

FILED

JUN 04 2014

BUREAU OF REAL ESTATE

By S. Blunt

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)	
)	No. H-6041 SAC
MARK ALAN CHAMPLIN,)	
)	
Respondent.)	
_____)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the California¹ Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on April 2, 2014, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions, (2) affidavits, and (3) other evidence.

This Decision revokes a real estate license and/or license rights pursuant to the Real Estate Law, Part I of Division 4, of the Business and Professions Code (hereinafter "the Code") Sections 10177(d) and 10186.2.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1

On November 5, 2013, Tricia D. Sommers made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were served on Respondent by regular and certified mail, return receipt requested, to Respondent's last known mailing address on file with the Bureau of Real Estate of the State of California (hereinafter "the Bureau") on November 13, 2013.

¹ All references herein are to California Codes and Regulations, unless otherwise stated.

Respondent MARK ALAN CHAMPLIN (“hereinafter “Respondent”) is presently licensed and/or has license rights under the Code as a real estate broker, and is the designated officer of real estate broker corporation Fidelis Real Estate Inc.

On or about November 13, 2012, in the Superior Court of the State of California, County of Alameda, Case No. H52891A, a First Amended Information (“the Information”) was filed alleging Respondent committed acts constituting twelve (12) felonies, identified as follows:

- a) One (1) Count in violation of Penal Code Sections 487(a) and 12022.6(a)(2) (grand theft of personal property, excessive loss over \$200,000.00), a felony;
- b) One (1) Count in violation of Penal Code Section 487(a) (grand theft of personal property, value exceeding \$950.00), a felony;
- c) Six (6) Counts in violation of Penal Code Section 368(d) (theft from elder or dependent adult, value exceeding \$950.00), all felonies; and,
- d) Four (4) Counts in violation of Penal Code Sections 487(a) and 12022.6(a) (grand theft of personal property, excessive loss over \$65,000.00), all felonies.

In November 2012, Respondent was served with the Information, and therefore was notified of the felony charges pending against him.

Pursuant to Section 10186.2 of the Code, a licensee shall report in writing to the Bureau the bringing of an indictment or information charging a felony against the licensee, within thirty (30) days of the date of the bringing of the indictment or the charging of a felony. At no time since Respondent was made aware of the Information charging felonies against him, identified in paragraph 3, above, has Respondent reported said charges to the Bureau in writing, as required by Section 10186.2 of the Code.

DETERMINATION OF ISSUES

Cause for the suspension or revocation of all licenses and license rights of Respondent exists with reference to the facts set out in paragraphs 3 and 4, above, pursuant to Section 10177(d) of the Code in conjunction with Section 10186.2 of the Code.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

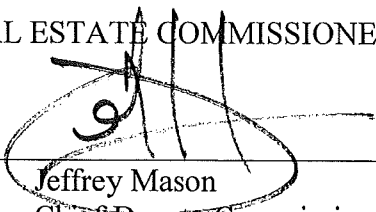
ORDER

All licenses and licensing rights of Respondent MARK ALAN CHAMPLIN under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on JUN 25 2014

DATED: MAY 06 2014

REAL ESTATE COMMISSIONER

By: 
Chief Deputy Commissioner

1 Bureau of Real Estate
2 P. O. Box 137007
3 Sacramento, CA 95813-7007
4 Telephone: (916) 263-8670

FILED

APR 2 2014

BUREAU OF REAL ESTATE

By: *[Signature]*

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 ***

11 In the Matter of the Accusation of)
12 MARK ALAN CHAMPLIN,) H-6041 SAC
13 Respondent.) DEFAULT ORDER
14)

15 Respondent, MARK ALAN CHAMPLIN, having failed to file a Notice of
16 Defense within the time required by Section 11506 of the Government Code, is now in default.
17 It is, therefore, ordered that a default be entered on the record in this matter as to Respondent
18 MARK ALAN CHAMPLIN.

19 IT IS SO ORDERED

4/2/14

21 By:

Joe M. Carrillo
22 Joe M. Carrillo
23 Northern Regional Manager
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