1999 and on or about
18 November 23, 1999, in course of the mortgage loan brokerage and
19 advance fee brokerage activities described in Paragraph III,
20 above, Respondent claimed, demanded, charged, received,
21 collected and contracted for an advance fee within the meaning
22 of Section 10026 of the Code in the amount of \$25,000.00 from
23 J. Robert McClendon and John G. Nettles in connection with
24 employment undertaken by Respondent to obtain a loan or loans
25 for J. Robert McClendon and John G. Nettles to be secured by a
26 lien or liens upon real property on Monterey Drive in Palm
27 Desert, California.

VIII

Said advance fee was claimed, demanded, charged, received, and collected by Respondent pursuant to a written agreement which constituted an advance fee agreement within the meaning of Section 10085 of the Code.

IX

In course of the transaction described in Paragraphs VII and VIII, above, Respondent:

(a) Failed to submit the advance fee agreement referred to in Paragraph VIII, above, to the Commissioner ten days prior to use, as Required by Section 10085 of the Code and Section 2970 of the Regulations;

(b) Failed to deposit the advance fee in a trust account with a bank or other recognized depository, as required by Section 10146 of the Code;

(c) Failed to furnish the principal borrower the verified accounting required by Section 10146 of the Code and Section 2972 of the Regulations; and

(d) Converted a \$6,000 portion of the advance fee to Respondent's own use or benefit or to purposes not authorized by the owners of said funds.

X

The acts and omissions of Respondent described in Paragraph IX(d), above, constituted fraud and/or dishonest dealing.

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2 XI

3 Between on or about June 28, 1999 and on or about
4 September 17, 2000, in course of the mortgage loan brokerage
5 activities described in Paragraph III, above, Respondent failed
6 to comply with Section 10240 of the Code, in that Respondent:

7 (a) Failed to cause to be delivered to borrowers the
8 statement in writing required by Section 10241 of the Code
9 (hereinafter "Written Disclosure Statement");

10 (b) Failed to obtain the signature of the borrowers
11 on the Written Disclosure Statement; and/or

12 (c) Failed to retain on file for a period of three
13 years a true and correct copy of the Written Disclosure
14 Statement signed by the borrowers.

15 XII

16 Between on or about June 28, 1999 and on or about
17 September 17, 2000, in course of the mortgage loan brokerage
18 activities described in Paragraph III, above, Respondent failed
19 to have a written agreement with Claude Dennis Hoehn or Beatrice
20 Michelle Zimmerman, real estate salespersons employed by
21 Respondent, as required by Section 2726 of the Regulations.

22 XIII

23 The facts alleged above constitute cause for the
24 suspension or revocation of the licenses and license rights of
25 Respondent under the following provisions of the Code and/or the
26 Regulations:

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1 (a) As to Paragraph VI(a), under Section 10145 of the
2 Code and Section 2831 of the Regulations in conjunction with
3 Section 10177(d) of the Code;

4 (b) As to Paragraph VI(b), under Section 10145 of the
5 Code and Section 2831.1 of the Regulations in conjunction with
6 Section 10177(d) of the Code;

7 (c) As to Paragraph VI(c), under Section 10145 of the
8 Code and Section 2831.2 of the Regulations in conjunction with
9 Section 10177(d) of the Code;

10 (d) As to Paragraph VI(d), under Section 10145 of the
11 Code and Section 2832(a) of the Regulations in conjunction with
12 Section 10177(d) of the Code; and

13 (e) As to Paragraph VI(e), under Section 10145 of the
14 Code and Section 2832.1 of the Regulations in conjunction with
15 Section 10177(d) of the Code;

16 (f) As to Paragraph IX(a), under Section 10177(d) of
17 the Code in conjunction with Section 10085 of the Code and
18 Section 2970 of the Regulations;

19 (g) As to Paragraph IX(b), under Section 10177(d) of
20 the Code in conjunction with Section 10146 of the Code;

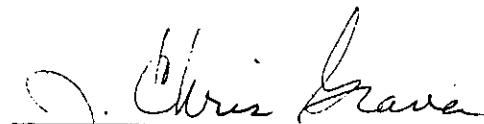
21 (h) As to Paragraph IX(c), under Section 10177(d) of
22 the Code in conjunction with Section 10146 of the Code and
23 Section 2972 of the Regulations;

24 (i) As to Paragraphs IX(d), and X under Section
25 10176(i) of the Code;

26 (j) As to Paragraph XI, under Section 10240 of the
27 Code in conjunction with Section 10177(d) of the Code; and

1 (k) As to Paragraph XII, under Section 2726 of the
2 Regulations in conjunction with Section 10177(d) of the 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 Respondent
8 under the Real Estate Law (Part 1 of Division 4 of the Business
9 and Professions Code), and for such other and further relief as
10 may be proper under other provisions of law.

11 

12 J. CHRIS GRAVES
13 Deputy Real Estate Commissioner

14 Dated at San Diego, California,
15 this 12th day of January, 2001.
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