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FILED

MAY 16 2013

DEPARTMENT OF REAL ESTATE

By *K. Contreras*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of  
  
DBX CAPITAL, INC.,  
A Corporation,  
HENRY JOSEPH ZELLMAN, III, and  
BRIAN JOHN NIELSEN,  
  
Respondents.

NO. H-5961 SAC

ORDER ACCEPTING VOLUNTARY SURRENDER

On February 26, 2013, an Accusation was filed in this matter against Respondents  
DBX CAPITAL, INC., a Corporation, HENRY JOSEPH ZELLMAN, III, and BRIAN JOHN  
NIELSEN.

By Declaration signed by Designated Officer-Broker HENRY JOSEPH  
ZELLMAN, III, on behalf of Respondent DBX CAPITAL, INC., a Corporation, dated April 23,  
2013, Respondent DBX CAPITAL, INC., petitioned the Real Estate Commissioner to voluntarily  
surrender its real estate license pursuant to Section 10100.2 of the Business and Professions  
Code.

IT IS HEREBY ORDERED, the petition of Respondent DBX CAPITAL, INC.,  
for voluntary surrender of its real estate license is accepted as of the effective date of this Order

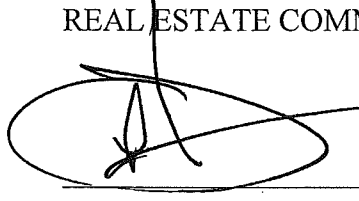
1 as set forth below, based upon the understanding and agreement expressed in the Declaration of  
2 Respondent DBX CAPITAL, INC., dated April 23, 2013 (attached hereto as Exhibit "A"). The  
3 license certificate and pocket card issued to Respondent DBX CAPITAL, INC., shall be sent to  
4 the below listed address so that they reach the Department of Real Estate on or before the  
5 effective date of this Order:

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

11 This Order shall become effective at 12 o'clock noon on JUN - 5 2013.

12 DATED: May 15, 2013

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14 WAYNE S. BELL  
15 REAL ESTATE COMMISSIONER

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18 By: Jeffrey Mason  
19 Chief Deputy Commissioner

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BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

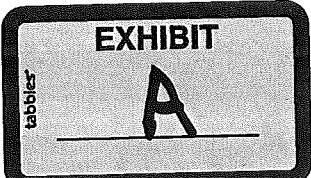
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In the Matter of the Accusation of	)	
	)	
DBX CAPITAL, INC., a Corporation,	)	
HENRY JOSEPH ZELLMAN, III, and	)	NO. H-5961 SAC
BRIAN JOHN NIELSEN,	)	
	)	
Respondents.	)	
	)	

DECLARATION

My name is HENRY JOSEPH ZELLMAN, III, I am currently licensed as a real estate broker individually and as designated officer-broker for DBX CAPITAL, INC. (herein "DBX") and have license rights with respect to both licenses. DBX is represented by C. Christian Thompson, Attorney at Law. I am representing myself in this matter.

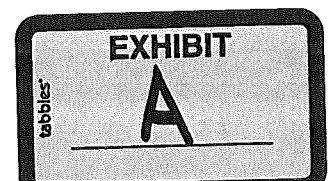
In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to voluntarily surrender the corporate real estate broker license of DBX issued by the Department of Real Estate (herein the "Department")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



1 I understand that by so voluntarily surrendering the license of DBX, DBX may be  
2 relicensed as a broker only by petitioning for reinstatement pursuant to Section 11522 of the  
3 Government Code.

4 I also understand that by so voluntarily surrendering said license, DBX and I agree  
5 to the following:

- 6 1. The filing of this Declaration shall be deemed as the petition for DBX for  
7 voluntary surrender.
- 8 2. It shall also be deemed to be an understanding and agreement by me on  
9 behalf of DBX, that DBX waives all rights it has to require the  
10 Commissioner to prove the allegations contained in the Accusation filed in  
11 this matter at a hearing held in accordance with the provisions of the  
12 Administrative Procedure Act (Government Code Sections 11400 et seq.),  
13 and that DBX also waives other rights afforded in connection with the  
14 hearing such as the right to discovery, the right to present evidence in  
15 defense of the allegations in the Accusation and the right to cross-examine  
16 witnesses.
- 17 3. I, on behalf of DBX, further agree that upon acceptance by the Commissioner,  
18 as evidenced by an appropriate order, all affidavits and all relevant evidence  
19 obtained by the Department in this matter prior to the Commissioner's  
20 acceptance, and all allegations contained in the Accusation filed in the  
21 Department Case No. H-5961 SAC, may be considered by the Department to  
22 be true and correct for the purpose of deciding whether to grant relicensure  
23 or reinstatement pursuant to Government Code Section 11522.
- 24 4. This voluntary surrender and DBX' decision not to contest the Accusation  
25 are made for the purpose of reaching an agreed disposition of this  
26 proceeding, and, except as set forth above, shall not be admissible in any  
27 other criminal or civil proceedings.



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5. DBX freely and voluntarily surrenders its license and license rights under the Real Estate Law.

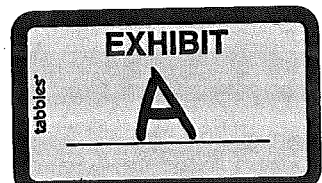
I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed at:

Citrus Heights, California.

DBX CAPITAL, INC.  
Respondent

4/23/2013  
Dated

By: Henry Joseph Zellman III  
HENRY JOSEPH ZELLMAN, III  
Designated Officer - Broker



FILED

MAY 16 2013

DEPARTMENT OF REAL ESTATE

By K. Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of

DBX CAPITAL, INC.,  
A Corporation,  
HENRY JOSEPH ZELLMAN, III, and  
BRIAN JOHN NIELSEN,

Respondents.

NO. H-5961 SAC

ORDER ACCEPTING VOLUNTARY SURRENDER

On February 26, 2013, an Accusation was filed in this matter against Respondents DBX CAPITAL, INC., a Corporation, HENRY JOSEPH ZELLMAN, III, and BRIAN JOHN NIELSEN.

By Declaration signed by Respondent BRIAN JOHN NIELSEN, dated April 21, 2013, Respondent BRIAN JOHN NIELSEN petitioned the Real Estate Commissioner to voluntarily surrender his real estate license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED, the petition of Respondent BRIAN JOHN NIELSEN 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 the Declaration of


1 Respondent BRIAN JOHN NIELSEN dated April 21, 2013 (attached hereto as Exhibit "A").  
2 The license certificate and pocket card issued to Respondent BRIAN JOHN NIELSEN shall be  
3 sent to the below listed address so that they reach the Department of Real Estate on or before the  
4 effective date of this Order:

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

10 This Order shall become effective at 12 o'clock noon on JUN - 5 2013.

11 DATED: May 15, 2013

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13 WAYNE S. BELL  
14 REAL ESTATE COMMISSIONER

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17 By: Jeffrey Mason  
18 Chief Deputy Commissioner

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BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of )  
)  
DBX CAPITAL, INC., a Corporation, )  
HENRY JOSEPH ZELLMAN, III, and )  
BRIAN JOHN NIELSEN, )  
)  
Respondents. )

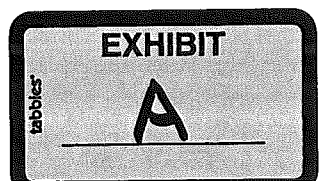
NO. H-5961 SAC

DECLARATION

My name is BRIAN JOHN NIELSEN, and I am currently licensed as a real estate salesperson and have license rights with respect to said license. I am represented by C. Christian Thompson, Attorney at Law.

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





1 the Government Code. I also understand that by so voluntarily surrendering my license, I agree  
2 to the following:

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

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

12 3. I further agree that upon acceptance by the Commissioner, as evidenced by an  
13 appropriate order, all affidavits and all relevant evidence obtained by the Department in this  
14 matter prior to the Commissioner's acceptance, and all allegations contained in the Accusation  
15 filed in the Department Case No. H-5961 SAC, may be considered by the Department to be true  
16 and correct for the purpose of deciding whether to grant relicensure or reinstatement pursuant to  
17 Government Code Section 11522.

18 4. I freely and voluntarily surrender my license and license rights under the Real  
19 Estate Law.

20 I declare under penalty of perjury under the laws of the State of California that the  
21 above is true and correct and that this Declaration was executed on 21 APRIL,  
22 2013, at SALT LAKE CITY, UT.

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24  
25   
26 BRIAN JOHN NIELSEN  
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