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FILED  
MAR 17 2000

DEPARTMENT OF REAL ESTATE

By Tom Arnold

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 ROY RODERICK TEDSEN, ) No. H-5936 SF  
13 Respondent. )  
14 \_\_\_\_\_)

15 ORDER GRANTING REINSTATEMENT OF LICENSE

16 On July 29, 1988, a Decision was rendered herein  
17 revoking the real estate broker license of Respondent, but  
18 granting Respondent the right to the issuance of a restricted  
19 real estate broker license. A restricted real estate broker  
20 license was issued to Respondent on September 1, 1988, and  
21 Respondent has operated as a restricted licensee without cause  
22 for disciplinary action against Respondent since that time.

23 On August 13, 1999, Respondent petitioned for  
24 reinstatement of said real estate broker license, and the  
25 Attorney General of the State of California has been given notice  
26 of the filing of said petition.

27 ///

1           I have considered the petition of Respondent and the  
2 evidence and arguments in support thereof including Respondent's  
3 record as a restricted licensee. Respondent has demonstrated to  
4 my satisfaction that Respondent meets the requirements of law for  
5 the issuance to Respondent of an unrestricted real estate broker  
6 license and that it would not be against the public interest to  
7 issue said license to Respondent.

8           NOW, THEREFORE, IT IS ORDERED that Respondent's  
9 petition for reinstatement is granted and that a real estate  
10 broker license be issued to Respondent if Respondent satisfies  
11 the following conditions within nine months from the date of this

12 Order:

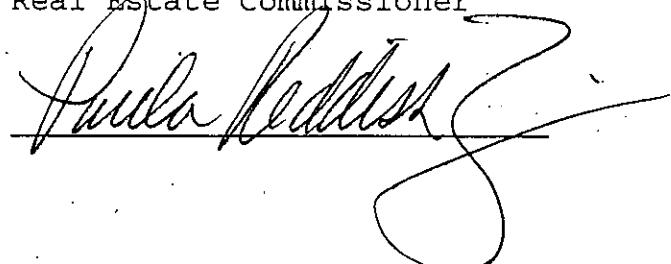
13           1. Submittal of a completed application and payment of  
14 the fee for a real estate broker license.

15           2. Submittal of evidence of having, since the most  
16 recent issuance of an original or renewal real estate license,  
17 taken and successfully completed the continuing education  
18 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
19 for renewal of a real estate license.

20           This Order shall be effective immediately.

21           DATED: March 10, 2000.

22           PAULA REDDISH ZINNEMANN  
23           Real Estate Commissioner

24           

25

26

27

Flag, Seacts.

COPY

FILED  
JUL 06 1990

DEPARTMENT OF REAL ESTATE

By Lynda Montiel  
Lynda Montiel

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
  )  
  ROY RODERICK TEDSEN,        ) NO. H-5936 SF  
  )  
  Respondent.                )  
  )

ORDER DENYING REINSTATEMENT OF LICENSE

On July 29, 1988, a Decision was rendered herein revoking the real estate broker license of respondent, but granting Respondent the right to the issuance of a restricted real estate broker license. A restricted real estate broker license was issued to Respondent on September 1, 1988, and Respondent has operated as a restricted licensee without cause for disciplinary action against him since that time.

On September 1, 1989, Respondent petitioned for reinstatement of said real estate broker license and the Attorney General of the State of California has been given notice of the filing of said petition.

/////////

1 I have considered Respondent's petition and the  
2 evidence and arguments in support thereof. Respondent has  
3 failed to demonstrate to my satisfaction that he has undergone  
4 sufficient rehabilitation to warrant the reinstatement of his  
5 real estate broker license, in that:

6 1. During the petition process, in the written Report  
7 of Interview completed on February 21, 1990, in response to  
8 question number 15, Respondent failed to reveal that he had been  
9 a defendant in civil action #88-066, filed in Del Norte County  
10 Superior Court on 2-18-88 (Judith Trask v. Roy Tedsen).

11 2. Less than two years has elapsed since the  
12 revocation of Respondent's license based partly on his failure  
13 to maintain a full and accurate record of all trust funds  
14 received while conducting his real estate business. On or about  
15 April 16, 1990, a Broker Office Survey conducted by a Deputy  
16 Real Estate Commissioner discovered that Respondent's trust fund  
17 records were not in full compliance with Regulation 2831.  
18 Although the discrepancies were minor in nature, under the  
19 circumstances, insufficient time has elapsed since the  
20 revocation to warrant the granting of a plenary real estate  
21 broker license to Respondent at this time.

22 NOW, THEREFORE, IT IS ORDERED that Respondent's  
23 petition for reinstatement of his real estate broker license is  
24 denied.

25 //////////

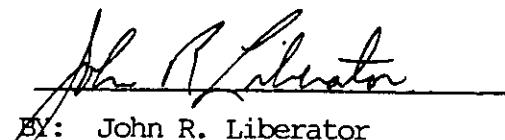
26 //////////

27 ////

1                   This Order shall be effective at 12 o'clock noon on  
2                   July 26th, 1990.

3                   DATED: June 22, 1990

4  
5                   JAMES A. EDMONDS, JR.  
6                   Real Estate Commissioner

7                     
8                   BY: John R. Liberator  
9                   Chief Deputy Commissioner

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FEB 18 1993

1 DEPARTMENT OF REAL ESTATE  
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8 *Marijke*

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of )  
13 NANCY ANNE STUPPI, )  
14 Respondent. )  
15 \_\_\_\_\_ )  
16 No. H-5936 SF

17 ORDER GRANTING REINSTATEMENT OF LICENSE

18 On July 29, 1988, a Decision was rendered herein  
19 revoking the real estate broker license of Respondent, but  
20 granting Respondent the right to the issuance of a restricted real  
21 estate broker license. A restricted real estate broker license  
22 was issued to Respondent on September 1, 1988, and Respondent has  
23 operated as a restricted licensee without cause for disciplinary  
24 action against Respondent since that time.

25 On January 10, 1991, Respondent petitioned for  
26 reinstatement of said real estate broker license, and the Attorney  
27 General of the State of California has been given notice of the  
filing of said petition.

28 ///

1 I have considered the petition of Respondent and the  
2 evidence and arguments in support thereof including Respondent's  
3 record as a restricted licensee. Respondent has demonstrated to  
4 my satisfaction that Respondent meets the requirements of law for  
5 the issuance to Respondent of an unrestricted real estate broker  
6 license and that it would not be against the public interest to  
7 issue said license to Respondent.

8 NOW, THEREFORE, IT IS ORDERED that Respondent's petition  
9 for reinstatement is granted and that a real estate broker license  
10 be issued to Respondent if Respondent satisfies the following  
11 conditions within six months from the date of this Order:

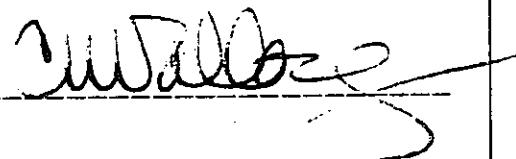
12 1. Submittal of a completed application and payment of  
13 the fee for a real estate broker license.

14 2. Submittal of evidence of having, since the most  
15 recent issuance of an original or renewal real estate license,  
16 taken and successfully completed the continuing education  
17 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
18 for renewal of a real estate license.

19 This Order shall be effective immediately.

20 DATED: 1/25/43

21 CLARK WALLACE  
22 Real Estate Commissioner

23   
24  
25  
26  
27

COPY

FILED  
AUG 12 1988

DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE By

*C. Westbrook*

C. Westbrook

STATE OF CALIFORNIA

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In the Matter of the Accusation of )  
NANCY ANNE STUPPI and, )  
ROY RODERICK TEDSEN, )  
Respondents. )

No. H-5936 SF

OAH No. N 31240

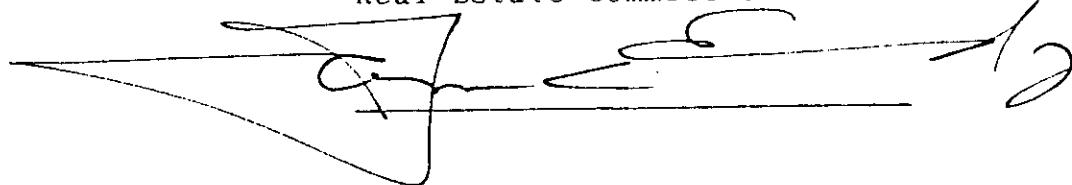
DECISION

The Proposed Decision dated July 18, 1988 of the  
Administrative Law Judge of the Office of Administrative  
Hearings is hereby adopted as the Decision of the Real Estate  
Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock  
noon on September 1, 1988.

IT IS SO ORDERED 2-29, 1988.

JAMES A. EDMONDS, JR.  
Real Estate Commissioner



BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Accusation )  
of )  
 )  
NANCY ANNE STUPPI ) CASE NO. H-5936 SF  
 )  
and ) OAH NO. N-31240  
 )  
ROY RODERICK TEDSEN, )  
 )  
Respondents. )  
 )

---

PROPOSED DECISION

This matter was heard before Ruth S. Astle, Administrative Law Judge of the Office of Administrative Hearings, State of California on June 1, 1988 in Santa Rosa, California.

Complainant was represented by Vera Winter Lee, Staff Counsel.

Respondent Nancy Anne Stuppi was present and represented herself.

Submission of the matter was deferred to June 20, 1988 for submission of the settlement agreement between the Department and respondent Tedsen which was received and is attached hereto and made a part of this Decision by this reference.

FINDINGS OF FACT

I

Edward V. Chiolo made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California and not otherwise.

II

Nancy Anne Stuppi (respondent Stuppi) and Roy Roderick Tedsen (respondent Tedsen) are presently licensed and have

license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code (B & P Code).

III

At all times mentioned below, respondent Tedsen was licensed as a real estate broker and doing business under the fictitious business name Investment Realty. His real estate broker license expires on June 7, 1989 unless otherwise renewed.

IV

At all times mentioned below, respondent Stuppi was licensed as a real estate broker and her license expires August 26, 1990 unless otherwise renewed.

Count I

V

Prior to October 1, 1986, respondent Tedsen, acting on behalf of another or others and in expectation of compensation, managed certain rental real properties located in or near Crescent City, California, including real property he managed on behalf of Veronika Meiers and American Real Estate Group, a division of American Savings and Loan (AREG).

VI

During the course of the property management activities described in Finding V, respondent Tedsen received and disbursed funds held in trust on behalf of another or others.

VII

Prior to October 1, 1986, respondent Stuppi worked with and was compensated through respondent Tedsen including the management of real property on behalf of AREG.

VIII

On October 1, 1986, Stuppi purchased the property management segment of Tedsen's real estate business and continued to manage property on behalf of AREG.

IX

During the course of the property management activities described in Finding VIII, respondent Stuppi received and disbursed funds held in trust on behalf of another or others.

X

On March 18 and 19, 1987, an investigative examination (audit) was made by the Department of the books and records of Stuppi as those records related to her activities as a real estate broker.

XI

It was ascertained by the audit that respondent Stuppi deposited trust funds into an interest bearing account in a bank or savings and loan association contrary to the law.

XII

It was ascertained by the audit that the liability of respondent Stuppi for funds received in trust from her property management business as of March 18, 1987, was \$500.00.

XIII

It was further ascertained by the audit that respondent Stuppi failed to segregate trust funds from other funds and that as of March 18, 1987, there was a balance in her bank account of Five Thousand Seven Hundred Fourteen and 57/100 Dollars (\$5,714.57), an overage of Five Thousand Two Hundred Fourteen and 57/100 Dollars (\$5,214.57).

XIV

Respondent Stuppi commingled trust funds of others and her own operating funds in her general account.

Count II

XV

In her business as a property manager, as described above, respondent Stuppi has done business under the fictitious name All American Property Management without registering that fictitious name with the Department.

Count III

XVI

It was ascertained by the audit that respondent Stuppi failed to retain for three years copies of all property management documents executed by her or obtained by her in connection with the described property management business.

## Other Matters

### XVII

Respondent Stuppi's contention that she is somehow less culpable because she did things the way she was shown by others, does not absolve her of the responsibility to know what the law requires.

### XVIII

Respondent Stuppi only manages a small number of properties at this time. She is now transacting mostly residential real estate business. She has had no previous problems with the Department. Respondent Stuppi no longer commingles her accounts and has changed her business practices to conform with the requirements of the Department. No one was injured by her past practices. Respondent Stuppi has been licensed for 8 years, 5 1/2 of which have been as a broker.

## DETERMINATION OF ISSUES

### I

By reason of the matters set forth in Findings V through XIV, cause for disciplinary action exists pursuant to sections 10145, 10177(d) and 10176(e) of the Business and Professions Code.

### II

By reason of the matters set forth in Finding XV, cause for disciplinary action exists pursuant to sections 10159.5 and 10177(d) of the Business and Professions Code and section 2731 of Title 10 of the California Code of Regulations.

### III

By reason of the matters set forth in Finding XVI, cause for disciplinary action exists pursuant to sections 10148 and 10177(d) of the Business and Professions Code.

### IV

The matters set forth in Findings XVII and XVIII have been considered in making the following order.

ORDER

Stuppi

1. The license and license rights of Nancy Anne Stuppi are revoked.

2. A restricted real estate broker license shall be issued to respondent under Business and Professions Code section 10156.5 if respondent makes application therefor and pays to the Department of Real Estate the appropriate fees for said license within ninety (90) days of the Decision.

3. The restricted license issued to respondent shall be subject to all of the provisions of Business and Professions Code section 10156.7 and to the following conditions:

- A. Said restricted license may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which bears a significant relation to respondent's fitness or capacity as a real estate licensee.
- B. Said restricted license may be suspended prior to hearing by Order of the Commissioner on evidence satisfactory to the Commissioner that respondent has violated the provisions of the California Real Estate Law, Regulations of the Real Estate Commissioner and conditions attaching to the restricted license.
- C. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions of a restricted license until one (1) year has elapsed from the date of issuance of the restricted license to respondent.
- D. Respondent shall within nine (9) months from the effective date of this Decision, present evidence satisfactory to the Commissioner that respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until respondent presents such evidence. The Commissioner shall afford respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

E. Respondent shall, within nine (9) months from the effective date of her restricted license, take and pass the Professional Responsibility Examination administered by the Department including the payment of the appropriate examination fee. If respondent fails to satisfy this condition, the Commissioner may order suspension of the restricted license until respondent passes the examination.

Tedsen

The parties stipulate to the following disposition:

1. The licenses and all license rights of Roy Roderick Tedsen are revoked.

2. A restricted real estate broker license shall be issued to respondent Tedsen pursuant to Business and Professions Code section 10156.5 if respondent makes application therefor and pays to the Department of Real Estate the appropriate fee within ninety (90) days of the effective date of this decision.

3. The restricted license issued to respondent shall be subject to all the provisions of Business and Professions Code section 10156.7 and to the following restrictions imposed under the authority of Business and Professions Code section 10156.6:

A. Respondent's restricted license shall be suspended for a period of fifteen (15) days, provided, however, the fifteen (15) day suspension of respondent's restricted license, or any portion thereof, is hereby permanently stayed on the condition that respondent shall pay to the Department One Hundred Dollars (\$100) per day of suspension prior to the effective date of this Decision, pursuant to the provisions of section 10175.2 of the Business and Professions Code, in the form of a cashier's check or certified check.

B. Respondent's restricted license may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which bears a significant relation to respondent's fitness or capacity as a real estate licensee.

C. Respondent's restricted license may be suspended prior to hearing by Order of the Commissioner on evidence satisfactory to the Commissioner that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner or conditions attaching to his restricted license(s).

D. Respondent shall within six (6) months from the effective date of the Decision, present evidence satisfactory to the Real Estate Commissioner that he has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the respondent presents such evidence. The Commissioner shall afford respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

E. Respondent shall, within nine (9) months from the effective date of his restricted license, take and pass the Professional Responsibility Examination administered by the Department including the payment of the appropriate examination fee. If respondent fails to satisfy this condition, the Commissioner may order suspension of the restricted license until respondent passes the examination.

F. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions of a restricted license until one (1) year has elapsed from the date of issuance of the restricted license to respondent.

DATED: July 18, 1988

Ruth S. Astle  
RUTH S. ASTLE  
Administrative Law Judge

RSA:lhj

BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

FILED  
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DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

NANCY ANNE STUPPI and  
ROY RODERICK TEDSEN,

} Case No. H-5936 SF  
OAH No. Per telecon

Respondent(s)

By C. Westbrook  
C. Westbrook

**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 State Building,  
50 "D" Street, Room 320, Santa Rosa, CA 95404

on the 1st day of June, 19 88, at the hour of 9:30 a.m., or as soon thereafter  
as the matter can be heard, upon the charges made in the Accusation served upon you.

You may be present at the hearing, and you may be represented by counsel, but you are neither required to be present at the hearing nor to be represented by counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you upon any express admissions, 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. The interpreter must be approved by the hearing officer conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the hearing officer directs otherwise.

DEPARTMENT OF REAL ESTATE

Dated: April 4, 1988

By Vera Winter Lee  
VERA WINTER LEE Counsel

CCOPY

1      VERA WINTER LEE, Counsel  
2      DEPARTMENT OF REAL ESTATE  
3      185 Berry Street, Room 5816  
4      San Francisco, CA 94107-1770  
5      (415) 557-3220

F      DEC 17 1987

DEPARTMENT OF REAL ESTATE

6      By C. Westbrook

8      BEFORE THE DEPARTMENT OF REAL ESTATE  
9  
10     STATE OF CALIFORNIA

11     In the Matter of the Accusation of )  
12        NANCY ANNE STUPPI,                )      No. H-5936 SF  
13        and                                )  
14        ROY RODERICK TEDSEN,                )      ACCUSATION  
15        Respondents.                        )  
16        \_\_\_\_\_ )  
17        The Complainant, EDWARD V. CHILO, a Deputy Real Estate  
18        Commissioner of the State of California, for cause of accusation  
19        against NANCY ANNE STUPPI and ROY RODERICK TEDSEN (respondents),  
20        is informed and alleges as follows:  
21

22        FIRST CAUSE OF ACTION

I

23        The Complainant, EDWARD V. CHILO, a Deputy Real Estate  
24        Commissioner of the State of California, makes this accusation in  
25        his official capacity.

II

26        Respondents were and are presently licensed and/or have

1 license rights under the Real Estate Law (Part 1 of Division 4 of  
2 the Business and Professions Code) (Code).  
3

III

4 At all times mentioned below, respondent NANCY ANNE  
5 STUPPI (Stuppi) was licensed as a real estate broker and her  
6 license expires August 26, 1990.  
7

IV

8 At all times mentioned below, respondent ROY RODERICK  
9 TEDSEN (Tedsen) was licensed as a real estate broker and doing  
10 business under the fictitious business name Investment Realty.  
11 His real estate broker license expired June 7, 1987. Respondent  
12 now has the right to late renewal of his real estate broker  
13 license.  
14

V

15 Prior to October 1, 1986, respondent Tedsen, acting on  
16 behalf of another or others and in expectation of compensation,  
17 managed certain rental real properties located in or near Crescent  
18 City, California, including real property he managed on behalf of  
19 Veronika Meiers and American Real Estate Group, a division of  
20 American Savings and Loan (AREG).  
21

VI

22 During the course of the property management activities  
23 described in Paragraph V, Tedsen received and disbursed funds held  
24 in trust on behalf of another or others.  
25

VII

26 On or about March 17 and 18, 1987, an investigative  
27 examination (Audit) was made by the Department of Real Estate  
28

(Department) of the books and records of Tedsen as those records related to his activities as a real estate broker.

VIII

It was ascertained by the Audit that Tedsen's property management and real estate sales records did not include a full and accurate record of all trust funds received by Tedsen as provided in Section 2831 of Title 10 of the California Administrative Code (Regulations) and Section 10145 of the Code.

IX

By reason of the facts above, respondent has violated Section 2831 of the Regulations and Section 10145 of the Code and his acts and omissions constitute grounds for disciplinary action pursuant to the provisions of Sections 10177(d) of the Code.

SECOND CAUSE OF ACTION

1

There is hereby incorporated in this second, separate and distinct cause of Accusation, all of the allegations contained in Paragraphs I thru VI of the First Cause of Accusation with the same force and effect as if herein fully set forth.

11

It was ascertained by the Audit that Tedsen failed to review, initial, and date every instrument prepared or signed by salespersons working with him in connection with any transaction for which a real estate license is required, which may have a material effect upon the rights or obligations of a party to the transaction, as required by Section 2725 of the Regulations.

/ / / / / / /

III

The facts alleged in Paragraph II are grounds for the suspension or revocation of respondent's license pursuant to Section 10177(d) of the Code.

### THIRD CAUSE OF ACTION

I

7 There is hereby incorporated in this third, separate and  
8 distinct cause of Accusation, all of the allegations contained in  
9 Paragraphs I thru VI of the First Cause of Accusation as if herein  
10 fully set forth.

11

12                   In approximately 1985 and 1986, Tedsen employed and  
13 compensated Penny Shapiro to perform property management  
14 activities, including the management of property on behalf of  
15 Veronika Meier from approximately September 1985 thru  
16 approximately June 1986.

I I· I

18                   In performing the acts referred to in Paragraph II,  
19 Penny Shapiro engaged in the business and acted in the capacity of  
20 a real estate licensee within the meaning of Section 10131(b) of  
21 the Code.

IV

23 At the time of engaging in the activities described in  
24 Paragraph II, Penny Shapiro did not possess a real estate license  
25 issued by the Department.

V

27 In employing and compensating Penny Shapiro for the acts

1 described in Paragraph II, when she was not a real estate  
2 licensee, Tedsen violated Section 10137 of the Code.  
3

4 VI  
5

6 The facts alleged above constitute cause under Section  
7 10137 of the Code for suspension or revocation of all licenses and  
8 license rights of respondent Tedsen.  
9

10 FOURTH CAUSE OF ACTION  
11

12 I  
13

14 There is hereby incorporated into this fourth, separate  
15 and distinct cause of Accusation, all of the allegations contained  
16 in Paragraphs I thru VI of the First Cause of Action with the same  
17 force and effect as if herein fully set forth.  
18

19 II  
20

21 Prior to October 1, 1986, Stuppi worked with and was  
22 compensated thru Tedsen, including the management of real property  
23 on behalf of AREG.  
24

25 III  
26

27 On or about October 1, 1986, Stuppi purchased the  
28 property management segment of Tedsen's real estate business and  
29 continued to manage property on behalf of AREG.  
30

31 IV  
32

33 During the course of the property management activities  
34 described in Paragraph III, Stuppi received and disbursed funds  
35 held in trust on behalf of another or others.  
36

37 V  
38

39 On or about March 18 and 19, 1987, an investigative  
40

1 examination (Audit) was made by the Department of the books and  
2 records of Stuppi as those records related to her activities as a  
3 real estate broker.  
4

## VI

5 It was ascertained by the Audit that Stuppi deposited  
6 trust funds into an interest bearing account in a bank or savings  
7 and loan association contrary to the requirements of Section  
8 10145(d) of the Code.  
9

## VII

10 It was ascertained by the Audit that the liability of  
11 Stuppi for funds received in trust from her property management  
12 business as of March 18, 1987, was \$500.  
13

## VIII

14 It was further ascertained by the Audit that Stuppi  
15 failed to segregate trust funds from other funds and that as of  
16 March 18, 1987, there was a balance in her bank account of FIVE  
17 THOUSAND SEVEN HUNDRED FOURTEEN AND 57/100 DOLLARS (\$5,714.57),  
18 an overage of FIVE THOUSAND TWO HUNDRED FOURTEEN AND 57/100  
19 DOLLARS (\$5,214.57).  
20

## IX

21 Stuppi commingled trust funds of others and her own  
22 operating funds in her general account.  
23

## X

24 By reason of the facts alleged in Paragraphs IV thru  
25 VIII, Stuppi violated Section 10145 of the Code and her acts and  
26 omissions constitute grounds for discipline under the provisions  
27 of Section 10177(d) of the Code.  
28

2 Stuppi's acts and omissions alleged in Paragraph IX.  
3 constitute grounds for discipline under the provisions of Section  
4 10176(e) of the Code.

5 FIFTH CAUSE OF ACTION

6 I

7 There is hereby incorporated into this fifth, separate  
8 and distinct cause of Accusation, all of the allegations contained  
9 in Paragraphs I thru IV of the First Cause of Accusation and I  
10 thru III of the Fourth Cause of Accusation with the same force and  
11 effect as if herein fully set forth.

12 II

13 In her business as a property manager, as described  
14 above, Stuppi has done business under the fictitious name All  
15 American Property Management without registering that fictitious  
16 name with the Department as required by Sections 10159.5 of the  
17 Code and 2731 of the Regulations.

18 III

19 Stuppi's acts and omissions as set out in Paragraph II  
20 constitute grounds for discipline under the provisions of Section  
21 10177(d) of the Code.

22 SIXTH CAUSE OF ACTION

23 I

24 There is hereby incorporated in this sixth, separate and  
25 distinct cause of Accusation, all of the allegations contained in  
26 Paragraphs I thru VIII of the First Cause of Accusation and I thru  
27 IV of the Fourth Cause of Accusation with the same force and

effect as if herein fully set forth.

II

3 It was ascertained by the Audit that respondents failed  
4 to retain for three years copies of all property management  
5 documents executed by them or obtained by them in connection with  
6 the described property management business as required by Section  
7 10148 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 under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) of respondents Stuppi and Tedsen, and for such other and further relief as may be proper under other applicable provisions of law.

Ernest V. cliff

EDWARD V. CHIOLO  
Deputy Real Estate Commissioner

Dated at San Francisco, California

this 17<sup>th</sup> day of December, 1987.