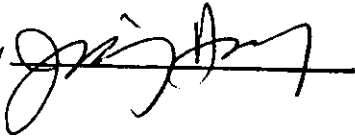


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FILED
MAY 23 2001

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	NO. H-3335 SAC
)	
CHRISTOPHER ALEXANDER GIAPAPAS,)	
)	
Respondent.)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On May 4, 1998, 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 salesperson license. A restricted real estate salesperson license was issued to Respondent or about May 28, 1998, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

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1
2 On February 17, 2000, Respondent petitioned for
3 reinstatement of said real estate broker license and the
4 Attorney General of the State of California has been given
5 notice of the filing of said petition.

6 I have considered the petition of Respondent and the
7 evidence and arguments in support thereof including Respondent's
8 record as a restricted licensee. Respondent has demonstrated
9 to my satisfaction that Respondent meets the requirements of
10 law for the issuance to Respondent of an unrestricted real
11 estate broker license and that it would not be against the
12 public interest to issue said license to Respondent CHRISTOPHER
13 ALEXANDER GIAPAPAS.

14 NOW, THEREFORE, IT IS ORDERED that Respondent's
15 petition for reinstatement is granted and that a real estate
16 broker license be issued to Respondent if Respondent satisfies
17 the following conditions within nine (9) months from the date of
18 this Order:

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

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FILED
JUN 24 1998
DEPARTMENT OF REAL ESTATE

Laurie A. Zinn

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-3335 SAC
GEORGE TROY STANLEY,) OAH No. N1998030068
Respondent.)

ORDER DENYING RECONSIDERATION

On April 29, 1998, a Decision adopting the Stipulation and Agreement as to Respondent GEORGE TROY STANLEY was rendered in the above-entitled matter. The Decision of April 29, 1998 is to become effective as to Respondent GEORGE TROY STANLEY on June 25, 1998.

On May 26, 1998, Respondent GEORGE TROY STANLEY petitioned for reconsideration of the Decision of April 29, 1998 as to Respondent GEORGE TROY STANLEY only.

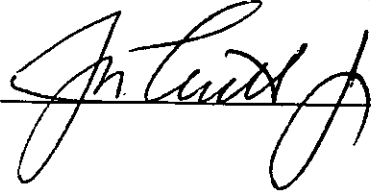
I have given due consideration to the petition of Respondent GEORGE TROY STANLEY. I find no good cause to reconsider the Decision of April 29, 1998 as to Respondent GEORGE TROY STANLEY only, and reconsideration is hereby denied.

///



IT IS HEREBY ORDERED 6/24, 1998.

JIM ANTT, JR.
Real Estate Commissioner



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

FILED
MAY 5 1998
DEPARTMENT OF REAL ESTATE

By *Laurie A. Zain*

7 BEFORE THE DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 * * *

10 In the Matter of the Accusation of) DRE No. H-3335 SAC
11)
11 CHRISTOPHER ALEXANDER GIAPAPAS,) OAH No. N1998030068
12 GEORGE TROY STANLEY, and)
12 DARLA A. MAYER,) STIPULATION AND AGREEMENT
13)
13 Respondents.)
14 _____)

15 It is hereby stipulated by and between Respondents
16 GEORGE TROY STANLEY (herein "STANLEY") and DARLA A. MAYER (herein
17 "MAYER") and the Complainant, acting by and through James L.
18 Beaver, Counsel for the Department of Real Estate, as follows for
19 the purpose of settling and disposing of the Accusation filed on
20 January 29, 1998 in this matter (hereinafter "the Accusation"):

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

H-3335 SAC

- 1 -

GEORGE TROY STANLEY
and DARLA A. MAYER

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

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

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

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



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

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

14 DETERMINATION OF ISSUES

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

19 I

20 The acts and omissions of Respondents GEORGE TROY
21 STANLEY and DARLA A. MAYER described in Paragraphs IX and XI of
22 the Accusation constitute cause for the suspension or revocation
23 of the licenses and license rights of Respondents STANLEY and
24 MAYER under Section 10177(d) of the Code in conjunction with
25 Section 11018.1(a) of the Code.

26 ///

27 ///



1 ORDER

2 I

3 All licenses and licensing rights of Respondent GEORGE
4 TROY STANLEY under the Real Estate Law are suspended for a period
5 of ten (10) days from the effective date of this Decision;
6 provided, however, the ten (10) day suspension shall be stayed upon
7 condition that Respondent pays a monetary penalty pursuant to
8 Section 10175.2 of the Code at the rate of \$200.00 for each day the
9 suspension is stayed, for a total monetary penalty of \$2,000.00,
10 and upon condition that no further cause for disciplinary action
11 against the real estate license of Respondent occurs within two (2)
12 years from the effective date of the Decision in this matter. Any
13 stay granted pursuant to this paragraph shall be subject to the
14 following terms:

15 1 Said monetary penalty payment shall be in the form
16 of a cashier's check or certified check made payable to the
17 Recovery Account of the Real Estate Fund. Said check must be
18 delivered to the Department prior to the effective date of the
19 Decision in this matter.

20 2. The Commissioner may, if a final subsequent
21 determination is made, after hearing or upon stipulation, that
22 cause for disciplinary action occurred during the two (2) year
23 period following the effective date of the Decision in this matter,
24 vacate and set aside the stay and order the immediate execution of
25 all or any part of the stayed suspension, in which event the
26 Respondent shall not be entitled to any repayment nor credit,

27 ///

1 prorated or otherwise, for money paid to the Department under the
2 terms of this Order.

3 3. If Respondent pays the monetary penalty and if no
4 order vacating the stay is made pursuant to subparagraph 2,
5 above, the stay granted pursuant to this paragraph shall become
6 permanent.

7 II

8 All licenses and licensing rights of Respondent DARLA A.
9 MAYER under the Real Estate Law are suspended for a period of ten
10 (10) days from the effective date of this Decision; provided,
11 however, the ten (10) day suspension shall be stayed upon condition
12 that Respondent pays a monetary penalty pursuant to Section 10175.2
13 of the Code at the rate of \$200.00 for each day the suspension is
14 stayed, for a total monetary penalty of \$2,000.00, and upon
15 condition that no further cause for disciplinary action against the
16 real estate license of Respondent occurs within two (2) years from
17 the effective date of the Decision in this matter. Any stay granted
18 pursuant to this paragraph shall be subject to the following terms:

19 1 Said monetary penalty payment shall be in the form
20 of a cashier's check or certified check made payable to the
21 Recovery Account of the Real Estate Fund. Said check must be
22 delivered to the Department prior to the effective date of the
23 Decision in this matter.

24 2. The Commissioner may, if a final subsequent
25 determination is made, after hearing or upon stipulation, that
26 cause for disciplinary action occurred during the two (2) year
27 period following the effective date of the Decision in this matter,

1 vacate and set aside the stay and order the immediate execution of
2 all or any part of the stayed suspension, in which event the
3 Respondent shall not be entitled to any repayment nor credit,
4 prorated or otherwise, for money paid to the Department under the
5 terms of this Order.

6 3. If Respondent pays the monetary penalty and if no
7 order vacating the stay is made pursuant to subparagraph 2,
8 above, the stay granted pursuant to this paragraph shall become
9 permanent.

10 April 16, 1998
11 DATED

12 James L. Beaver
13 JAMES L. BEAVER, Counsel
14 DEPARTMENT OF REAL ESTATE
15 * * *


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

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4-13-98

DATED


GEORGE TROY STANLEY
Respondent

4-13-98

DATED


DARLA A. MAYER
Respondent

* * *

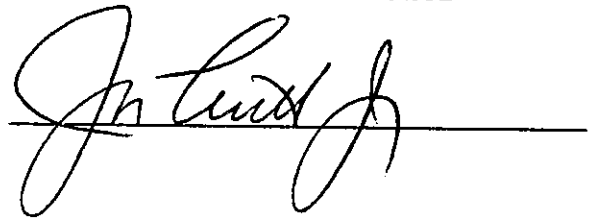
The foregoing Stipulation and Agreement for Settlement
is hereby adopted by the Real Estate Commissioner as his Decision
and Order and shall become effective at 12 o'clock noon on
May 26, 1998.

IT IS SO ORDERED

4/29

, 1998.

JIM ANTT, JR.
Real Estate Commissioner



1 DEPARTMENT OF REAL ESTATE
P. O. Box 187000
2 Sacramento, CA 95818-7000
3 Telephone: (916) 227-0789
4
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6
7

FILED
MAY - 8 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) DRE No. H-3335 SAC
12 CHRISTOPHER ALEXANDER GIAPAPAS,) OAH No. N1998030068
13 GEORGE TROY STANLEY, and)
DARLA A. MAYER,) STIPULATION AND AGREEMENT
14 Respondents.)
15

16 It is hereby stipulated by and between Respondent
17 CHRISTOPHER ALEXANDER GIAPAPAS (hereinafter "Respondent"),
18 individually and by and through Curtis C. Sproul, Esq.,
19 Respondent's attorney of record herein, and the Complainant,
20 acting by and through James L. Beaver, Counsel for the Department
21 of Real Estate, as follows for the purpose of settling and
22 disposing of the Accusation filed on January 29, 1998 in this
23 matter (hereinafter "the Accusation"):

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

H-3335 SAC

STIPULATION OF
CHRISTOPHER ALEXANDER GIAPAPAS

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

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

8 3. On February 19, 1998, Respondent filed a 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. Respondent hereby freely and voluntarily withdraws
12 said Notices of Defense. Respondent acknowledges that Respondent
13 understands that by withdrawing said Notice of Defense Respondent
14 will thereby waive Respondent's right to require the Commissioner
15 to prove the allegations in the Accusation at a contested hearing
16 held in accordance with the provisions of the APA and that
17 Respondent will waive other rights afforded to Respondent in
18 connection with the hearing such as the right to present evidence
19 in defense of the allegations in the Accusation and the right to
20 cross-examine witnesses.

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

26 ///

27 ///

H-3335 SAC

STIPULATION OF
CHRISTOPHER ALEXANDER GIAPAPAS

1 5. It is understood by the parties that the Real
2 Estate Commissioner may adopt the Stipulation and Agreement as his
3 decision in this matter, thereby imposing the penalty and
4 sanctions on Respondent's real estate license and license rights
5 as set forth in the "Order" set forth below. In the event that
6 the Commissioner in his discretion does not adopt the Stipulation
7 and Agreement in Settlement, it shall be void and of no effect,
8 and Respondent shall retain the right to a hearing and proceeding
9 on the Accusation under all the provisions of the APA and shall
10 not be bound by any admission or waiver made herein.

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

18 DETERMINATION OF ISSUES

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

23 I

24 The acts and omissions of Respondent CHRISTOPHER
25 ALEXANDER GIAPAPAS described in Paragraphs VIII and X of the
26 Accusation are grounds for the suspension or revocation of the
27 licenses and license rights of Respondent under the provisions of

H-3335 SAC

STIPULATION OF
CHRISTOPHER ALEXANDER GIAPAPAS



1 Section 10177(d) of the Code in conjunction with Section 2801.5 of
2 Chapter 6, Title 10, California Code of Regulations and Section
3 11018.2 of the Code.

4 ORDER

5 I

6 All licenses and licensing rights of Respondent
7 CHRISTOPHER ALEXANDER GIAPAPAS under the Real Estate Law are
8 revoked; provided, however, a restricted real estate broker
9 license shall be issued to said Respondent pursuant to Section
10 10156.5 of the Business and Professions Code if, within ninety
11 (90) days from the effective date of the Decision entered pursuant
12 to this Order, Respondent makes application for the restricted
13 license and pays to the Department of Real Estate the appropriate
14 fee therefor.

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

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

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

H-3335 SAC

STIPULATION OF
CHRISTOPHER ALEXANDER GIAPAPAS

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

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

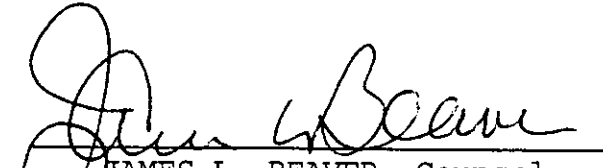
9 4. Respondent shall, within nine (9) months from the
10 effective date of the Decision, present evidence satisfactory to
11 the Real Estate Commissioner that Respondent has, since the most
12 recent issuance of an original or renewal real estate license,
13 taken and successfully completed the continuing education
14 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
15 for renewal of a real estate license. If Respondent fails to
16 satisfy this condition, the Commissioner may order the suspension
17 of the restricted license until the Respondent presents such
18 evidence. The Commissioner shall afford Respondent the
19 opportunity for a hearing pursuant to the Administrative Procedure
20 Act to present such evidence.

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



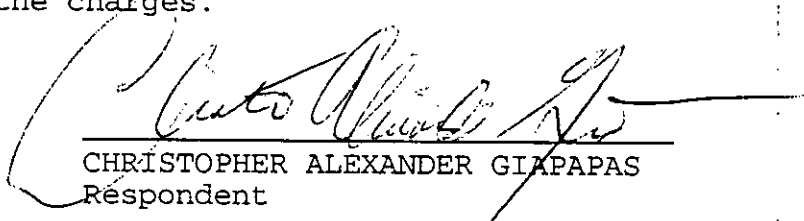
1 6. Any restricted real estate broker license issued to
2 Respondent may be suspended or revoked for a violation by
3 Respondent of any of the conditions attaching to the restricted
4 license.

5
6 April 5, 1998
7 DATED


8 JAMES L. BEAVER, Counsel
9 DEPARTMENT OF REAL ESTATE
10 * * *

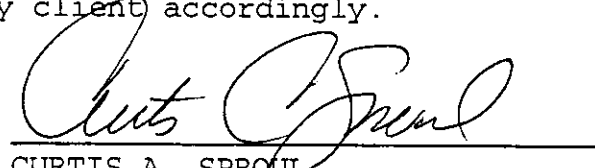
11 I have read the Stipulation and Agreement and have
12 discussed its terms with my attorney and its terms are understood
13 by me and are agreeable and acceptable to me. I understand that
14 I am waiving rights given to me by the California Administrative
15 Procedure Act (including but not limited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

22 3-31-98
23 DATED


24 CHRISTOPHER ALEXANDER GIAPAPAS
25 Respondent

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

28 4-3-98
29 DATED

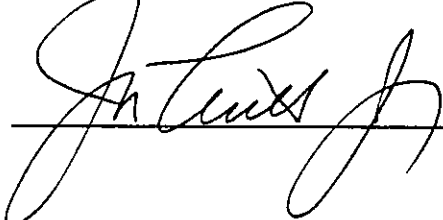

30 CURTIS A. SPROUL
31 Attorney for Respondent

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

IT IS SO ORDERED 5/4, 1998.

JIM ANTT, JR.
Real Estate Commissioner



FILED
MAR 12 1998

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

Laurie A. Zain

In the Matter of the Accusation of

CHRISTOPHER ALEXANDER GIAPAPAS,
GEORGE TROY STANLEY, and
DARLA A. MAYER,

Case No. H-3335 SAC

OAH No. N1998030068

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 Tuesday and Wednesday, April 28th & 29th, 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.

Dated: March 12, 1998

DEPARTMENT OF REAL ESTATE

By *James L. Beaver*
JAMES L. BEAVER Counsel

1 JAMES L. BEAVER, Counsel (SBN 60543)
2 Department of Real Estate
3 P. O. Box 187000
4 Sacramento, CA 95818-7000
5 Telephone: (916) 227-0789
6 -or- (916) 227-0788 (Direct)
7

FILED
JAN 29 1998
DEPARTMENT OF REAL ESTATE

Laurie A. Zini

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 CHRISTOPHER ALEXANDER GIAPAPAS,) NO. H-3335 SAC
13 GEORGE TROY STANLEY, and) ACCUSATION
14 DARLA A. MAYER,)
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 CHRISTOPHER ALEXANDER GIAPAPAS, GEORGE TROY STANLEY, and
19 DARLA A. MAYER (hereinafter "Respondents"), is informed and
20 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, Respondents were and now
27 are licensed and/or have license rights under the Real Estate Law



1 (Part 1 of Division 4 of the Business and Professions Code)
2 (hereinafter "the Code").

3 III

4 At all times herein mentioned, Respondents CHRISTOPHER
5 ALEXANDER GIAPAPAS (hereinafter "GIAPAPAS") and GEORGE TROY
6 STANLEY (hereinafter "STANLEY") were and now are licensed by the
7 California Department of Real Estate (hereinafter "the
8 Department") as real estate brokers.

9 IV

10 At all times herein mentioned, Respondent STANLEY
11 engaged in the business of, acted in the capacity of, advertised,
12 or assumed to act as a real estate broker within the State of
13 California within the meaning of Sections 10131(a) of the Code,
14 including the operation and conduct of a real estate sales
15 brokerage business with the public wherein, on behalf of others,
16 for compensation or in expectation of compensation, Respondent
17 sold and offered to sell, bought and offered to buy, solicited
18 prospective sellers and purchases of, solicited and obtained
19 listings of, and negotiated the purchase and sale of real
20 property.

21 V

22 At all times herein mentioned, Respondent DARLA A. MAYER
23 (hereinafter "MAYER") was and now is licensed by the Department as
24 a real estate salesperson in the employ of Respondent STANLEY.

25 VI

26 At all times mentioned herein Respondent GIAPAPAS was
27 and now is the owner or subdivider or agent of the owner or



1 subdivider of subdivided lands as defined in Sections 11000,
2 11003, and 11004.5 of the Code.

3 VII

4 Said subdivided lands are known as or commonly called
5 Tract No. 479, "Final Map of Connor Estates", Phase 1, Calaveras
6 County, California (hereinafter "said Subdivision").

7 VIII

8 Between on or about March 1, 1996 and on or about
9 August 2, 1996, Respondent GIAPAPAS solicited prospective
10 purchasers, offered for sale and sold lots, units or parcels in
11 said Subdivision, and in the course of such activities offered for
12 sale and sold the lots tabulated below in said Subdivision to the
13 purchasers tabulated below:

14	<u>DATE</u>	<u>PURCHASER</u>	<u>LOTS</u>
15	03/01/96	Sonja Mannos	Lot 76
16	04/06/96	Donald & Kim Smith	Lot 47

17 IX

18 Between on or about March 1, 1996 and on or about
19 August 2, 1996, in course of the activities described in
20 Paragraphs IV and V, above, and in course of the transactions
21 described in Paragraph VIII, above, Respondents STANLEY and MAYER
22 solicited and obtained an offer by Sonja Mannos to purchase Lot 76
23 in said Subdivision, solicited and obtain an offer by Donald and
24 Kim Smith to purchase Lot 47 in said Subdivision, and negotiated
25 and arranged consummation of the purchase of said lots by said
26 purchasers.

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Respondent GIAPAPAS sold and offered for sale lots, units, or parcels in said Subdivision, as described in Paragraph VIII, above, without having first obtained a subdivision public report issued by the Department expressly authorizing the sale of said lots, units or parcels by Respondent GIAPAPAS, in violation of Section 2801.5 of Chapter 6, Title 10, California Code of Regulations (hereinafter "the Regulations") in conjunction with Section 11018.2 of the Code.

XI

In course of the transactions described in Paragraphs VIII and IX, above, Respondents STANLEY and MAYER entirely failed to provide the purchasers, Mannos and Smith, with a copy of a subdivision public report issued by the Department expressly authorizing the sale of lots, units or parcels in said Subdivision by Respondent GIAPAPAS, and knowingly caused, suffered and permitted Respondent GIAPAPAS to fail to provide such purchasers with such a subdivision public report, in violation of Section 11018.1(a) of the Code.

XII

The acts and omissions of Respondent GIAPAPAS described in Paragraphs VIII and X, above, constitute cause for the suspension or revocation of the licenses and license rights of Respondent GIAPAPAS under Section 10177(d) of the Code in conjunction with Section 2801.5 of the Regulations and Section 11018.2 of the Code.

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XIII

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The acts and omissions of Respondents STANLEY and MAYER described in Paragraphs IX and XI, above, constitute cause for the suspension or revocation of the licenses and license rights of Respondents STANLEY and MAYER under Section 10177(d) of the Code in conjunction with Section 11018.1(a) 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 other applicable provisions of law.


CHARLES W. KOENIG
Deputy Real Estate Commissioner

Dated at Sacramento, California,
this 20th day of January, 1998.