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JAN 5 1995

DEPARTMENT OF REAL ESTATE

By Lynda Montiel
Lynda Montiel

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-7155 SF
BRIAN PAUL FORNESI,)
Respondent.)

ORDER VACATING ORDER OF SUSPENSION

An ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE in the above case was filed on October 31, 1994, against Respondent BRIAN PAUL FORNESI, for failure to submit proof of completion of required continuing education courses. Respondent has submitted proof to the satisfaction of the Interim Real Estate Commissioner that he has completed the required courses.

The ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE is hereby vacated.

IT IS SO ORDERED this 29th day of December, 1994.

JOHN R. LIBERATOR
Interim Commissioner

By: Betty R. Ludeman

Betty R. Ludeman
Assistant Commissioner,
Enforcement

1 Department of Real Estate
185 Berry Street, Room 3400
2 San Francisco, California 94107-1770
3 Telephone: (415) 904-5917
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FILED
OCT 31 1994

DEPARTMENT OF REAL ESTATE

By Lynda Montiel
Lynda Montiel

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 BRIAN PAUL FORNESI,)
13 Respondent.)
14 _____)

15 ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE

16 TO: BRIAN PAUL FORNESI:

17 On or about August 30, 1993, a restricted real estate .
18 salesperson license was issued by the Department of Real Estate to
19 Respondent on the terms, conditions and restrictions set forth in
20 the Real Estate Commissioner's Decision of July 21, 1993, in Case
21 No. H-6843 SF. This Decision granted the right to the issuance of
22 a restricted real estate broker license subject to the provisions
23 of Section 10156.7 of the Business and Professions Code and to
24 enumerated additional terms, conditions and restrictions imposed
25 under authority of Section 10156.6 of said Code.

26 ///

27 ///

1 On October 18, 1994, in Case No. H-7155 SF, an
2 Accusation by a Deputy Real Estate Commissioner of the State of
3 California was filed charging Respondent with violation of Section
4 10177(k) of the Business and Professions Code of the State of
5 California.

6 NOW, THEREFORE, IT IS ORDERED under authority of Section
7 10156.7 of the Business and Professions Code of the State of
8 California that the restricted real estate broker license
9 heretofore issued to Respondent and the exercise of any privileges
10 thereunder is hereby suspended pending final determination made
11 after the hearing on the aforesaid Accusation.

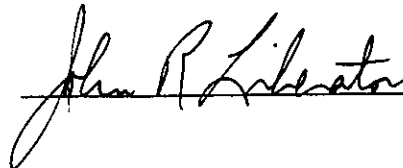
12 IT IS FURTHER ORDERED that all license certificates and
13 identification cards issued by Department which are in the
14 possession of Respondent be immediately surrendered by personal
15 delivery or by mailing in the enclosed, self-addressed envelope
16 to:

Department of Real Estate
Attn: Flag Section
P. O. Box 187000
Sacramento, CA 95818-7000

19 This Order shall be effective immediately.

20 DATED: October 26, 1994

21 JOHN R. LIBERATOR
22 Interim Commissioner

23 
24 _____
25
26
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1 DEIDRE L. JOHNSON, Counsel
2 Department of Real Estate
3 185 Berry Street, Room 3400
4 San Francisco, CA 94107-1770
5 Telephone: (415) 904-5917

FILED
OCT 18 1994

DEPARTMENT OF REAL ESTATE

By Lynda Montiel
Lynda Montiel

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

11 In the Matter of the Accusation of) No. H-7155 SF
12 BRIAN PAUL FORNESI,) ACCUSATION
13 Respondent.)
14 _____)

15 The Complainant, Les R. Bettencourt, a Deputy Real
16 Estate Commissioner of the State of California, for cause of
17 Accusation against BRIAN PAUL FORNESI (hereafter Respondent), is
18 informed and alleges as follows:

I

20 Respondent is presently licensed and/or has license
21 rights under the Real Estate Law, (Part 1 of Division 4 of the
22 Business and Professions Code, hereafter the Code) as a restricted
23 real estate broker.

II

25 The Complainant, Les R. Bettencourt, a Deputy Real
26 Estate Commissioner of the State of California, makes this

27

1 Accusation against Respondent in his official capacity and not
2 otherwise.

3 III

4 Effective August 30, 1993, in Case No. H-6843 SF, OAH
5 No. N-42608, before the State of California Department of Real
6 Estate, Respondent's real estate license was revoked and
7 Respondent was granted the right to a restricted real estate
8 broker license, subject to the provisions of Section 10156.7 of
9 the Business and Professions Code and to enumerated terms,
10 conditions and restrictions imposed under authority of Section
11 10156.6 of the Code.

12 IV

13 Included in the above terms, conditions and restrictions
14 was the following:

15 Respondent shall, within nine (9) months
16 from the effective date of this Decision,
17 present evidence satisfactory to the
18 Commissioner that Respondent has, since the most
19 recent issuance of an original or renewal real
20 estate license, taken and successfully completed
21 the continuing education requirements of Article
22 2.5 of Chapter 3 of the Real Estate Law for
23 renewal of a real estate license.....

24 V

25 Respondent has failed to present evidence satisfactory
26 to the Commissioner that he has complied with the above
27 continuing education order within nine months of the effective
28 date of the Decision or thereafter to the present.


29 VI

30 The facts alleged in Paragraph above constitute cause
31 under Section 10177(k) of the Code for suspension or revocation of

1 all licenses and license rights of Respondent under the Real
2 Estate Law.

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

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LES R. BETTENCOURT
Deputy Real Estate Commissioner

Dated at San Francisco, California
this 17th day of October, 1994.