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JUL 17 2008

DEPARTMENT OF REAL ESTATE

By H. Max

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

|                                      |                |
|--------------------------------------|----------------|
| In the Matter of the Accusation of ) |                |
| THOMAS KEITH CLAPP, )                | No. H-3327 SAC |
| Respondent. )                        |                |

ORDER GRANTING REINSTATEMENT OF LICENSE

On April 1, 1998, an Order was rendered herein revoking the real estate salesperson license of Respondent, 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 May 6, 1998, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent.

On May 30, 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 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  
5 for the issuance to Respondent of an unrestricted real estate  
6 salesperson license and that it would not be against the public  
7 interest to 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 salesperson license be issued to Respondent if Respondent  
11 satisfies the following conditions within nine months from the  
12 date of this Order:

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

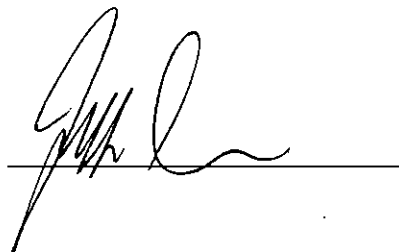
15 2. Submittal of evidence of having, since the most  
16 recent issuance of an original or renewal real estate license,  
17 taken and successfully completed the continuing education  
18 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
19 for renewal of a real estate license.

20 This Order shall be effective immediately.

21 DATED: 7-1, 2008

22 JEFF DAVI

23 Real Estate Commissioner

24   
25  
26  
27

*Clapp*

FILED

APR 06 2001

DEPARTMENT OF REAL ESTATE

By *Janell...*

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

|                                      |                |
|--------------------------------------|----------------|
| In the Matter of the Accusation of ) |                |
| THOMAS KEITH CLAPP, )                | No. H-3327 SAC |
| Respondent. )                        |                |

ORDER GRANTING REINSTATEMENT OF LICENSE

On April 1, 1998, an Order was rendered herein revoking the real estate salesperson license of Respondent, 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 May 6, 1998, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent.

On June 19, 2000, 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 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  
6 salesperson license and that it would not be against the public  
7 interest to 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 salesperson license be issued to Respondent if Respondent  
11 satisfies the following conditions within nine months from the  
12 date of this Order:

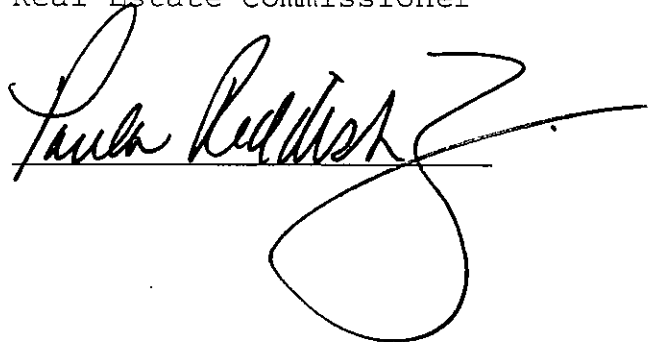
13 1. Submittal of a completed application and payment of  
14 the fee for a real estate salesperson license.

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: March 23, 2001

22 PAULA REDDISH ZINNEMANN  
23 Real Estate Commissioner

24   
25  
26  
27



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

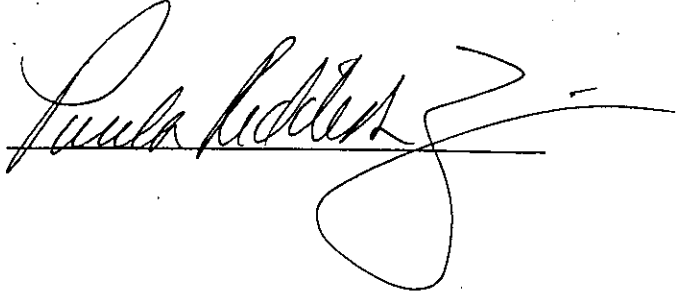
12 Order:

- 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: February 23, 2000.

22 PAULA REDDISH ZINNEMANN  
23 Real Estate Commissioner

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25  
26  
27

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

FILED  
MAY 7 1998  
DEPARTMENT OF REAL ESTATE

By *Laurie A. Zain*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 THOMAS KEITH CLAPP, )  
13 SIERRA VIEW FINANCIAL CORP., )  
14 WALTER LEE DOBBS, )  
Respondents. )

NO. H-3327 SAC  
STIPULATION AND AGREEMENT

15  
16 It is hereby stipulated by and between SIERRA VIEW  
17 FINANCIAL (hereinafter "Respondent SIERRA") and WALTER LEE DOBBS  
18 (hereinafter "Respondent DOBBS") their attorney of record  
19 Robert D. Collins, and the Complainant, acting by and through  
20 David A. Peters, Counsel for the Department of Real Estate, as  
21 follows for purpose of settling and disposing of the Accusation  
22 filed December 31, 1997 in this matter:

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

H-3327 SAC

SIERRA VIEW FINANCIAL CORP.,  
WALTER LEE DOBBS

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

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

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

20           4. This Stipulation is based on the factual  
21 allegations contained in the Accusation. In the interest of  
22 expedience and economy, Respondents choose not to contest these  
23 allegations, but to remain silent and understand that, as a result  
24 thereof, these factual allegations, without being admitted or  
25 denied, will serve as a prima facie basis for the disciplinary  
26 action stipulated to herein. The Real Estate Commissioner shall  
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I

The acts and omissions of Respondent SIERRA as described in Paragraph VI of the Accusation are grounds for the suspension or revocation of all the real estate licenses and license rights of Respondent SIERRA under the provisions of Section 10137 of the Business and Professions Code.

II

The acts and omissions of Respondent DOBBS as described in Paragraphs VI and VII of the Accusation are grounds for the suspension or revocation of all real estate licenses and license rights of Respondent DOBBS under the provisions of Sections 10137 and 10177(h) of the Business and Professions Code and Section 10177(d) of the Business and Professions Code in conjunction with Section 2725 of Title 10, California Code of Regulations.

ORDER

I

A. All licenses and licensing rights of Respondent SIERRA under the Real Estate Law are suspended for a period of thirty (30) days form the effective date of this Decision; provided, however, all of said suspension shall be stayed for one (1) year upon the following terms and conditions:

- 1. Respondent SIERRA shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California; and

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2. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred within one (1) year of the effective date of this Decision. Should such a determination be made, the Commissioner may, in his discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed suspension.

II

A. The real estate broker license and all license rights of Respondent DOBBS under the Real Estate Law are revoked.

B. A restricted real estate broker license shall be issued to Respondent DOBBS pursuant to Business and Professions Code Section 101565.5, if Respondent DOBBS makes application therefor and pays to the Department the appropriate fee for said license within ninety (90) days from the effective date of this Order.

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

- (1) The restricted license issued to Respondent DOBBS may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or plea of nolo contendere to a crime which is substantially related to,

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Respondent's fitness or capacity as a real estate licensee.

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

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

D. Respondent DOBBS shall, within nine (9) months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent DOBBS has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent DOBBS fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the Respondent presents such evidence. The Commissioner shall afford Respondent DOBBS the  
///



1 opportunity for a hearing pursuant to the Administrative Procedure  
2 Act to present such evidence.

3 E. Respondent DOBBS shall, within six (6) months from  
4 the effective date of this Decision, take and pass the  
5 Professional Responsibility Examination administered by the  
6 Department including the payment of the appropriate examination  
7 fee. If Respondent DOBBS fails to satisfy this condition, the  
8 Commissioner may order the suspension of Respondent DOBBS' license  
9 until Respondent DOBBS passes the examination.

10 F. Any restricted real estate broker license issued to  
11 Respondent DOBBS may be suspended or revoked for a violation by  
12 Respondent DOBBS of any of the conditions attaching to the  
13 restricted license.

14 4/9/98  
15 DATED

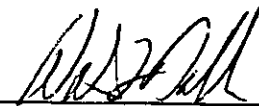
14 David A. Peters  
15 DAVID A. PETERS, Counsel  
16 DEPARTMENT OF REAL ESTATE

17 \* \* \*

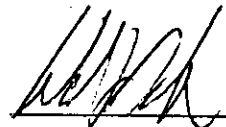
18 I have read the Stipulation and Agreement, have  
19 discussed it with my counsel, and its terms are understood by me  
20 and are agreeable and acceptable to me. I understand that I am  
21 waiving rights given to me by the California Administrative  
22 Procedure Act (including but not limited to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

1 cross-examine witnesses against me and to present evidence in  
2 defense and mitigation of the charges.

3  
4 3-27-98  
5 DATED


  
6 SIERRA VIEW FINANCIAL CORP.  
7 By: Walter Lee Dobbs  
8 Respondent

9  
10 3-27-98  
11 DATED

  
12 WALTER LEE DOBBS  
13 Respondent

14 I have reviewed the Stipulation and Agreement in  
15 Settlement as to form and content and have advised my clients  
16 accordingly.

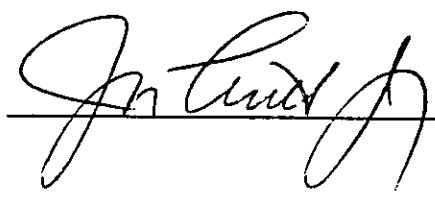
17  
18 3-30-98  
19 DATED

  
20 ROBERT D. COLLINS  
21 Attorney for Respondents

22 \* \* \*

23 The foregoing Stipulation and Agreement for Settlement  
24 is hereby adopted by the Real Estate Commissioner as his Decision  
25 and Order and shall become effective at 12 o'clock noon on  
26 May 28, 1998.

27 IT IS SO ORDERED 4/29, 1998.

JIM ANTT, JR.  
Real Estate Commissioner  


1 Department of Real Estate  
2 P. O. Box 187000  
3 Sacramento, CA 95818-7000  
4  
5 Telephone: (916) 227-0789  
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FILED  
APR 14 1998  
DEPARTMENT OF REAL ESTATE

By *Laurie A. Zair*

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 THOMAS KEITH CLAPP, ) NO. H-3327 SAC  
13 SIERRA VIEW FINANCIAL CORP., ) STIPULATION AND AGREEMENT  
14 WALTER LEE DOBBS, )  
15 Respondents. )

16 It is hereby stipulated by and between THOMAS KEITH  
17 CLAPP (hereinafter "Respondent CLAPP") only and the Complainant,  
18 acting by and through David A. Peters, Counsel for the Department  
19 of Real Estate, as follows for purpose of settling and disposing  
20 of the Accusation filed on December 31, 1997 in this matter:

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

27 ///

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

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

18           4.     Respondent CLAPP, pursuant to the limitations set  
19 forth below, hereby admits that the factual allegations in  
20 Paragraphs III, IV, and V of the Accusation filed in this  
21 proceeding are true and correct and the Real Estate Commissioner  
22 shall not be required to provide further evidence of such  
23 allegations.

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







ORDER

I

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3         A.     The real estate salesperson license and all license  
4 rights of Respondent CLAPP under the Real Estate Law are revoked.

5         B.     A restricted real estate salesperson license shall  
6 be issued to Respondent CLAPP pursuant to Business and Professions  
7 Code Section 10156.5, if Respondent CLAPP makes application  
8 therefor and pays to the Department the appropriate fee for said  
9 license within ninety (90) days from the effective date of this  
10 ORDER.

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

16             (1) The restricted license issued to Respondent may be  
17 suspended prior to hearing by Order of the Real  
18 Estate Commissioner in the event of Respondent's  
19 conviction or plea of nolo contendere to a crime  
20 which is substantially related to Respondent's  
21 fitness or capacity as a real estate licensee.

22             (2) The restricted license issued to Respondent may be  
23 suspended prior to hearing by Order of the Real  
24 Estate Commissioner on evidence satisfactory to the  
25 Commissioner that Respondent has violated  
26 provisions of the California Real Estate Law, the  
27 Subdivided Lands Law, Regulations of the Real



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Estate Commissioner or conditions attaching to the restricted license.

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

(4) Respondent shall submit with any application for license under an employing broker, or any application for transfer to a new employing broker, a statement signed by the prospective employing real estate broker on a form approved by the Department of Real Estate which shall certify:

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

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

D. Respondent CLAPP shall, within nine (9) months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent CLAPP has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed and continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law

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

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

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

18  
19 3/2/98 **RECEIVED**  
20 DATED **Dept. of Real Estate**  
**MAR 19 1998** *David A. Peters*  
**FISCAL #3** **DAVID A. PETERS, Counsel**  
**DEPARTMENT OF REAL ESTATE**

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

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

4  
5 3/16/98  
6 DATED

7  
8 Thomas Keith Clapp  
9 THOMAS KEITH CLAPP  
10 Respondent

11 \* \* \*

12 The foregoing Stipulation and Agreement for Settlement  
13 is hereby adopted by the Real Estate Commissioner as Decision and  
14 Order and shall become effective at 12 o'clock noon on  
15 May 4th, 1998.

16 IT IS SO ORDERED

17 4/1/98  
18 JIM ANTT, JR.  
19 Real Estate Commissioner  
20 J. Antt Jr.

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FILED  
FEB 24 1998

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

*Laurie A. Zain*

In the Matter of the Accusation of

THOMAS KEITH CLAPP,  
SIERRA VIEW FINANCIAL CORP.,  
WALTER LEE DOBBS,

}

Case No. H-3327 SAC

OAH No. N-1998020195

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, 560 J Street, Suite 340/360,  
Sacramento, CA 95814

on Thursday, March 26th, 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: February 24, 1998

By *David A. Peters*  
DAVID A. PETERS Counsel

1 DAVID A. PETERS, Counsel (SBN 99528)  
2 Department of Real Estate  
3 P. O. Box 187000  
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789  
6 -or- (916) 227-0781 (Direct)  
7

FILED  
DEC 31 1997  
DEPARTMENT OF REAL ESTATE

*Laurie A. Zain*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 THOMAS KEITH CLAPP, )  
13 SIERRA VIEW FINANCIAL CORP., )  
14 WALTER LEE DOBBS, )  
Respondent. )

No. H-3327 SAC  
ACCUSATION

15  
16 The Complainant, Charles W. Koenig, a Deputy Real Estate  
17 Commissioner of the State of California, for cause of accusation  
18 against THOMAS KEITH CLAPP (hereinafter "Respondent CLAPP"),  
19 SIERRA VIEW FINANCIAL CROP. (hereinafter "Respondent SIERRA"), and  
20 WALTER LEE DOBBS (hereinafter "Respondent DOBBS"), is informed and  
21 alleges as follows:

22 I

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

26 ///

27 ///

1 II

2 Respondents CLAPP, SIERRA, and DOBBS, are licensed  
3 and/or have license rights under the Real Estate Law (Part 1 of  
4 Division 4 of the Business and Professions Code) (hereinafter "the  
5 Code") as follows:

6 THOMAS KEITH CLAPP - as a real estate salesperson.

7 SIERRA VIEW FINANCIAL CROP. - as a real estate broker  
8 corporation acting by and through Respondent DOBBS as designated  
9 broker-officer.

10 WALTER LEE DOBBS - as a real estate broker and as  
11 designated broker-officer for Respondent SIERRA.

12 III

13 Beginning on or about January 21, 1996 and continuing  
14 through on or about September 19, 1997, Respondent CLAPP's real  
15 estate salesperson license was expired.

16 IV

17 Beginning on or after January 21, 1996 and continuing  
18 through on or before September 19, 1997, at a time when Respondent  
19 CLAPP's real estate salesperson license had expired as described  
20 in Paragraph III above, Respondent CLAPP while in the employ of  
21 Respondent SIERRA, engaged in the business of, acted in the  
22 capacity of, advertised, or assumed to act as a real estate broker  
23 in the State of California within the meaning of Section 10131(d)  
24 of the Code, including the operation and conduct of a mortgage  
25 loan brokerage business with the public wherein lenders and  
26 borrowers were solicited for loans secured directly or  
27 collaterally by liens on real property, wherein such loans were





1 arranged, negotiated, processed, and consummated on behalf of  
2 others for compensation or in expectation of compensation.

3 V

4 Said mortgage loan brokerage activities conducted by  
5 Respondent CLAPP as described in Paragraph IV above, included, but  
6 are not limited to, the following transactions:

| 7  | <u>DATE</u> | <u>BORROWERS</u> | <u>PROPERTY</u>              |
|----|-------------|------------------|------------------------------|
| 8  | 04/07/97    | Teodor & Mihaela | 9020 Rolling Greens Terrance |
| 9  |             | Costea           | Granite Bay, California      |
| 10 | 07/31/97    | Brian & Wendy    | 7730 Gingerblossom Drive     |
| 11 |             | Nickle           | Citrus Heights, California   |

12 VI

13 Beginning on or after January 21, 1996 and continuing  
14 through on or before September 19, 1997, in connection with the  
15 mortgage loan brokerage activities described in Paragraphs IV and  
16 V above, Respondents SIERRA and DOBBS employed or compensated,  
17 directly or indirectly Respondent CLAPP to perform acts requiring  
18 a real estate license at a time when Respondent CLAPP's real  
19 estate salesperson license was expired.

20 VII

21 At various times beginning on or about January 21, 1996  
22 and continuing through on or before September 19, 1997, Respondent  
23 DOBBS, as the designated broker-officer for Respondent SIERRA,  
24 failed to exercise reasonable supervision and control over the  
25 licensed activities of Respondent SIERRA required by Section  
26 10159.2 of the Code in that Respondent DOBBS permitted Respondent  
27 CLAPP, a real estate salesperson with an expired real estate



1 license, to conduct the mortgage loan brokerage activities  
2 described in Paragraphs IV and V above. Respondent DOBBS failed  
3 to exercise reasonable supervision over the activities of  
4 Respondent SIERRA's salespersons by failing to establish adequate  
5 policies, rules, procedures and systems to review, oversee,  
6 inspect and manage said activities.

7 VIII

8 The acts and/or omissions of Respondents CLAPP, SIERRA  
9 and DOBBS described above are grounds for the suspension or  
10 revocation of the licenses and/or license rights of Respondents  
11 CLAPP, SIERRA and DOBBS under the following sections of the Code  
12 and of Title 10, California Code of Regulations (hereinafter  
13 "Regulations").

14 (1) As to Paragraphs IV and V, under Section 10130 of  
15 the Code in conjunction with Section 10177(d) of the Regulations  
16 as to Respondent CLAPP;

17 (2) As to Paragraph VI, under Section 10137 of the Code  
18 as to Respondent SIERRA and Respondent DOBBS;

19 (3) As to Paragraph VII, under Section 10177(h) of the  
20 Code and Section 2725 of the Regulations in conjunction with  
21 Section 10177(d) of the Code as to Respondent DOBBS. In the  
22 alternative, the acts and/or omissions of Respondent DOBBS  
23 described in Paragraph VII are grounds for the suspension or  
24 revocation of Respondent DOBBS' license and/or license rights  
25 under Section 10177(g) of the Code.

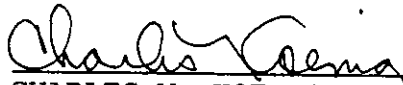
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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof a decision be rendered imposing disciplinary action against all licenses and license rights of Respondents, under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) including the imposition of a fine of up to \$10,000 pursuant to the provisions of Section 10139.5 of the Business and Professions Code, and for such other and further relief as may be proper under other provisions of law.

  
\_\_\_\_\_  
CHARLES W. KOENIG  
Deputy Real Estate Commissioner

Dated at Sacramento, California,  
this 20<sup>nd</sup> day of December, 1997.