

FILED  
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BUREAU OF REAL ESTATE  
By M. Roberts

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8 BEFORE THE BUREAU OF REAL ESTATE  
9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of )  
12 KENNETH ROBERT THORNE, )  
13 Respondent. )

No. H-6487 SAC  
ACCUSATION

15 The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a  
16 Supervising Special Investigator of the State of California, for cause of Accusation against  
17 KENNETH ROBERT THORNE (Respondent), is informed and alleges as follows:

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19 At all times herein mentioned, Respondent was and is presently licensed and/or  
20 has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and  
21 Professions Code (the Code) by the Bureau of Real Estate (the Bureau) as a real estate broker.

22 2

23 On or about March 21, 2014, in the U.S. Bankruptcy Court, Eastern District of  
24 California, Case No. 12-35545-C-7, the court issued a Judgment after trial that excepted from  
25 discharge Respondent's debt owed to Shirley Andre and Joseph Andre (Plaintiffs) under 11  
26 U.S.C. § 523 (a) (2) (A) (Money and Property Obtained by Fraud) and U.S.C. § 523 (a) (4)  
27 (Fraud or Defalcation by a Fiduciary). The court found that Respondent knowingly made false

1 representations to Plaintiffs, that Plaintiffs justifiably relied on such representations, and thereby  
2 suffered damages as a proximate result thereof.

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4 In the Judgment for Case No. 12-35545-C-7, the court ordered that Plaintiffs shall  
5 recover from Respondent \$1,182,009.46, which included punitive damages against Respondent  
6 in the amount of \$400,000.

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8 On or about July 2, 2015, in the United States Bankruptcy Appellate Panel of the  
9 Ninth Circuit, Case No. 12-35545, the Court affirmed the bankruptcy court's  
10 nondischargeability judgment except in regards to the portion of the judgment that excepted  
11 from discharge misappropriated loan payments and loan origination fees.

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13 The facts set forth above constitute cause under Section 10177.5 of the Code  
14 (final judgment obtained in civil action against real estate licensee for fraud, misrepresentation  
15 or deceit with reference to transaction requiring a real estate license, as grounds for suspension  
16 or revocation or real estate license) for the suspension or revocation of all licenses and license  
17 rights of Respondent under the Real Estate Law.

18 COST RECOVERY

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20 Section 10106 of the Code provides, in pertinent part, that in any order issued in  
21 resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the  
22 Administrative Law Judge to direct a licensee found to have committed a violation of this part to  
23 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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