

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

FILED  
DEC 19 2003

DEPARTMENT OF REAL ESTATE

By Laurie A. Zin

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) DRE No. H-3752 SAC  
12 ) OAH No. N-2003030280  
13 GARY VINCENT OLSON, )  
14 Respondent. ) STIPULATION AND AGREEMENT

15 It is hereby stipulated by and between Respondent GARY  
16 VINCENT OLSON, individually and by and through J. ANNE RAWLINS,  
17 Esq., attorney of record herein for Respondent, and the  
18 Complainant, acting by and through James L. Beaver, Counsel for  
19 the Department of Real Estate (herein "the Department"), as  
20 follows for the purpose of settling and disposing of the  
21 Accusation filed on January 15, 2003 in this matter (herein "the  
22 Accusation"):

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27 DRE No. H-3752 SAC

GARY VINCENT OLSON

1           1. All issues which were to be contested and all  
2 evidence which was to be presented by Complainant and Respondents  
3 at a formal hearing on the Accusation, which hearing was to be  
4 held in accordance with the provisions of the Administrative  
5 Procedure Act (APA), shall instead and in place thereof be  
6 submitted solely on the basis of the provisions of this  
7 Stipulation and Agreement.

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

11           3. On February 7, 2003, Respondent filed a Notice of  
12 Defense pursuant to Section 11505 of the Government Code for the  
13 purpose of requesting a hearing on the allegations in the  
14 Accusation. Respondent hereby freely and voluntarily withdraws  
15 said Notice of Defense. Respondent acknowledges that Respondent  
16 understands that by withdrawing said Notice of Defense Respondent  
17 will thereby waive Respondent's right to require the Real Estate  
18 Commissioner (herein "the Commissioner") to prove the allegations  
19 in the Accusation at a contested hearing held in accordance with  
20 the provisions of the APA and that Respondent will waive other  
21 rights afforded to Respondent in connection with the hearing such  
22 as the right to present evidence in defense of the allegations in  
23 the Accusation and the right to cross-examine witnesses.

24           4. This Stipulation is based on the factual  
25 allegations contained in the Accusation. In the interests of  
26 expediency and economy, Respondents choose not to contest these

27 DRE No. H-3752 SAC

GARY VINCENT OLSON

1 allegations, but to remain silent and understand that, as a  
2 result thereof, these factual allegations, without being admitted  
3 or denied, will serve as a prima facie basis for the disciplinary  
4 action stipulated to herein. The Real Estate Commissioner shall  
5 not be required to provide further evidence to prove said factual  
6 allegations.

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

18 6. The Order or any subsequent Order of the Real  
19 Estate Commissioner made pursuant to this Stipulation and  
20 Agreement in Settlement shall not constitute an estoppel,  
21 merger or bar to any further administrative or civil  
22 proceedings by the Department of Real Estate with respect to  
23 any matters which were not specifically alleged to be causes  
24 for accusation in this proceeding.

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27 DRE No. H-3752 SAC

GARY VINCENT OLSON



1 (a) as to paragraph IX under Section 10130 of the Code  
2 in conjunction with Section 10177(d) of the Code;

3 (b) as to Paragraph X(a) under Section 10145 of the  
4 Code and Section 2831 of the Regulations in conjunction with  
5 Section 10177(d) of the Code;

6 (c) as to Paragraph X(b) under Section 10145 of the  
7 Code and Section 2831.1 of the Regulations in conjunction with  
8 Section 10177(d) of the Code;

9 (d) as to Paragraph X(c) under Section 10145 of the  
10 Code and Section 2831.2 of the Regulations in conjunction with  
11 Section 10177(d) of the Code;

12 (e) as to Paragraph X(d) under Section 10145 of the  
13 Code and Section 2832(a) of the Regulations in conjunction with  
14 Section 10177(d) of the Code;

15 (f) as to Paragraph X(e) under Section 10145 of the  
16 Code and Section 2832.1 of the Regulations in conjunction with  
17 Section 10177(d) of the Code;

18 (g) as to Paragraph X(f) under Section 10145 of the  
19 Code and Section 2834 of the Regulations in conjunction with  
20 Section 10177(d) of the Code;

21 (h) as to Paragraph X(g) under Section 10145(d) of the  
22 Code in conjunction with Section 10177(d) of the Code;

23 (i) as to Paragraph XI(a) under Section 10159.5 of the  
24 Code and Section 2731(a) of the Regulations in conjunction with  
25 Section 10177(d) of the Code;

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27 DRE No. H-3752 SAC

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1 (j) as to Paragraph XI(b) under Section 10160 of the  
2 Code in conjunction with Sections 10165 and 10177(d) of the Code;

3 (k) as to Paragraph XI(c) under Section 10161.8(a) of  
4 the Code in conjunction with Sections 10165 and 10177(d) of the  
5 Code;

6 (l) as to Paragraph XI(d) under Section 10163 of the  
7 Code in conjunction with Sections 10165 and 10177(d) of the Code;  
8 and

9 (m) as to Paragraph XI(e) under Section 2726 of the  
10 Regulations in conjunction with Section 10177(d) of the Code.

11 ORDER

12 I

13 All licenses and licensing rights of Respondent GARY  
14 VINCENT OLSON under the Real Estate Law are revoked; provided,  
15 however, a restricted real estate broker license shall be  
16 issued to said Respondent pursuant to Section 10156.5 of the  
17 Business and Professions Code if, within 90 days from the  
18 effective date of the Decision entered pursuant to this Order,  
19 the Respondent, prior to and as a condition of the issuance of  
20 said restricted license:

21 (a) makes application for the restricted license and  
22 pays to the Department of Real Estate the appropriate fee  
23 therefor; and

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27 DRE No. H-3752 SAC

GARY VINCENT OLSON

1 (b) submits proof satisfactory to the Commissioner  
2 of having taken and completed at an accredited institution the  
3 continuing education course on trust fund accounting and  
4 handling specified in paragraph (3) of subdivision (a) of  
5 Section 10170.5 of the Business and Professions Code. Said  
6 course must have been completed within 120 days prior to the  
7 issuance of the restricted license. Credit against the  
8 continuing education condition set forth in Paragraph "7" below  
9 will be given for completion of this trust fund accounting and  
10 handling course during the 120 days prior to the issuance of  
11 the restricted license.

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

17 1. Any restricted license issued to Respondent  
18 pursuant to this Decision shall be suspended for thirty (30) days  
19 from the date of issuance of said restricted license; provided,  
20 however, if Respondent petitions, thirty (30) days of said thirty  
21 (30) day suspension (or a portion thereof) shall be stayed upon  
22 condition that:

23 (a) Respondent pays a monetary penalty pursuant to  
24 Section 10175.2 of the Business and Professions Code at the rate  
25 of \$100.00 for each day of the suspension for a total monetary  
26 penalty of \$3,000.00.

1 (b) Said payment shall be in the form of a cashier's  
2 check or certified check made payable to the Recovery Account of  
3 the Real Estate Fund. Said check must be received by the  
4 Department prior to the effective date of the Decision in this  
5 matter.

6 (c) If Respondent fails to pay the monetary penalty in  
7 accordance with the terms and conditions of the Decision, the  
8 Commissioner may, without a hearing, vacate and set aside the  
9 stay order, and order the immediate execution of all or any part  
10 of the stayed suspension.

11 (d) No final subsequent determination be made, after  
12 hearing or upon stipulation, that cause for disciplinary action  
13 against Respondent occurred within two (2) years of the effective  
14 date of this Decision. Should such a determination be made, the  
15 Commissioner may, in his or her discretion, vacate and set aside  
16 the stay order, and order the execution of all or any part of the  
17 stayed suspension, in which event the Respondent shall not be  
18 entitled to any repayment nor credit, prorated or otherwise, for  
19 money paid to the Department under the terms of this Decision.

20 (e) If Respondent pays the monetary penalty and if no  
21 further cause for disciplinary action against the real estate  
22 license of Respondent occurs within two (2) years from the  
23 effective date of the Decision, then the stay hereby granted  
24 shall become permanent.

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27 DRE No. H-3752 SAC

GARY VINCENT OLSON



1                   2.    Any restricted license issued to Respondent  
2 pursuant to this Decision may be suspended prior to hearing by  
3 Order of the Commissioner in the event of Respondent's conviction  
4 or plea of nolo contendere to a crime which is substantially  
5 related to Respondent's fitness or capacity as a real estate  
6 licensee.

7                   3.    Any restricted license issued to Respondent  
8 pursuant to this Decision may be suspended prior to hearing by  
9 Order of the Commissioner on evidence satisfactory to the  
10 Commissioner that Respondent has violated provisions of the  
11 California Real Estate Law, the Subdivided Lands Law, Regulations  
12 of the Commissioner or conditions attaching to the restricted  
13 license.

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

19                   5.    Pursuant to Section 10148 of the Business and  
20 Professions Code, Respondent shall pay the sum of \$2,250.99 as  
21 and for the Commissioner's cost of the audit which led to this  
22 disciplinary action. Respondent shall pay such cost within 45  
23 days of receiving an invoice therefor from the Commissioner.  
24 The Commissioner may suspend the restricted license issued to  
25 respondent pending a hearing held in accordance with Section  
26 11500, et seq., of the Government Code, if payment is not  
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1 timely made as provided for herein, or as provided for in a  
2 subsequent agreement between the Respondent and the  
3 Commissioner. The suspension shall remain in effect until  
4 payment is made in full or until Respondent enters into an  
5 agreement satisfactory to the Commissioner to provide for  
6 payment, or until a decision providing otherwise is adopted  
7 following a hearing held pursuant to this condition.

8 6. Pursuant to Section 10148 of the Business and  
9 Professions Code, Respondent shall pay the Commissioner's  
10 reasonable cost, not to exceed \$2,948.36, for an audit to  
11 determine if Respondent has corrected the trust fund  
12 violation(s) found in paragraph I of the Determination of  
13 Issues. In calculating the amount of the Commissioner's  
14 reasonable cost, the Commissioner may use the estimated average  
15 hourly salary for all persons performing audits of real estate  
16 brokers, and shall include an allocation for travel time to and  
17 from the auditor's place of work. Respondent shall pay such  
18 cost within 45 days of receiving an invoice therefor from the  
19 Commissioner detailing the activities performed during the  
20 audit and the amount of time spent performing those activities.  
21 The Commissioner may suspend the restricted license issued to  
22 respondent pending a hearing held in accordance with Section  
23 11500, et seq., of the Government Code, if payment is not  
24 timely made as provided for herein, or as provided for in a  
25 subsequent agreement between the Respondent and the  
26 Commissioner. The suspension shall remain in effect until  
27

DRE No. H-3752 SAC

GARY VINCENT OLSON

1 payment is made in full or until Respondent enters into an  
2 agreement satisfactory to the Commissioner to provide for  
3 payment, or until a decision providing otherwise is adopted  
4 following a hearing held pursuant to this condition.

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

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

24 Nov. 5, 2003

25 DATED

26   
27 JAMES L. BEAVER, Counsel  
Department of Real Estate

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29 DRE No. H-3752 SAC

GARY VINCENT OLSON



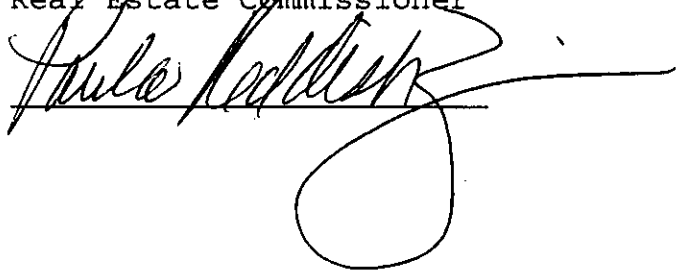
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The foregoing Stipulation and Agreement is hereby  
adopted by me as my Decision in this matter and shall become  
effective at 12 o'clock noon on JANUARY 9, 2004.

IT IS SO ORDERED November 27, 2003.

PAULA REDDISH ZINNE MANN  
Real Estate Commissioner



BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

FILED  
JUL 21 2003

DEPARTMENT OF REAL ESTATE

By Laurie B. [Signature]

In the Matter of the Accusation of

GARY VINCENT OLSON,

Case No. H-3752 SAC

OAH No. N-2003030280

Respondent

FIRST AMENDED  
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, OCTOBER 23, 2003, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

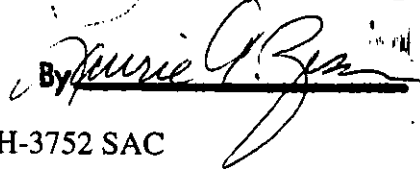
Dated: JULY 21, 2003

By James L. Beaver  
JAMES L. BEAVER, Counsel (L2)

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

FILED  
MAR 18 2003

DEPARTMENT OF REAL ESTATE

By 

In the Matter of the Accusation of

GARY VINCENT OLSON,

}  
}

Case No. H-3752 SAC

OAH No. N-2003030280

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondents:

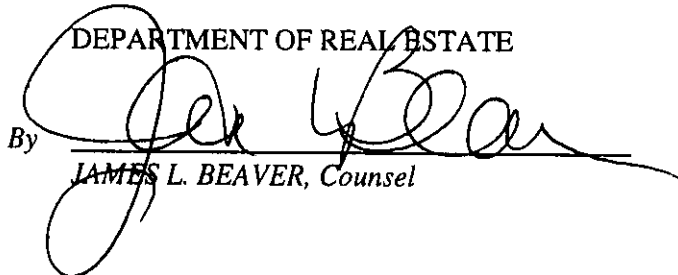
You are hereby notified that a hearing will be held before the Department of Real Estate at THE OFFICE OF ADMINISTRATIVE HEARINGS, 560 J STREET, SUITE 340/360, SACRAMENTO, CA 95814 on THURSDAY, JULY 3, 2003, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: MARCH 18, 2003

DEPARTMENT OF REAL ESTATE  
By   
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)

FILED  
JAN 15 2003

DEPARTMENT OF REAL ESTATE  
By Laurie A. Green

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 GARY VINCENT OLSON, ) No. H-3752 SAC  
13 Respondent. ) ACCUSATION  
14 \_\_\_\_\_ )

15 The Complainant, Charles W. Koenig, a Deputy Real  
16 Estate Commissioner of the State of California, for cause of  
17 Accusation against GARY VINCENT OLSON (hereinafter  
18 "Respondent"), is informed and alleges as follows:

19 I

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

23 II

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



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III

At all times mentioned herein to and until December 28, 2000, and from and after March 22, 2001, Respondent was licensed by the Department as a real estate broker. On December 28, 2000, Respondent's broker license and was not renewed until March 22, 2001. At no time mentioned herein between December 29, 2000 and March 21, 2001, was Respondent licensed by the Department as a real estate broker or as a real estate salesperson.

IV

At all times herein mentioned, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the State of California within the meaning of Sections 10131(b) of the Code, including the operation and conduct of a property management business with the public wherein, on behalf of others, for compensation or in expectation of compensation, Respondent leased or rented and offered to lease or rent, and placed for rent, and solicited listings of places for rent, and solicited for prospective tenants of real property or improvements thereon, and collected rents from real property or improvements thereon.

V

At all times herein mentioned, in so acting as a real estate broker, as described in Paragraph IV above, Respondent accepted or received funds in trust (hereinafter "trust funds") from or on behalf of owners and tenants in connection with the

1 leasing, renting, and collection of rents on real property or  
2 improvements thereon, as alleged herein, and thereafter from  
3 time to time made disbursements of said funds.

4 VI

5 At all times herein mentioned, the aforesaid trust  
6 funds accepted or received by Respondent were deposited or  
7 caused to be deposited by Respondent into one or more bank  
8 accounts (hereinafter "trust fund accounts") maintained by  
9 Respondent for the handling of trust funds, including but not  
10 necessarily limited to the following accounts maintained by  
11 Respondent at the Kelseyville, California, branch of Westamerica  
12 Bank:

13 (a) The "Big Valley Properties, Inc. Property  
14 Management Trust Account", Account Number 356-01277-3  
15 (hereinafter "Trust #1"); and

16 (b) The "Big Valley Properties, Inc. Property  
17 Management Account", Account Number 2364-03695-0 (hereinafter  
18 "Bank Account #1").

19 VII

20 At all times mentioned herein, in course of the  
21 property management brokerage and trust fund handling activities  
22 described in Paragraphs IV through VI, inclusive, above,  
23 Respondent managed fifteen properties with approximately twenty-  
24 one residential units for thirteen owners, for and in  
25 expectation of compensation, and collected rents thereon of  
26 approximately \$16,000.00 per month.

27 ///

1 VIII

2 In acting as described in Paragraphs III through VII,  
3 inclusive, above, Respondent engaged in the business and acted  
4 in the capacity of a real estate broker within the State of  
5 California as defined by Section 10131(b) of the Code.

6 IX

7 In acting as described in Paragraphs III through VIII,  
8 inclusive, above, between January 1, 2001 and March 21, 2001,  
9 Respondent violated Section 10130 of the Code.

10 X

11 Between on or about January 1, 2001 and on or about  
12 May 31, 2002, in connection with the collection and disbursement  
13 of said trust funds, Respondent:

14 (a) Failed to keep a columnar record in chronological  
15 sequence of all trust funds received and disbursed from Trust #1  
16 containing all the information required by Section 2831 of Title  
17 10, California Code of Regulations (hereinafter "the  
18 Regulations");

19 (b) Failed to keep a separate record for each  
20 beneficiary or transaction, accounting therein for all funds  
21 which have been deposited into Trust #1 and Bank Account #1,  
22 containing all information required by Section 2831.1 of the  
23 Regulations;

24 (c) Failed to reconcile, at least once a month, the  
25 balance of all separate beneficiary or transaction records with  
26 the record of all trust funds received into and disbursed from  
27 Trust #1 and Ban Account #1;

1 (d) Failed to place trust funds entrusted to  
2 Respondent into the hands of a principal on whose behalf the  
3 funds were received, into a neutral escrow depository, or into a  
4 trust fund account in the name of Respondent as trustee at a  
5 bank or other financial institution, in conformance with the  
6 requirements of Section 10145 of the Code and Section 2832(a) of  
7 Chapter 6, Title 10, California Code of Regulations (herein "the  
8 Regulations"), in that Respondent placed such funds in Bank  
9 Account #1, an account that was not in the name of Respondent as  
10 trustee;

11 (e) Caused, suffered or permitted the balance of  
12 funds in Trust #1 to be reduced to an amount which as of May 31,  
13 2002, was approximately \$150.00 less than the aggregate  
14 liability of Respondent to all owners of such funds, without  
15 the prior written consent of the owners of such funds;

16 (f) Between January 1, 2001 and July 25, 2001,  
17 authorized Cathy Jean Frank, then an unlicensed person without  
18 fidelity bond coverage, to make disbursements from Trust #1 and  
19 Bank Account #1; and

20 (g) Deposited and maintained funds belonging to  
21 several different property owners in Bank Account #1, an  
22 interest bearing account, thereby failing to keep funds in the  
23 interest-bearing account belonging to each principal separate  
24 and apart from funds belonging to other persons for whom  
25 Respondent held funds in trust, in violation of the provisions  
26 of Section 10145(d) of the Code.

27 ///

1 XI

2 At all times mentioned herein between on or about  
3 January 1, 2001 and on or about May 31, 2002, in course of the  
4 property management brokerage activities described in Paragraph  
5 IV, above, Respondent:

6 (a) Used the fictitious business name "Big Valley  
7 Properties, Inc." without first obtaining a license from the  
8 Department bearing such fictitious name, in violation of Section  
9 2731(a) of the Regulations in conjunction with Section 10159.5  
10 of the Code;

11 (b) After July 25, 2001, failed to make available for  
12 inspection by the designated representative of the Commissioner  
13 the real estate license of Cathy Jean Frank, a real estate  
14 salesperson employed by Respondent, in violation of Section  
15 10160 of the Code;

16 (c) Employed real estate salespersons to conduct the  
17 activities described in Paragraph IV, above, without notifying  
18 the Commissioner in writing that such salespersons had entered  
19 Respondents employ, in violation of Section 10161.8(a) of the  
20 Code;

21 (d) Maintained a place of business and was doing a  
22 real estate brokerage business at 16360 Highway 175, suite A,  
23 Cobb, California, and at 8000 Highway 29, Kelseyville,  
24 California, without obtaining a branch office license from the  
25 Department for such locations as required by Section 10163 of  
26 the Code; and

27 ///

1 (e) Failed to have a written agreement covering  
2 supervision and compensation with each of Respondent's  
3 salespersons and each of the broker's working for Respondent  
4 under a broker-salesman arrangement.

5 XII

6 The facts alleged above are grounds for the suspension  
7 or revocation of the licenses and license rights of Respondent  
8 under the following provisions of the Code and/or the  
9 Regulations:

10 (a) As to paragraph IX, under Section 10130 of the  
11 Code in conjunction with Section 10177(d) of the Code;

12 (b) As to Paragraph X(a), under Section 10145 of the  
13 Code and Section 2831 of the Regulations in conjunction with  
14 Section 10177(d) of the Code;

15 (c) As to Paragraph X(b), under Section 10145 of the  
16 Code and Section 2831.1 of the Regulations in conjunction with  
17 Section 10177(d) of the Code;

18 (d) As to Paragraph X(c), under Section 10145 of the  
19 Code and Section 2831.2 of the Regulations in conjunction with  
20 Section 10177(d) of the Code;

21 (e) As to Paragraph X(d), under Section 10145 of the  
22 Code and Section 2832(a) of the Regulations in conjunction with  
23 Section 10177(d) of the Code;

24 (f) As to Paragraph X(e), under Section 10145 of the  
25 Code and Section 2832.1 of the Regulations in conjunction with  
26 Section 10177(d) of the Code;

27 ///

1 (g) As to Paragraph X(f), under Section 10145 of the  
2 Code and Section 2834 of the Regulations in conjunction with  
3 Section 10177(d) of the Code;

4 (h) As to Paragraph X(g), under Section 10145(d) of  
5 the Code in conjunction with Section 10177(d) of the Code;

6 (i) As to Paragraph XI(a), under Section 10159.5 of  
7 the Code and Section 2731(a) of the Regulations in conjunction  
8 with Section 10177(d) of the Code;

9 (j) As to Paragraph XI(b), under Section 10160 of the  
10 Code in conjunction with Sections 10165 and 10177(d) of the  
11 Code;

12 (k) As to Paragraph XI(c), under Section 10161.8(a)  
13 of the Code in conjunction with Sections 10165 and 10177(d) of  
14 the Code;

15 (l) As to Paragraph XI(d), under Section 10163 of the  
16 Code in conjunction with Sections 10165 and 10177(d) of the  
17 Code; and

18 (m) As to Paragraph XI(e), under Section 2726 of the  
19 Regulations in conjunction with Section 10177(d) 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 Respondent 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 provisions of law.

  
CHARLES W. KOENIG  
Deputy Real Estate Commissioner

Dated at Sacramento, California,  
this 16<sup>th</sup> day of December, 2002.