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**FILED**

OCT 24 2013

BUREAU OF REAL ESTATE

By *[Signature]*

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-3850 SD
	)	
THE ATVANTAGE GROUP, INC., and	)	
<u>DANIEL ROBERT HOLBROOK,</u>	)	
	)	
Respondent.	)	
	)	

ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE

To: DANIEL ROBERT HOLBROOK  
2928 Jefferson Street, #2A  
Carlsbad, CA 92008

On or about February 5, 2009, a restricted real estate salesperson license was issued to you ("Respondent") pursuant to California Business and Professions Code section 10156.5 pursuant to certain terms, conditions, and restrictions set forth in the Real Estate Commissioner's Decision signed December 30, 2008 in Case No. H-3850 SD. The Decision granted to Respondent a restricted real estate salesperson license subject to terms, conditions, and restrictions, including, but not limited to, the following:

1  
2 6. Pursuant to Section 10148 of the Business and  
3 Professions Code, [Respondent] HOLBROOK shall pay the  
4 Commissioner's reasonable cost, not to [exceed]  
5 \$4,856.62, for an audit to determine if Respondent  
6 has corrected the trust fund violation(s) found in  
7 Paragraph I of the Determination of Issues. In  
8 calculating the amount of the Commissioner's  
9 reasonable cost, the Commissioner may use the  
10 estimated average hourly salary for all persons  
11 performing audits of real estate brokers, and shall  
12 include an allocation for travel time to and from the  
13 auditor's place of work. Respondent shall pay such  
14 cost within forty-five (45) days of receiving an  
15 invoice therefor from the Commissioner detailing the  
16 activities performed during the audit and the amount  
17 of time spent performing those activities. The  
18 Commissioner may suspend Respondent's license pending  
19 a hearing held in accordance with Section 11500, et  
20 seq., of the Government Code, if payment is not  
21 timely made as provided for herein, or as provided  
22 for in a subsequent agreement between Respondent and  
23 the Commissioner.

24 On or about February 19, 2009, Respondent was sent a  
25 letter and an invoice #3041 for \$4,856.62. On or about August  
26 27, 2009, a second notice was sent to Respondent. On or about  
27 July 8, 2010, a final notice for payment was sent to Respondent.  
However, to date, the Bureau of Real Estate has not received any  
amount toward the cost of the audit. As a result, Respondent did  
not satisfy one or more of the terms, conditions, and  
restrictions of the restricted real estate license as set forth  
in the Real Estate Commissioner's Decision in Case No. H-3850 SD.

28 NOW, THEREFORE, IT IS ORDERED under authority of  
29 California Business and Professions Code section 10156.7 that  
30 Respondent's restricted real estate salesperson license and the  
31 exercise of any privileges thereunder are hereby suspended until  
32 Respondent enters into an agreement satisfactory to the

1 Commissioner to provide such proof or a decision providing  
2 otherwise is adopted following a hearing.

3 IT IS FURTHER ORDERED that all license certificates  
4 and identification cards issued by the Bureau of Real Estate  
5 which are in the possession of Respondent be immediately  
6 surrendered by personal delivery or by mailing in the enclosed  
7 self-addressed envelope to:

8 Bureau of Real Estate  
9 Attention: Flag Section  
10 P.O. Box 137013  
11 Sacramento, CA 95813-7013

12 HEARING RIGHTS: You have the right to a hearing to  
13 contest the Commissioner's determination that you are in  
14 violation of the Order issued in this matter. If you desire a  
15 hearing, you must submit a written request. The request may be  
16 in any form, as long as it is in writing and indicates that you  
17 want a hearing. Unless a written request for a hearing, signed  
18 by or on behalf of you, is delivered or mailed to the Bureau of  
19 Real Estate at 320 West 4th Street, Suite 350, Los Angeles, CA  
20 90013-1105, within 20 days after the date that this Order was  
21 mailed to or served on you, the Bureau of Real Estate will not  
22 be obligated or required to provide you with a hearing.

23 This Order shall be effective immediately.

24 Dated: OCT 15 2013

25 REAL ESTATE COMMISSIONER,  
26 

27 By: JEFFREY MASON  
Chief Deputy Commissioner