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FILED

JUN 02 2000

DEPARTMENT OF REAL ESTATE

By Jean Arnold

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

| | | |
|------------------------------------|---|----------------|
| In the Matter of the Accusation of |) | |
| ASSET INVESTMENT MANAGERS, INC., |) | No. H-3270 SAC |
| Respondent. |) | |

ORDER GRANTING REINSTATEMENT OF LICENSE

On May 18, 1998, 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 September 3, 1998, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On October 4, 1999, 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.

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

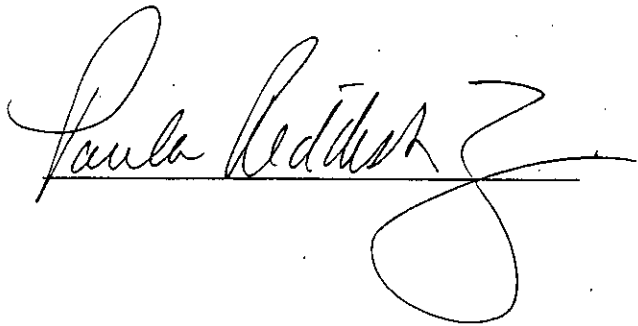
NOW, THEREFORE, IT IS ORDERED that Respondent's petition for reinstatement is granted and that a real estate broker license be issued to Respondent if Respondent satisfies the following condition within nine months from the date of this Order:

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

This Order shall be effective immediately.

DATED: May 16, 2000.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



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FILED

FEB 11 2000

DEPARTMENT OF REAL ESTATE

By Jean Arnold

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

| | | |
|------------------------------------|---|----------------|
| In the Matter of the Accusation of |) | |
| |) | No. H-3270 SAC |
| JACK GRIFFITH CRAWFORD, |) | |
| |) | |
| Respondent. |) | |

ORDER GRANTING REINSTATEMENT OF LICENSE

On May 18, 1998, 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 July 23, 1998, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On August 6, 1999, 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.

///

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

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

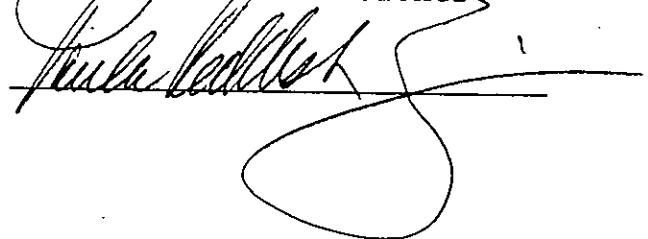
13 1. Submittal of a completed application and payment of
14 the fee for a real estate broker license.

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

20 This Order shall be effective immediately.

21 DATED: January 12, 2000

22 PAULA REDDISH ZINNEMANN
23 Real Estate Commissioner

24 
25
26
27

1 THOMAS C. LASKEN, Counsel
2 Department of Real Estate
3 P. O. Box 187000
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789

FILED
MAY 26 1998
DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

| | |
|---|----------------------------------|
| 11 In the Matter of the Accusation of) | |
| 12 ASSET INVESTMENT MANAGERS,) | H-3270 SAC |
| 13 INC.; and,) | |
| 14 JACK GRIFFITH CRAWFORD;) | <u>STIPULATION AND AGREEMENT</u> |
| 15 Respondents.) | |

16 It is hereby stipulated by and between ASSET INVESTMENT
17 MANAGERS, INC., ("Respondent AIM") and JACK GRIFFITH CRAWFORD
18 ("Respondent CRAWFORD") (collectively "Respondents"), acting by
19 and through their attorney, Howard J. Stagg IV; and the
20 Complainant, acting by and through Thomas C. Lasken, Counsel for
21 the Department of Real Estate; as follows, for the purpose of
22 settling and disposing of the Amended Accusation filed on May 30,
23 1997, in this matter:

24 1. All issues which were to be contested and all
25 evidence which was to be presented by Complainant and Respondents
26 at a formal hearing on the Accusation, which hearing was to be
27 held in accordance with the provisions of the Administrative

1 Procedure Act (APA) (Government Code Section 11500 et seq.), shall
2 instead and in place thereof be submitted solely on the basis of
3 the provisions of this Stipulation and Agreement.

4 2. Respondents have read and understand the Statement
5 to Respondent, the Discovery Provisions of the APA, and the
6 Amended Accusation filed by the Department of Real Estate in this
7 proceeding.

8 3. On March 19, 1997, Respondents filed their Notice of
9 Defense pursuant to Section 11505 of the Government Code for the
10 purpose of requesting a hearing on the allegations in the
11 Accusation. That Notice of Defense applied by operation of law to
12 the Amended Accusation filed on May 30, 1997. Respondents hereby
13 freely and voluntarily withdraw their Notice of Defense.

14 Respondents acknowledge that by withdrawing said Notice of Defense
15 they will thereby waive their rights to require the Commissioner
16 to prove the allegations in the Accusation at a contested hearing
17 held in accordance with the provisions of the APA and that they
18 will waive other rights afforded to them in connection with the
19 hearing such as the right to present evidence in defense of the
20 allegations in the Accusation and the right to cross-examine
21 witnesses.

22 4. Without admitting the truth of the allegations
23 contained in the Accusation, Respondents stipulate that they will
24 not interpose a defense thereto. Respondents stipulate that the
25 Department may issue findings and determinations of issues that
26 the acts and/or omissions of Respondents as stipulated above
27 constitute violations of the Real Estate Law as set forth herein.



1 5. No additional documentary, testimonial, or other
2 evidence, except that which is necessary to establish
3 Complainant's jurisdiction, shall be required to be presented by
4 Complainant at any hearing in this proceeding in order to prove
5 the Accusation as above stipulated.

6 6. Respondents enter into this stipulation for purposes
7 of this Accusation only, and the execution of this stipulation
8 shall not be construed to be an admission of liability except as
9 may pertain to the grounds for the stipulation, and shall not be
10 construed to be an admission for any purpose whatsoever, pursuant
11 to the provisions of California Evidence Code Section 1152.

12 Further, Respondent CRAWFORD specifically denies the allegations
13 in the Amended Accusation, and all specific alleged violations, or
14 any act or omission as Designated Officer of Respondent AIM, and
15 has agreed to this Stipulation as an accommodation to resolve the
16 Accusation, and to conclude this matter in a manner beneficial to
17 all parties.

18 7. It is understood by the parties that the Real Estate
19 Commissioner may adopt the Stipulation and Agreement as his
20 decision in this matter thereby finding the violations as to
21 Respondents' real estate licenses and license rights as set forth
22 in the below "Determination of Issues". In the event that the
23 Commissioner in his discretion does not adopt the Stipulation and
24 Agreement, it shall be void and of no effect, and Respondents
25 shall retain the right to a hearing and proceeding on the
26 Accusation under all the provisions of the APA and shall not be
27 bound by any admission or waiver made herein.



1 8. Respondents have received, read, and understand the
2 "Notice Concerning Costs of Subsequent Audits". Respondents
3 understand that by agreeing to this Stipulation and Agreement, the
4 findings set forth below in the DETERMINATION OF ISSUES become
5 final, and that the Commissioner may charge Respondents for the
6 cost of any audit conducted pursuant to Section 10148 of the
7 Business and Professions Code to determine if the violations have
8 been corrected. The maximum costs of said audit will not exceed
9 \$3,000.00.

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

16
17 DETERMINATION OF ISSUES

18 By reason of the foregoing stipulations, admissions and
19 waivers, and solely for the purpose of settlement of the pending
20 Accusation without a hearing, it is stipulated and agreed that the
21 following determination of issues shall be made:

22 I

23 The conduct of the Respondent AIM, as described in the
24 Amended Accusation, constitutes cause for the suspension or
25 revocation of the real estate license and license rights of
26 Respondent AIM under the provisions of Section 10177(d) of the
27 California Business and Professions Code ("Code") in conjunction

1 with Section 10145 of the Code and Section 2832.1 of Chapter 6,
2 Title 10, California Code of Regulations.

3 II

4 The conduct of Respondent CRAWFORD further constitutes
5 cause for the suspension or revocation of the real estate license
6 and license rights of Respondent CRAWFORD under Section 10177(h)
7 of the Code.

8 ORDER

9
10 A. The real estate broker licenses and all license rights of
11 Respondents under the Real Estate Law are revoked.

12 B. A restricted real estate broker license shall be issued to
13 Respondents pursuant to Business and Professions Code
14 Section 10156.5, if Respondents make application therefor and
15 pay to the Department the appropriate fee for said license
16 within ninety (90) days from the effective date of this
17 ORDER.

18 C. The restricted license issued to Respondents shall be subject
19 to all the provisions of Section 10156.7 of the Business and
20 Professions Code and to the following limitations, conditions
21 and restrictions imposed under authority of Section 10156.6
22 of said Code:

23 (1) The license shall not confer any property right in the
24 privileges to be exercised, and the Real Estate
25 Commissioner may by appropriate order suspend the right
26 to exercise any privileges granted under the restricted
27 license in the event of:



1 (a) The conviction of Respondents (including a plea
2 of nolo contendere) to a crime which bears a
3 significant relation to Respondents' fitness or
4 capacity as a real estate licensee; or,

5 (b) The receipt of evidence that Respondents have
6 violated provisions of the California Real Estate
7 Law, Subdivided Lands Law, Regulations of the Real
8 Estate Commissioner or conditions attaching to the
9 restricted license.

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

16 D. Respondents shall pay, pursuant to Section 10148 of the
17 Business and Professions Code, the Commissioner's reasonable
18 cost for an audit to determine if Respondents have corrected
19 the trust fund violations as set forth in the Determination of
20 Issues above. Respondents shall be jointly and severally liable
21 for the cost of said audit. In calculating the amount of the
22 Commissioner's reasonable costs, the Commissioner may use the
23 estimated average hourly salary for all persons performing
24 audits of real estate brokers, and shall include an allocation
25 for travel costs, including mileage, time to and from the
26 auditor's place of work, and per diem. The Commissioner's
27 reasonable costs shall in no event exceed \$3,000.00.



1 (1) Respondents shall pay such cost within 45 days of receipt
2 of an invoice from the Commissioner detailing the
3 activities performed during the audit and the amount of
4 time spent performing those activities;

5 (2) If Respondents fail to pay, within 45 days from receipt
6 of the invoice specified above, the Commissioner's
7 reasonable costs for an audit to determine if Respondents
8 have corrected the violations found as set forth in the
9 Determination of Issues above, the Commissioner may order
10 the indefinite suspension of Respondents' real estate
11 licenses and license rights. The suspension shall remain
12 in effect until payment is made in full, or until
13 Respondents enter into an agreement satisfactory to the
14 Commissioner to provide for such payment. The
15 Commissioner may impose further reasonable disciplinary
16 terms and conditions upon Respondents' real estate
17 license and license rights as part of any such agreement.

18 F. Respondent CRAWFORD shall, within six (6) months from the
19 effective date of the restricted license, take and pass the
20 Professional Responsibility Examination administered by the
21 Department including the payment of the appropriate
22 examination fee. If Respondent CRAWFORD fails to satisfy
23 this condition, the Commissioner may order the suspension of
24 the restricted license until Respondent CRAWFORD passes the
25 examination.

26 G. Respondent AIM shall clearly disclose in writing, including,
27 but not limited to, in its management agreements, to its



1 present and future clients, that it may obtain volume or
2 other discounts from suppliers of goods and services; and
3 that such discounts may be retained by AIM as additional
4 consideration for its management services and thus not passed
5 on to its clients. If Respondent AIM charges to its clients
6 any surcharge or markup on the invoiced amount of goods or
7 services, the amount of such surcharge or markup shall be
8 clearly disclosed to such clients in writing. Respondent AIM
9 understands that compliance with the provisions of this
10 paragraph will be monitored in the audit described in
11 Paragraph D above or any other subsequent audit conducted by
12 the Department.

13 H. Respondent AIM shall pay the sum of \$2,550.00 in the form of
14 a cashier's check or certified check made payable to the
15 Recovery Account of the Real Estate Fund. Said check must be
16 delivered to the Department prior to the effective date of
17 the Order in this matter. If Respondent AIM fails to pay
18 said monetary penalty when due, the Commissioner may order
19 the indefinite suspension of Respondent AIM's real estate
20 licenses and license rights. The suspension shall remain in
21 effect until payment is made in full, or until Respondent AIM
22 enters into an agreement satisfactory to the Commissioner to
23 provide for such payment. The Commissioner may impose
24 further reasonable disciplinary terms and conditions upon
25 Respondent AIM's real estate license and license rights as
26 part of any such agreement.

27 ///



1 I. Any restricted real estate broker license issued to
2 Respondents may be suspended or revoked for a violation by
3 Respondents of any of the conditions attaching to the
4 restricted license.

5
6 March 13, 1998
7 DATED

8 Thomas C. Lasken
9 THOMAS C. LASKEN, Counsel
10 DEPARTMENT OF REAL ESTATE

11 * * *

12 I have read the Stipulation and Agreement, have
13 discussed it with my counsel, and its terms are understood by me
14 and are agreeable and acceptable to me. I understand that I am
15 waiving rights given to me by the California Administrative
16 Procedure Act (including but not limited to Sections 11506, 11508,
17 11509, and 11513 of the Government Code), and I willingly,
18 intelligently, and voluntarily waive those rights, including the
19 right of requiring the Commissioner to prove the allegations in
20 the Accusation at a hearing at which I would have the right to
21 cross-examine witnesses against me and to present evidence in
22 defense and mitigation of the charges.

23 ASSET INVESTMENT MANAGERS, INC.
24 Respondent

25 3-9-98
26 DATED

27 By: [Signature]
28 TONY BIONDI
29 President


30 3-9-98
31 DATED

32 By: [Signature]
33 JACK GRIFFITH CRAWFORD
34 Respondent

1 I have reviewed the Stipulation and Agreement as to
2 form and content and have advised my clients accordingly.

3
4 March 15, 1998

5 DATED

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8 
9 HOWARD J. STAGG IV

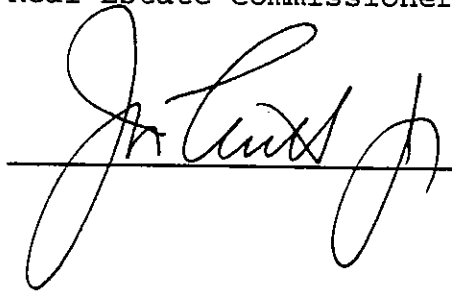
10 Attorney for Respondents

11 * * *

12 The foregoing Stipulation and Agreement is hereby
13 adopted by the Real Estate Commissioner as his Decision and
14 Order and shall become effective at 12 o'clock noon on
15 June 15, 1998.

16 IT IS SO ORDERED 5/18, 1998.

17 JIM ANTT, JR.
18 Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

By Kathleen Contreras

In the Matter of the Accusation of

ASSET INVESTMENT MANAGERS, INC.,
and JACK GIFFITH CRAWFORD,



Case No. H-3270 SAC

OAH No. N-9704012

Respondent

SECOND CONTINUED
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, 560 J Street,

Suite 340/360, Sacramento, California 95814

on January 27 through January 30, 1998, 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.

DEPARTMENT OF REAL ESTATE

Dated: October 6, 1997

By Thomas C. Lasken
THOMAS C. LASKEN Counsel

TO: FLAG SECTION
FROM: SACTO. LEGAL

FILED
JUL 10 1997

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

By Kathleen Contreras

In the Matter of the Accusation of

ASSET INVESTMENT MANAGERS, INC.,
and JACK GRIFFITH CRAWFORD,

}

Case No. H-3270 SAC

OAH No. N-9704012

Respondent

CONTINUED

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, 501 J Street, Suite 220,

Second Floor Hearing Rooms, Sacramento, California 95814

on Thursday -- September 25, 1997, at the hour of 9:00 AM,
or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

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. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

DEPARTMENT OF REAL ESTATE

Dated: July 9, 1997

By Thomas C. Lasken
THOMAS C. LASKEN Counsel

FILED
MAY 30 1997
DEPARTMENT OF REAL ESTATE

**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

By Kathleen Contreras

In the Matter of the Accusation of

ASSET INVESTMENT MANAGERS, INC.,
and JACK GRIFFITH CRAWFORD,



Case No. H-3270 SAC

OAH No. N-9704012

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, 501 J Street, Suite 220,
Second Floor Hearing Rooms, Sacramento, California 95814

on Wednesday -- July 31, 1997, at the hour of 9:00 AM,
or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

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. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

DEPARTMENT OF REAL ESTATE

Dated: May 20, 1997

By Thomas C. Lasken
THOMAS C. LASKEN Counsel

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

FILED
MAY 30 1997
DEPARTMENT OF REAL ESTATE

By *Kathleen Contreras*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 ASSET INVESTMENT MANAGERS,) NO. H-3270 SAC
INC., and) AMENDED
13 JACK GRIFFITH CRAWFORD,) ACCUSATION
14 _____ Respondents.)

15 The Complainant, Charles W. Koenig, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against ASSET INVESTMENT MANAGERS, INC., and against JACK GRIFFITH
18 CRAWFORD, individually and as Designated Officer of ASSET
19 INVESTMENT MANAGERS, INC., is informed and alleges as follows:

20 FIRST CAUSE OF ACCUSATION

21 I

22 The Complainant, Charles W. Koenig, a Deputy Real Estate
23 Commissioner of the State of California, makes this Accusation in
24 his official capacity.

25 II

26 At all times herein mentioned, Respondent ASSET
27 INVESTMENT MANAGERS, INC. (hereinafter "Respondent AIM") was

1 licensed and/or had license rights under the Real Estate Law,
2 Part 1 of Division 4 of the Business and Professions Code
3 (hereinafter "Code") as a real estate brokerage corporation, by
4 and through Respondent JACK GRIFFITH CRAWFORD (hereinafter
5 "Respondent CRAWFORD") as its Designated Officer.

6 III

7 At all times herein mentioned, Respondent CRAWFORD was
8 licensed, and/or has license rights under the Code, individually
9 and as Designated Officer of Respondent AIM.

10 IV

11 At all times mentioned herein, Respondent AIM engaged
12 in the business of, acted in the capacity of, advertised or
13 assumed to act as real estate broker within the State of
14 California, within the meaning of Section 10131(b) of the Code,
15 including the operation and conduct of a real estate property
16 management business with the public, wherein Respondent AIM,
17 for or in expectation of a compensation, leased or rented or
18 offered to lease or rent, or solicited listings of, places for
19 rent; solicited prospective tenants for, negotiated rental
20 agreements for, and collected rents from, real properties
21 owned by another or others; and otherwise managed real properties
22 in California.

23 V

24 During the course of the real property management
25 activities described in Paragraph IV above, Respondent AIM
26 received and disbursed funds held in trust on behalf of another or
27 others.



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VI

Within the three-year period immediately preceding the filing of this Amended Accusation, Respondent AIM maintained the following trust accounts for its property management business:

Sacramento Commercial Bank
P. O. Box 862
Sacramento, CA 95812

a) Account No. 1077122
Title: Asset Investment Managers, Inc.
Owners Trust Account ("Trust #1")

b) Account No. 1077064
Title: Asset Investment Managers, Inc.
Security Deposit Trust ("Trust #2")

VII

Commencing on July 11, 1995, and continuing through July 17, 1995, an investigative audit was made by the Department of Real Estate (hereinafter "Department") of Respondent AIM's records for the period of June 1, 1993, through May 31, 1995, as those records relate to Respondent AIM's licensed activities in its real estate property management business.

VIII

In connection with the collection and disbursement of trust funds, Respondent AIM failed to deposit and maintain trust funds in Trust #1 in such manner that as of May 31, 1995, there was a shortage of at least \$6,194.66 of trust funds.

IX

During the period ending May 31, 1995, Respondent AIM disbursed, or caused or permitted the disbursement of, trust funds from the trust account, without the prior written consent of every principal who was an owner of the funds in the account, where the

1 disbursement reduced the balance of funds in the accounts to an
2 amount which was at least \$6,194.66 less than the existing
3 aggregate trust fund liability of Respondent AIM to all owners of
4 said funds, in violation of Section 2832.1 of Title 10, California
5 Code of Regulations (hereinafter "Regulations").

6 X.

7 Respondent AIM permitted and/or caused the disbursement
8 of trust funds to contractors and vendors but charged the accounts
9 of owners amounts which exceeded the actual cost of the services
10 performed by the vendors and contractors. Respondent AIM made
11 either no disclosure or inadequate disclosure of these "mark-ups"
12 to the beneficiaries of said trust funds, did not obtain their
13 informed consent to these "mark-ups", and pocketed the difference
14 between the amounts paid and the actual cost of the services.

15 XI

16 Respondent AIM's acts and omissions alleged above in
17 Paragraphs VIII and IX constitute cause for discipline under
18 Section 10177(d) of the Code in conjunction with Section 10145 of
19 the Code and Section 2832.1 of the Regulations.

20 XII

21 Respondent AIM's acts and omissions alleged above in
22 Paragraph X constitute fraud or dishonest dealing, and the taking
23 of a secret profit, and are cause for discipline under Sections
24 10176(g) and 10176(i) of the Code.

25 XIII

26 During the three years immediately preceding the filing
27 of this Amended Accusation, through May 31, 1995, Respondent



1 CRAWFORD, as designated broker-officer for Respondent AIM, failed
2 to exercise reasonable supervision and control over the licensed
3 activities of Respondent AIM as required by Section 10159.2 of the
4 Code. Such failure is cause for the suspension or revocation of
5 Respondent CRAWFORD's licenses and/or license rights under Section
6 10177(h) of the Code.

7
8 SECOND CAUSE OF ACCUSATION

9 XIV

10 There is hereby incorporated in this Second, separate
11 and distinct, Cause of Accusation, all of the allegations
12 contained in Paragraphs I through VI of the First Cause of
13 Accusation with the same force and effect as if fully set forth
14 herein.

15 XV

16 Commencing on December 16, 1996, and continuing through
17 January 7, 1997, an investigative audit was made by the Department
18 of Respondent AIM's records for the period of June 1, 1995,
19 through November 30, 1996, as those records relate to Respondent
20 AIM's licensed activities in its real estate property management
21 business.

22 XVI

23 In connection with the collection and disbursement
24 of trust funds, Respondent AIM failed to deposit and maintain
25 trust funds in Trust #1 in such manner that as of November 30,
26 1996, there was a shortage of at least \$1,868.43 of trust
27 funds.



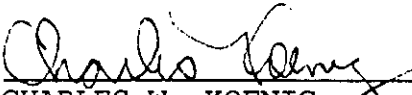
XVII

1
2 During the period ending November 30, 1996, Respondent
3 AIM disbursed, or caused or permitted the disbursement of, trust
4 funds from the trust account, without the prior written consent of
5 every principal who was an owner of the funds in the account,
6 where the disbursement reduced the balance of funds in the
7 accounts to an amount which was at least \$1,868.43 less than the
8 existing aggregate trust fund liability of Respondent AIM to all
9 owners of said funds, in violation of Section 2832.1 of the
10 Regulations.

XVIII

11
12 Respondent AIM's acts and omissions alleged above in
13 Paragraphs XVI and XVII constitute cause for discipline under
14 Section 10177(d) of the Code in conjunction with Section 10145 of
15 the Code and Section 2832.1 of the Regulations.

16 WHEREFORE, Complainant prays that a hearing be conducted
17 on the allegations of this Amended Accusation and that upon proof
18 thereof a decision be rendered imposing disciplinary action
19 against all licenses and license rights of Respondents, under the
20 Real Estate Law (Part 1 of Division 4 of the Business and
21 Professions Code), and for such other and further relief as may be
22 proper under the provisions of law.

23
24 
25 CHARLES W. KOENIG
26 Deputy Real Estate Commissioner

26 Dated at Sacramento, California,
27 this 22nd day of May, 1997.

1 THOMAS C. LASKEN, Counsel
2 Department of Real Estate
3 P. O. Box 187000
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789

FILED
MAR 11 1997
DEPARTMENT OF REAL ESTATE

By *Kathleen Contreras*

8 BEFORE THE
9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of)
13 ASSET INVESTMENT MANAGERS, INC.,) NO. H-3270-SAC
14 and JACK GRIFFITH CRAWFORD,) ACCUSATION
15 Respondents.)

16 The Complainant, Charles W. Koenig, a Deputy Real Estate
17 Commissioner of the State of California, for cause of Accusation
18 against ASSET INVESTMENT MANAGERS, INC., and against JACK GRIFFITH
19 CRAWFORD, individually and as Designated Officer of ASSET
20 INVESTMENT MANAGERS, INC., is informed and alleges as follows:

21 I

22 The Complainant, Charles W. Koenig, a Deputy Real Estate
23 Commissioner of the State of California, makes this Accusation in
24 his official capacity.

25 II

26 At all times herein mentioned, Respondent ASSET
27 INVESTMENT MANAGERS, INC. (hereinafter "Respondent AIM") was



1 licensed and/or had license rights under the Real Estate Law, Part
2 1 of Division 4 of the Business and Professions Code (hereinafter
3 "Code") as a real estate brokerage corporation, by and through
4 Respondent JACK GRIFFITH CRAWFORD (hereinafter "Respondent
5 CRAWFORD") as its Designated Officer.

6 III

7 At all times herein mentioned, Respondent CRAWFORD was
8 licensed, and/or has license rights under the Code, individually
9 and as Designated Officer of Respondent AIM.

10 IV

11 At all times mentioned herein, Respondent AIM engaged
12 in the business of, acted in the capacity of, advertised or
13 assumed to act as real estate broker within the State of
14 California, within the meaning of Section 10131(b) of the Code,
15 including the operation and conduct of a real estate property
16 management business with the public, wherein Respondent AIM,
17 for or in expectation of a compensation, leased or rented or
18 offered to lease or rent, or solicited listings of, places for
19 rent; solicited prospective tenants for, negotiated rental
20 agreements for, and collected rents from, real properties owned
21 by another or others; and otherwise managed real properties in
22 California.

23 V

24 During the course of the real property management
25 activities described in Paragraph IV above, Respondent AIM
26 received and disbursed funds held in trust on behalf of another or
27 others.



1 VI

2 Within the three-year period immediately preceding the
3 filing of this Accusation, Respondent AIM maintained the following
4 trust accounts for its property management business:

5 Sacramento Commercial Bank
6 P. O. Box 862
7 Sacramento, CA 95812

- 8 a) Account No. 1077122
9 Title: Asset Investment Managers, Inc.
10 Owners Trust Account ("Trust #1")
- 11 b) Account No. 1077064
12 Title: Asset Investment Managers, Inc.
13 Security Deposit Trust ("Trust #2")

14 VII

15 Commencing on July 11, 1995, and continuing through
16 July 17, 1995, an investigative audit was made by the Department
17 of Real Estate (hereinafter "Department") of Respondent AIM's
18 records for the period of June 1, 1993, through May 31, 1995, as
19 those records relate to Respondent AIM's licensed activities in
20 its real estate property management business.

21 VIII

22 In connection with the collection and disbursement of
23 trust funds, Respondent AIM failed to deposit and maintain trust
24 funds in Trust #1 in such manner that as of May 31, 1995, there
25 was a shortage of at least \$6,194.66 of trust funds.

26 IX

27 During the period ending May 31, 1995, Respondent AIM
disbursed, or caused or permitted the disbursement of, trust funds
from the trust account, without the prior written consent of every



1 principal who was an owner of the funds in the account, where the
2 disbursement reduced the balance of funds in the accounts to an
3 amount which was at least \$6,194.66 less than the existing
4 aggregate trust fund liability of Respondent AIM to all owners of
5 said funds, in violation of Section 2832.1 of Title 10, California
6 Code of Regulations (hereinafter "Regulations").

7 X

8 Respondent AIM permitted and/or caused the disbursement
9 of trust funds to contractors and vendors, but charged the
10 accounts of owners amounts which exceeded the actual cost of the
11 services performed by the vendors and contractors. Respondent AIM
12 made either no disclosure or inadequate disclosure of these "mark-
13 ups" to the beneficiaries of said trust funds, did not obtain
14 their informed consent to these "mark-ups", and pocketed the
15 difference between the amounts paid and the actual cost of the
16 services.

17 XI

18 Respondent AIM's acts and omissions alleged above in
19 Paragraphs VIII and IX constitute cause for discipline under
20 Section 10177(d) of the Code in conjunction with Section 10145 of
21 the Code and Section 2832.1 of the Regulations:

22 XII

23 Respondent AIM's acts and omissions alleged above in
24 Paragraph X constitute fraud or dishonest dealing, and the taking
25 of a secret profit, and are cause for discipline under Sections
26 10176(g) and 10176(i) of the Code.

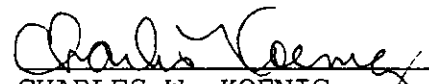
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During the three years immediately preceding the filing of this Accusation, through May 31, 1995, Respondent CRAWFORD, as designated broker-officer for Respondent AIM, failed to exercise reasonable supervision and control over the licensed activities of Respondent AIM as required by Section 10159.2 of the Code. Such failure is cause for the suspension or revocation of Respondent CRAWFORD's licenses and/or license rights under Section 10177(h) of the Code.

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


CHARLES W. KOENIG
Deputy Real Estate Commissioner

Dated at Sacramento, California,
this 6th day of February, 1997.