

FILED

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

JUN 25 2015

BUREAU OF REAL ESTATE

By John Greib

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In the Matter of the Accusation of)
)
 HOMER WILLIAM EATOCK)
 and CALYPSO INVESTMENT)
 ENTERPRISES, INC.)
 DBA CALYPSO ESCROW,)
)
 Respondents.)
 _____)

No. H-4713 SD

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on May 18, 2015, and the findings of fact set forth herein are based on one or more of the following: (1) Respondents' express admissions; (2) affidavits; and (3) other evidence.

The right to reinstatement of a revoked license is controlled by Section 11522 of the Government Code. A copy of the Commissioner's Criteria of Rehabilitation is attached hereto for the information of the Respondents.

FINDINGS OF FACT

1. On April 9, 2015, Veronica Kilpatrick made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondents' last known mailing address on file with the Bureau on April 13, 2015.

On May 18, 2015, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondents' default was entered herein.

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2. Respondents are presently licensed and/or have license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code") as real estate brokers.

3. At all times herein mentioned, Respondents were licensed by the Bureau of Real Estate of the State of California as real estate brokers.

4. In or about June, 2014, Manuel R. and Carlos R. were the owners of real property located at 185 Del Monte Ave., Chula Vista, California.

5. During this time, the owners agreed to sell the property to Elizabeth C. and Patricia E. Escrow closed on July 1, 2014.

6. During the course of the transaction, Respondent EATOCK signed documents including the purchase agreement and escrow instructions claiming falsely to be the listing and selling agent.

7. The owners agreed to the sale with the understanding they had with Respondent EATOCK that they would receive half of the sale proceeds, approximately \$93,500.

8. At the close of escrow, the owners received approximately \$68,000.

9. Respondent CALYPSO INVESTMENT ENTERPRISES, INC. handled the escrow in this matter in violation of the Escrow Law section 17006(a)(4) of the Financial Code and Regulation 2950, Title 10, Chapter 6, California Code of Regulations.

10. During the course of the transaction, Respondent EATOCK falsely informed the owners that he had to use some of their funds to pay liens against the property incurred by their mother years ago. The liens were actually settled years ago.

11. Respondents EATOCK and CIEI violated section 10148 of the California Business and Professions Code by failing to provide the Bureau of Real Estate copies of listing, selling and escrow documents requested by the Bureau verbally and in writing.

DETERMINATION OF ISSUES

1. Cause for disciplinary action against Respondent EATOCK exists pursuant to Business and Professions Code Sections 10177(f) and 10177(j).

2. Cause for disciplinary action against Respondent CALYPSO INVESTMENT ENTERPRISES, INC., exists pursuant to Business and Professions Code Sections 10177(d) and 10177(j).

3. The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

All licenses and license rights of Respondents HOMER WILLIAM EATOCK and CALYPSO INVESTMENT ENTERPRISES, INC. under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

JUL 16 2015 This Decision shall become effective at 12 o'clock noon

DATED: _____

Jul 16, 2015

Real Estate Commissioner

By: JEFFREY MASON
Chief Deputy Commissioner

1 Bureau of Real Estate
2 320 West Fourth Street, Suite 350
3 Los Angeles, California 90013-1105
4 (213) 576-6982

FILED

MAY 18 2015

BUREAU OF REAL ESTATE

By *Paul Danner*

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of)
12 HOMER WILLIAM EATOCK) NO. H-4713 SD
13 and CALYPSO INVESTMENT)
14 ENTERPRISES, INC.)
15 DBA CALYPSO ESCROW,)
16 Respondents.) DEFAULT ORDER

17 Respondents, HOMER WILLIAM EATOCK and CALYPSO
18 INVESTMENT ENTERPRISES, INC. DBA CALYPSO ESCROW, having failed
19 to file a Notice of Defense within the time required by
20 Section 11506 of the Government Code, are now in default. It
21 is, therefore, ordered that a default be entered on the record
22 in this matter.

23 IT IS SO ORDERED MAY 14, 2015

24 Real Estate Commissioner

25
26 BY:

Phillip Ihde

27 PHILLIP IHDE
Regional Manager