

FILED

SEP 30 2010

DEPARTMENT OF REAL ESTATE

R. Henry

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of
CHARLENE ANN PARMENTER-SCHNEIDER,
Respondent.

NO. H-5223 SAC

ORDER ACCEPTING VOLUNTARY SURRENDER

On June 12, 2009, an Accusation was filed in this matter against
Respondent CHARLENE ANN PARMENTER-SCHNEIDER.

By Declaration signed November 30, 2009, Respondent CHARLENE ANN
PARMENTER-SCHNEIDER petitioned the Real Estate Commissioner to voluntarily
surrender her real estate license(s) pursuant to Section 10100.2 of the Business and
Professions Code.

IT IS HEREBY ORDERED that the petition of Respondent CHARLENE
ANN PARMENTER-SCHNEIDER for the voluntary surrender of her real estate license(s)
is accepted as of the effective date of this Order as set forth below, based upon the
understanding and agreement expressed in the Declaration of Respondent CHARLENE
ANN PARMENTER-SCHNEIDER dated November 30, 2009 (attached hereto as Exhibit

1 "A"). Respondent's license certificate and pocket card shall be sent to the below listed
2 address so that they reach the Department of Real Estate on or before the effective date of this
3 Order:

4
5 DEPARTMENT OF REAL ESTATE
6 Attn: Licensing Flag Section
7 P. O. Box 187000
8 Sacramento, CA 95818-7000

9 This Order shall become effective at 12 o'clock noon on

10 OCT 20 2010, 2010.

11 DATED: 9/24, 2010.

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13 JEFF DAVI
14 Real Estate Commissioner
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

CHARLENE ANN PARMENTER-SCHNEIDER,

Respondent.

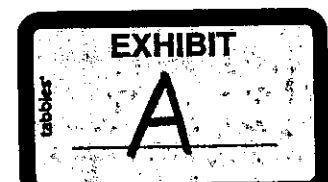
NO. H-5223 SAC

DECLARATION

My name is CHARLENE ANN PARMENTER-SCHNEIDER, and I am currently licensed as a real estate broker and have license rights with respect to said license. I am representing myself in this matter; I understand that I have a right to be represented by an attorney in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to voluntarily surrender my real estate license issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

I understand that by so voluntarily surrendering my license, I may be relicensed as a broker or as a salesperson only by petitioning for reinstatement pursuant to Section 11522 of the Government Code. I also understand that by so voluntarily surrendering my license, I agree to the following:



1 1. The filing of this Declaration shall be deemed as my petition for voluntary
2 surrender.

3 2. It shall also be deemed to be an understanding and agreement by me that I
4 waive all rights I have to require the Commissioner to prove the allegations contained in the
5 Accusation filed in this matter at a hearing held in accordance with the provisions of the
6 Administrative Procedure Act (Government Code Sections 11400 et seq.), and that I also waive
7 other rights afforded to me in connection with the hearing such as the right to discovery, the right
8 to present evidence in defense of the allegations in the Accusation, and the right to cross-
9 examine witnesses.

10 3. I further agree that upon acceptance by the Commissioner, as evidenced by
11 an appropriate order, all affidavits and all relevant evidence obtained by the Department in this
12 matter prior to the Commissioner's acceptance, and all allegations contained in the Accusation
13 filed in the Department Case No. H-5223 SAC may be considered by the Department to be true
14 and correct for the purpose of deciding whether to grant re-licensure or reinstatement pursuant to
15 Government Code Section 11522.

16 4. I freely and voluntarily surrender my license and license rights under the
17 Real Estate Law.

18 I declare under penalty of perjury under the laws of the State of California that
19 the above is true and correct and that this declaration was executed Nov 30th, 2009, at

20 Andersson, California

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22 
23 CHARLENE ANN PARMENTER-SCHNEIDER
24 Respondent
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1 DANIEL E. KEHEW, Counsel
2 State Bar No. 231550
3 Department of Real Estate
4 P. O. Box 187007
5 Sacramento, CA 95818-7007

6 Telephone: (916) 227-0425

FILED

JUN 12 2009

DEPARTMENT OF REAL ESTATE

By H. Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 CHARLENE ANN PARMENTER-SCHNEIDER,)
13 Respondent.)
14)

NO. H- 5223 SAC

ACCUSATION

15 The Complainant, JOE M. CARILLO, a Deputy Real Estate Commissioner of the
16 State of California, for cause of Accusation against CHARLENE ANN PARMENTER-
17 SCHNEIDER (hereinafter "PARMENTER-SCHNEIDER"), is informed and alleges as follows:

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19 The Complainant makes this Accusation in his official capacity.

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21 At all times herein mentioned, PARMENTER-SCHNEIDER was and now is
22 licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business
23 and Professions Code) (hereinafter "the Code") as a real estate broker.

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25 At all times herein mentioned, PARMENTER-SCHNEIDER engaged in the
26 business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within
27 the State of California within the meaning of:

- 1 (a) Sections 10131(a) of the Code, including the operation and conduct of a
2 real estate brokerage that included the sale or offer of sale, purchase or
3 offer of purchase, solicitation of prospective sellers and purchasers of,
4 solicitation or obtaining listings of, or negotiations of the purchase, sale
5 or exchange of real property or a business opportunity; and,
6 (b) Section 10131(b) of the Code, including the operation and conduct of a
7 property management business with the public wherein, on behalf of
8 others, for compensation or in expectation of compensation,
9 PARMENTER-SCHNEIDER leased or rented and offered to lease or
10 rent, and placed for rent, and solicited listings of places for rent, and
11 solicited for prospective tenants of real property or improvements
12 thereon, and collected rents from real property or improvements thereon.

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14 In so acting as a real estate broker, as described in Paragraph 3(b), above,
15 PARMENTER-SCHNEIDER accepted or received funds in trust (hereinafter "trust funds") from
16 or on behalf of owners and tenants in connection with the leasing, renting, and collection of rents
17 on real property or improvements thereon, as alleged herein, and thereafter from time to time
18 made disbursements of said funds.

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20 The aforesaid trust funds accepted or received by PARMENTER-SCHNEIDER
21 were deposited or caused to be deposited by PARMENTER-SCHNEIDER into one or more bank
22 accounts (hereinafter "trust fund accounts") maintained by PARMENTER-SCHNEIDER for the
23 handling of trust funds, including but not necessarily limited to the accounts "Charlene Ann
24 Parmenter-Schneider Property Management," Account Number 502-5175034 ("Bank #1"), and
25 "Charlene Ann Parmenter-Schneider Portfolio Management Account," Account Number
26 0313355414 ("Bank #2"), both maintained by PARMENTER-SCHNEIDER at Wells Fargo
27 Bank, operating via a Portland, Oregon, post office box.

Between January 1, 2006 and December 31, 2006, in connection with the collection and disbursement of said trust funds, PARMENTER-SCHNEIDER:

- (a) caused, suffered, or permitted the balance of funds in Bank #1 to be reduced to an amount which, as of December 31, 2006, was approximately \$51,867.12 less than the aggregate liability of PARMENTER-SCHNEIDER to all owners of such funds, without the prior written consent of each and every owner of such funds as required by Section 2832.1 of Title 10 of the California Code of Regulations (herein the "Regulations"); and,
- (b) failed to keep an accurate record in chronological sequence of all trust funds received and disbursed from Bank #1 and Bank #2 containing all the information required by Section 2831 of the Regulations; and,
- (c) failed to keep accurate separate records for each beneficiary or transaction, accounting therein for all funds which were deposited into Bank #1 and Bank #2, containing all of the information required by Section 2831.1 of the Regulations; and,
- (d) failed to place trust funds entrusted to PARMENTER-SCHNEIDER into the hands of a principal on whose behalf the funds were received, into a neutral escrow depository, or into a trust fund account in the name of PARMENTER-SCHNEIDER as trustee at a bank or other financial institution, in conformance with the requirements of Section 10145(d)(1) of the Code and Section 2832(a) of the Regulations, in that PARMENTER-SCHNEIDER placed such funds in Bank Account #1 and Bank Account #2, each an account that was not in the name of PARMENTER-SCHNEIDER as trustee; and,

- 1 (e) failed to reconcile, at least once a month, the balance of all separate
2 beneficiary or transaction records with the record of all trust funds
3 received into and disbursed from Bank #1 and Bank #2 as required
4 by Section 2831.2 of the Regulations; and,
5 (f) failed to retain for three years, as required by Section 10148(a) of the
6 Code, copies of all cancelled checks issued on Bank #1 and Bank #2 in
7 connection with transactions for which a real estate license is required.

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9 In so acting as a real estate broker, as described in Paragraph 3(a), above,
10 PARMENTER-SCHNEIDER failed to maintain a record of trust funds received but not placed in
11 the broker trust account, including in such record the identity of the other depository and the date
12 funds were forwarded, as required by Section 2831(a)(6) of the Regulations.

13 8

14 The facts alleged above are grounds for the suspension or revocation of the
15 licenses and license rights of PARMENTER-SCHNEIDER under the provisions of the Code
16 and/or the Regulations noted above in conjunction with Section 10177(d) of the Code.

17 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
18 of this Accusation and that upon proof thereof a decision be rendered imposing disciplinary
19 action against all licenses and license rights of PARMENTER-SCHNEIDER under the Real
20 Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and
21 further relief as may be proper under other applicable provisions of law.

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24 
25 JOE M. CARILLO
26 Deputy Real Estate Commissioner

26 Dated at Sacramento, California,
27 this 10 day of February, 2009.