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FILED

DEC - 4 2013

BUREAU OF REAL ESTATE

By K. Contreras

BEFORE THE BUREAU 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

(As to Henry Joseph Zellman, III
only)

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 (herein "Respondent ZELLMAN"), and BRIAN JOHN NIELSEN.

By Declaration signed by Respondent ZELLMAN, dated November 18, 2013, Respondent ZELLMAN petitioned the Real Estate Commissioner to voluntarily surrender his real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED, the petition of Respondent ZELLMAN for voluntary surrender of his real estate broker 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 Respondent ZELLMAN, dated November 18, 2013 (attached hereto as Exhibit "A"). The license

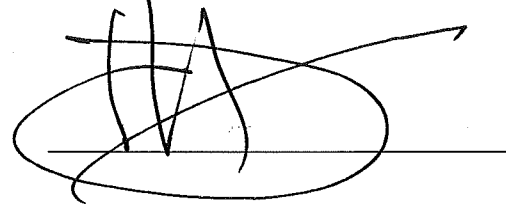
1 certificate and pocket card issued to Respondent ZELLMAN shall be sent to the below listed
2 address so that they reach the Bureau of Real Estate on or before the effective date of this Order:

3
4 **BUREAU 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 **DEC 24 2013**.

9 DATED: **NOV 27 2013**.

11 REAL ESTATE COMMISSIONER

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15 **By: JEFFREY MASON**
16 **Chief Deputy Commissioner**

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

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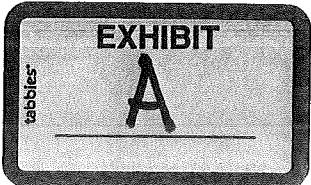
In the Matter of the Accusation of)	
)	
DBX CAPITAL, INC.,)	NO. H-5961 SAC
a Corporation,)	
HENRY JOSEPH ZELLMAN, III, and)	<u>AS TO HENRY JOSEPH</u>
BRIAN JOHN NIELSEN,)	<u>ZELLMAN, III, ONLY</u>
)	
Respondents.)	
)	

DECLARATION

My name is HENRY JOSEPH ZELLMAN, III, 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.

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 Bureau of Real Estate ("Bureau"), pursuant to Business and Professions Code Section 10100.2.

I understand that by so voluntarily surrendering my license(s), 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(s), I
2 agree 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
13 an appropriate order, all affidavits and all relevant evidence obtained by the Bureau in this matter
14 prior to the Commissioner's acceptance, and all allegations contained in the Accusation filed in
15 the Bureau Case No. H-5961 SAC, may be considered by the Bureau to be true and correct for
16 the purpose of deciding whether to grant relicensure or reinstatement pursuant to Government
17 Code Section 11522.

18 4. I freely and voluntarily surrender all my licenses and license rights under
19 the Real 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 11/18, 2013, at
22 Sacramento, California.

23
24 *Henry Joseph Zeelman*
HENRY JOSEPH ZEELMAN, III *HJZ*

