

FILE

FILED

JAN 31 2006

DEPARTMENT OF REAL ESTATE
By L. Lust

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-6030 SF
GORDON MADISON MOORES,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On August 23, 1989, in Case No. H-6030 SF, a Decision was rendered revoking the real estate broker license of Respondent effective December 20, 1989, 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 November 20, 1989, and Respondent has operated as a restricted licensee since that time.

On December 12, 2003, 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 the petition of Respondent and the
2 evidence and arguments in support thereof. Respondent has
3 demonstrated to my satisfaction that Respondent meets the
4 requirements of law for the issuance to Respondent of an
5 unrestricted real estate broker license and that it would not be
6 against the public interest to issue said license to Respondent.

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

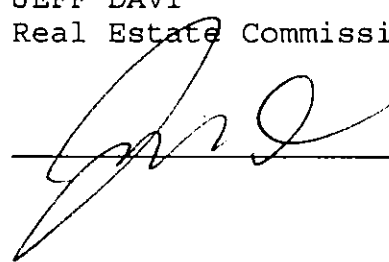
12 1. Submittal of a completed application and payment of
13 the fee for a real estate broker license.

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: 1-19-86

21 JEFF DAVI
22 Real Estate Commissioner

23 
24
25
26
27

COPY

FILED
NOV 22 1993

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)
WILLIAM MIDDLETON MOORES,)
Respondent.)

No. H-6030 SF

ORDER GRANTING REINSTATEMENT OF LICENSE

On August 23, 1989, 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 November 20, 1989, and
Respondent has operated as a restricted licensee without cause
for disciplinary action against Respondent since that time.

On August 31, 1992, 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 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 him.

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 condition within six (6) months from the date of
12 this Order:

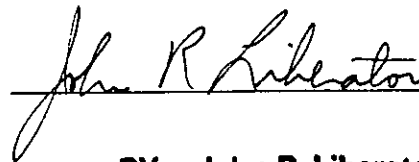
13 1. Submittal of a completed application and payment of
14 the fee for a real estate broker license.

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: November 17, 1993

22 CLARK WALLACE
23 Real Estate Commissioner

24 
25

26 BY: John R. Liberator
27 Chief Deputy Commissioner

COPY

FILED
OCT 31 1989

DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

Victoria Wilson

In the Matter of the Accusation of	)	No. H-6030 SF
	)	
WILLIAM MIDDLETON MOORES,	)	
GORDON MADISON MOORES,	)	
	)	
Respondent(s).	)	
	)	

DECISION

The Proposed Decision dated August 15, 1989
of Robert E. McCabe, Regional Manager, Department of Real
Estate, State of California, is hereby adopted as the Decision of
the Real Estate Commissioner in the above-entitled matter.

The Decision shall become effective at 12 o'clock noon
on November 20, 1989.

IT IS SO ORDERED August 23, 1989.

JAMES A. EDMONDS, JR.
Real Estate Commissioner

John R. Liberator

BY: John R. Liberator
Chief Deputy Commissioner

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-6030 SF
	)	
WILLIAM MIDDLETON MOORES,	)	
GORDON MADISON MOORES,	)	
	)	
Respondents.	)	

PROPOSED DECISION

This matter was presided over as an uncontested case by Robert E. McCabe, Regional Manager, Department of Real Estate, as the designee of the Real Estate Commissioner, in San Francisco, California on July 26, 1989.

Deidre L. Johnson, Counsel, represented the Complainant.

Respondent WILLIAM MIDDLETON MOORES was not present at the hearing and a written Stipulation on his behalf was introduced into evidence.

Neither respondent GORDON MADISON MOORES nor his attorney Malcolm Sher were present, and a written Stipulation on his behalf was introduced into evidence.

Based upon said stipulations, the following decision is proposed, certified and recommended for adoption:

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

WILLIAM MIDDLETON MOORES and GORDON MADISON MOORES (hereinafter Respondents) are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code of the State of California, hereinafter the Code).

III

At all times herein mentioned, Respondent WILLIAM MIDDLETON MOORES was licensed by the Department of Real Estate of the State of California as a real estate broker, and said license will expire on or about February 28, 1990.

IV

At all times herein mentioned, Respondent GORDON MADISON MOORES was licensed by the Department as a real estate broker, and said license will expire on or about July 10, 1990.

V

At all times herein mentioned, Respondent WILLIAM MIDDLETON MOORES was and is the owner of portions of certain real property consisting of subdivided lands pursuant to Section 11000 of the Business and Professions Code of the State of California (hereinafter the Code), and said subdivided lands are known as or commonly called MENDOCINO COAST SUBDIVISION and/or IRISH BEACH, and are located in or near Point Arena, County of Mendocino, State of California.

VI

At all times herein mentioned, Respondent GORDON MADISON MOORES was the President of MENDOCINO COAST PROPERTIES, INC., a corporation which owns portions of the subdivided lands referred to above and known as commonly called MENDOCINO COAST SUBDIVISION and/or IRISH BEACH.

VII

In or about December, 1985, and thereafter, Respondents, as owners of portions of said subdivision and/or acting as licensed real estate brokers and agents on behalf of the owners of portions of said subdivision, solicited prospective purchasers, offered for sale or lease or sold lots, units or parcels in said subdivision to the public.

VIII

On or about the following dates Respondents sold or offered for sale the following lots in said subdivision to the following people:

<u>DATE</u>	<u>NAME</u>	<u>LOT</u>	<u>UNIT</u>
12/20/85	Watson	15	4
07/11/86	Kilkenny	40	1
07/07/86	Forbes/Burdick	36	7
08/27/86	Smith	18	7
09/04/86	Reese	86	4

IX

Respondents sold or leased or offered for sale or lease lots, units or parcels in said subdivision without having filed with the Department a Notice of Intention and completed questionnaire as required by Section 11010 of the Code, and without having first obtained a public report as required by Section 11018.1 of the Code.

DETERMINATION OF ISSUES

Respondents have been guilty of acts and/or omissions in violation of Sections 11010 and 11018.2 of the Code, and which constitute cause for disciplinary action pursuant to the provisions of Section 10177(d) of the Code, and Section 10177(j) of the Code.

ORDER

I

A. The real estate broker license and license rights of Respondent WILLIAM MIDDLETON MOORES are hereby revoked.

B. A restricted real estate broker license shall be issued to Respondent pursuant to Section 10156.6 of the Business and Professions Code if Respondent makes application therefore and pays to the Department the appropriate fee for said license within sixty (60) days from the effective date of this Decision.

C. The restricted broker license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations imposed under authority of Section 10156.6 of said Code:

- (1) The restricted license may be suspended prior to hearing by Order of the Real Estate Commissioner in the event that 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:
- (2) The restricted license may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated the provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, and conditions attaching to the restricted license;
- (3) 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.
- (4) Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations or restrictions of a restricted license until two (2) years have elapsed from the date of the issuance of the restricted license.

II

A. The real estate broker license and license rights of Respondent GORDON MADISON MOORES are hereby revoked.

B. A restricted real estate broker license shall be issued to Respondent pursuant to Section 10156.6 of the Business and Professions Code if Respondent makes application therefore and pays to the Department the appropriate fee for said license within sixty (60) days from the effective date of this Decision.

C. The restricted broker license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations imposed under authority of Section 10156.6 of said Code:

- (1) The restricted license may be suspended prior to hearing by Order of the Real Estate Commissioner in the event that 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:
- (2) The restricted license may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated the provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, and conditions attaching to the restricted license;
- (3) 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.
- (4) Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations or restrictions of a restricted license until two (2) years have elapsed from the date of the issuance of the restricted license.

DATED: August 15, 1989

Robert E. McCabe
ROBERT E. McCABE
Regional Manager
Department of Real Estate

**BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

FILED
JAN 25 1989

DEPARTMENT OF REAL ESTATE

By *Sandra Montiel*
Lynda Montiel

In the Matter of the Accusation of

WILLIAM MIDDLETON MOORES, AND
GORDON MADISON MOORES,

Case No. H-6030 SF
OAH No. N 32531

Respondent(s)

CONTINUED

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 _____
OFFICE OF ADMINISTRATIVE HEARINGS, STATE BUILDING,
455 Golden Gate Avenue, Room 2248, San Francisco, CA 94102

on the 25th day of April, 19 89, at the hour of 9:00 am, 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: January 24, 1989

By *Deidre L. Johnson*
DEIDRE L. JOHNSON Counsel

FILED
DEC 27 1988

DEPARTMENT OF REAL ESTATE

**BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

By Lynda Montiel
Lynda Montiel

In the Matter of the Accusation of

WILLIAM MIDDLETON MOORES, and
GORDON MADISON MOORES,

Case No. H-6030 SF

OAH No. N 32531

Respondent(s)

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 _____
OFFICE OF ADMINISTRATIVE HEARINGS, STATE BUILDING,
455 Golden Gate Avenue, Room 2248, San Francisco, CA 94102

on the 7th day of March, 19 89, at the hour of 9:00 am, 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: December 27, 1988

By Deidre L. Johnson
DEIDRE L. JOHNSON, Counsel

1 DEIDRE L. JOHNSON, Counsel
2 Department of Real Estate
3 185 Berry Street, Room 5816
4 San Francisco, California 94107-1770
5 Telephone: (415) 557-3220
6
7

FILED
JUL 1 1988
DEPARTMENT OF REAL ESTATE

By Sydney Montiel

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) NO. H- 6030 SF
12 WILLIAM MIDDLETON MOORES)
13 GORDON MADISON MOORES,) ACCUSATION
14 Respondents.)

15 The Complainant, Edward V. Chiolo, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against WILLIAM MIDDLETON MOORES and GORDON MADISON MOORES, is
18 informed and alleges as follows:

19 I

20 WILLIAM MIDDLETON MOORES and GORDON MADISON MOORES
21 (hereinafter Respondents) are presently licensed and/or have
22 license rights under the Real Estate Law (Part 1 of Division 4 of
23 the Business and Professions Code of the State of California).

24 II

25 At all times herein mentioned, respondent WILLIAM
26 MIDDLETON MOORES was licensed by the Department of Real Estate of
27 the State of California as a real estate broker, and said license

will expire on or about February 28, 1990.

III

At all times herein mentioned, respondent GORDON MADISON MOORES was licensed by the Department as a real estate broker, and said license will expire on or about July 10, 1990.

IV

The Complainant, Edward V. Chiolo, a Deputy Real Estate Commissioner of the State of California, acting in his official capacity as such and not otherwise, makes this accusation against respondents.

V

At all times herein mentioned, Respondent WILLIAM MIDDLETON MOORES was and is the owner of portions of certain real property consisting of subdivided lands pursuant to Section 11000 of the Business and Professions Code of the State of California (hereinafter the Code), and said subdivided lands are known as or commonly called MENDOCINO COAST SUBDIVISION and/or IRISH BEACH, and are located in or near Point Arena, County of Mendocino, State of California.

VI

At all times herein mentioned, Respondent GORDON MADISON MOORES was the President of MENDOCINO COAST PROPERTIES, INC., a corporation which owns portions of the subdivided lands referred to above and known as or commonly called MENDOCINO COAST SUBDIVISION and/or IRISH BEACH.

/ / / / /

/ / / / /

VII

In or about December, 1985, and thereafter, Respondents, as owners of portions of said subdivision and/or acting as licensed real estate brokers and agents on behalf of the owners of portions of said subdivision, solicited prospective purchasers, offered for sale or lease or sold lots, units or parcels in said subdivision to the public.

VIII

On or about the following dates Respondents sold or offered for sale the following lots in said subdivision to the following people:

<u>DATE</u>	<u>NAME</u>	<u>LOT</u>	<u>UNIT</u>
12/20/85	Watson	15	4
07/11/86	Kilkenny	40	1
07/07/86	Forbes/Burdick	36	7
08/27/86	Smith	18	7
09/04/86	Reese	86	4

IX

Respondents sold or leased or offered for sale or lease lots, units or parcels in said subdivision without having filed with the Department a Notice of Intention and completed questionnaire as required by Section 11010 of the Code, and without having first obtained a public report as required by Section 11018.2 of the Code.

X

The above acts and/or omissions of Respondents were in violation of Sections 11010 and 11018.2 of the Code, and

1 constitute cause for disciplinary action pursuant to the
2 provisions of Section 10177(d) of the Code, and/or Section
3 10177(j) of the Code.

4 XI

5 WHEREFORE, Complainant prays that a hearing be
6 conducted on the allegations of this Accusation and that upon
7 proof thereof, a decision be rendered imposing disciplinary
8 action against all licenses and license rights under the Real
9 Estate Law (Part 1 of Division 4 of the Business and Professions
10 Code) of respondents, and for such other and further relief as
11 may be proper under other applicable provisions of the law.

12 *Edward V. Chio*

13
14 EDWARD V. CHIOLO
Deputy Real Estate Commissioner

15 Dated at San Francisco, California
16 this 23rd day of June, 1988.