

**FILED**

MAY 25 2017

BUREAU OF REAL ESTATE

By B. Nicholas

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of

DIEDRE MARIE THOMAS, and WILLIAM  
ROBERT ENDSLEY,

Respondents.

No. H-3081 FR

(as to Respondent William Robert  
Endsley only)

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on May 15, 2017, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent WILLIAM ROBERT ENDSLEY's (Respondent) express admissions; (2) affidavits; and (3) other evidence.

Pursuant to Government Code section 11521, the Bureau of Real Estate of the State of California (hereinafter "the Bureau") may order reconsideration of this Decision on petition of any party. The Bureau's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

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## FINDINGS OF FACT

1

On March 6, 2017, Brenda Smith made the Accusation in her official capacity as a Supervising Special Investigator of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified and regular mail, to Respondent's last known mailing address on file with the Bureau of Real Estate (Bureau) on March 8, 2017.

On May 15, 2017, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2

Respondent is presently licensed and/or have license rights under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code (Code) as a real estate broker.

3

At all times mentioned, Diedre Marie Thomas (Thomas) was and is licensed by the Bureau as a real estate salesperson. Beginning on or about June 12, 1996, and continuing through July 26, 2010, Thomas' salesperson license was affiliated under the brokerage of Respondent. Beginning on or about July 27, 2010, and continuing through October 4, 2015, Thomas' salesperson license was affiliated under the broker of Premier Valley Inc., a California Corporation (Premier). Beginning on or about October 13, 2015, and continuing through May 4, 2016, Thomas' salesperson license was affiliated under the brokerage of Respondent. Beginning on about May 5, 2016 through present, Thomas' salesperson license has no broker affiliation. At no time mentioned herein was Thomas licensed by the Bureau as a real estate broker.

4

At all times mentioned, Respondent conducted real estate activity under his individual broker license and the fictitious business name "Sequoia Property Management" (Sequoia), registered with the Bureau.

5

At all times mentioned, Thomas, on behalf of Sequoia, 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(b) of the Code, including the operation and conduct of a property management business with the public wherein, on behalf of others, for compensation or in expectation of compensation, Thomas, on behalf of Sequoia, leased or rented and offered to lease or rent, and solicited for prospective tenants of real property or improvements thereon, and collected rents from real property or improvements thereon.

Beginning on or about July 27, 2010, and continuing through October 4, 2015, Thomas, on behalf of Sequoia, without the knowledge, consent, or supervision of Premier, in course of the property management brokerage activities described in Paragraph 6, solicited prospective tenants for, negotiated rental agreements for and collected rents from real properties owned by another or others, including but not limited to the following:

<b><u>PROPERTY OWNER</u></b>	<b><u>PROPERTY LOCATION</u></b>
Kenneth S. and Joe S.	1316 Cooper Avenue, Turlock
Barbara A. and Evelyn J.	1542 Lander Avenue, Turlock
Emanuel C.	755 Birchwood, Turlock
Val. K.	701 Meadow Lark Drive, Turlock
Val. K.	1145 Countryside Drive, Turlock
Juliana M.	7420 Bramble Lane, Hughson

By the commission of the acts found in Paragraph 6, Respondent disregarded the real estate law and allowed Thomas to engage in the business and act in the capacity of a real estate broker within the State of California as defined by Section 10131(b) of the Code and in violation of Sections 10130 and 10137 of the Code.

At all times relevant, Respondent was required to exercise reasonable supervision and control over the activities of Sequoia's employees, agents, and others acting on Sequoia's behalf.

Respondent failed to exercise reasonable supervision over the acts and/or omissions of Sequoia's employees, agents and others acting on Sequoia's behalf.

#### DETERMINATION OF ISSUES

Cause for disciplinary action against Respondent exists pursuant to Section 10177(d) of the Code.

Cause for disciplinary action against Respondent exists pursuant to Sections 10177(g) and 10177(h) of the Code.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondent WILLIAM ROBERT ENDSLEY under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on

JUN 15 2017

DATED:

5/24/2017

WAYNE S. BELL  
REAL ESTATE COMMISSIONER

A handwritten signature in black ink, appearing to read 'Wayne S. Bell', is written over a horizontal line.

FILED

MAY 15 2017

BUREAU OF REAL ESTATE

By H. Diaz

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6 Telephone: (916) 263-8672

7  
8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of

No. H-3081 FR

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13 DIEDRE MARIE THOMAS, and WILLIAM  
14 ROBERT ENDSLEY,

DEFAULT ORDER

(as to Respondent William Robert  
Endsley only)

15 Respondents.

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17 Respondent, WILLIAM ROBERT ENDSLEY, having failed to file a Notice of  
18 Defense within the time required by Section 11506 of the Government Code, is now in default. It  
19 is, therefore, ordered that a default be entered on the record in this matter.

20 IT IS SO ORDERED

5/15/17

21  
22 Real Estate Commissioner

23  
24  
25 By:

Joe Carrillo

26 JOE CARRILLO  
27 Regional Manager