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**FILED**

JAN 25 2023

DEPT. OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation against: )  
) DRE No. H-05270 SD  
**FIDELITY GENERAL, INC.** and )  
KENNETH W. TERRILL, individually )  
and as designated officer of )  
Fidelity General, Inc., )  
)  
Respondents. )  
)

ORDER NUNC PRO TUNC MODIFYING

ORDER OF THE REAL ESTATE COMMISSIONER

It having been called to the attention of the Real Estate Commissioner that there is an error in the Order Accepting Voluntary Surrender of Real Estate License (“Order Accepting Voluntary Surrender”) dated November 15, 2022, and good cause appearing therefore, the Order Accepting Voluntary Surrender is amended as follows:

Page 1, line 24, “... Respondent CHARLES PHILIP BROWN’s” shall be amended to read “... Respondent FIDELITY GENERAL, INC.”

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This Order, nunc pro tunc to November 15, 2022, shall become effective immediately.

IT IS SO ORDERED 1.19.23.

Douglas R. McCauley  
Real Estate Commissioner

Douglas R. McCauley

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**FILED**  
NOV 18 2022  
DEPT. OF REAL ESTATE  
By [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation against	)	No. H-05270 SD
	)	
	)	
<u>FIDELITY GENERAL, INC.</u> and	)	<u>ORDER ACCEPTING</u>
KENNETH W. TERRILL, individually	)	<u>VOLUNTARY SURRENDER</u>
and as designated officer of	)	<u>OF REAL ESTATE LICENSE</u>
Fidelity General, Inc.,	)	
	)	
	)	
Respondents.	)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On or about August 16, 2021, Respondent FIDELITY GENERAL, INC. petitioned the Commissioner to voluntarily surrender its real estate corporation license and/or licensing rights (license no. 01961872), pursuant to California Business and Professions Code section 10100.2.

IT IS HEREBY ORDERED that Respondent CHARLES PHILIP BROWN's petition for voluntary surrender of his real estate license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated September 30, 2022 (attached as Exhibit "A" hereto). The

1 license certificate and pocket card of FIDELITY GENERAL, INC. shall be sent to the below  
2 listed address so that they reach the Department of Real Estate on or before the effective date of  
3 this Order:

4 Department of Real Estate  
5 Attn: Licensing Flag Section  
6 P. O. Box 137013  
7 Sacramento, CA 95813-7013

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

9 DEC 09 2022

10 IT IS SO ORDERED NOV 15 2022

11 DOUGLAS R. McCAULEY  
12 REAL ESTATE COMMISSIONER

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-05270 SD
	)	
FIDELITY GENERAL, INC. and	)	
KENNETH W. TERRILL, individually	)	
and as designated officer of	)	
Fidelity General, Inc.,	)	
	)	
Respondents.	)	
	)	

DECLARATION

My name is KENNETH W. TERRILL, and I have been an officer of FIDELITY GENERAL, INC. from September 10, 2018 to September 9, 2022, which had previously been licensed as a real estate broker and/or has license rights with respect to said license. I am authorized and empowered to sign this declaration on behalf of FIDELITY GENERAL, INC. I am acting on behalf of FIDELITY GENERAL, INC. 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 California Government Code), FIDELITY GENERAL, INC. wishes to voluntarily surrender its real estate license and/or license rights issued by the Department of Real Estate ("Department") pursuant to California

1 Business and Professions Code section 10100.2.

2 I understand that FIDELITY GENERAL, INC., by so voluntarily surrendering its  
3 license and/or license rights, can only have it reinstated in accordance with the provisions of  
4 California Government Code section 11522. I also understand that by so voluntarily  
5 surrendering its license, FIDELITY GENERAL, INC. agrees to the following:

6 1. The filing of this Declaration shall be deemed as its petition for voluntary  
7 surrender.

8 2. It shall also be deemed to be an understanding and agreement by FIDELITY  
9 GENERAL, INC. that it waives all rights it has to require the Commissioner to prove the  
10 allegations contained in the Accusation filed in this matter at a hearing held in accordance with  
11 the provisions of the Administrative Procedure Act (California Government Code sections  
12 11400 et seq.), and that it also waives other rights afforded to it in connection with the hearing,  
13 such as the right to discovery, the right to present evidence in defense of the allegations in the  
14 Accusation and the right to cross-examine witnesses.

15 3. I further agree on behalf of FIDELITY GENERAL, INC. that upon  
16 acceptance by the Commissioner, as evidenced by an appropriate order, all affidavits and all  
17 relevant evidence obtained by the Department in this matter prior to the Commissioner's  
18 acceptance, and all allegations contained in the Accusation filed in the Department Case No. H-  
19 05270 SD, may be considered by the Department to be true and correct for the purpose of  
20 deciding whether to grant relicensure or reinstatement of FIDELITY GENERAL, INC. pursuant  
21 to California Government Code section 11522.

22 4. FIDELITY GENERAL, INC. is aware that if it petitions for reinstatement in  
23 the future, the payment of its proportionate share of \$3,311.80 for the Commissioner's  
24 reasonable costs of the investigation and enforcement in this matter will be a condition of  
25 reinstatement.

26 5. FIDELITY GENERAL, INC. further understands that it may petition for  
27 reinstatement after a period of not less than one (1) year has elapsed from the effective date of

1 the Decision accepting its surrender.

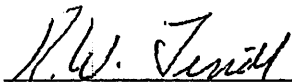
2 6. FIDELITY GENERAL, INC. freely and voluntarily surrenders all of its  
3 licenses and license rights under the Real Estate Law.

4 7. FIDELITY GENERAL, INC. cannot rescind its petition for voluntary  
5 surrender.

6 I declare under penalty of perjury under the laws of the State of California that  
7 the above is true and correct and that I am acting freely and voluntarily on behalf of FIDELITY  
8 GENERAL, INC. to surrender its license and/or all license rights attached thereto, under the  
9 Real Estate Law.

10 This declaration was executed 9/30, 2022, at  
11 SAN DIEGO, California.

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FIDELITY GENERAL, INC.  
By: Kenneth W. Terrill