

FILED  
OCT - 4 2001

DEPARTMENT OF REAL ESTATE

By Patricia Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )

ELADIA MARGARITA LAINES,  
and ERIC WILLIAM LUKA )

NO. H-7777 SF

Respondents. )

ORDER DENYING RECONSIDERATION

On August 6, 2001, an Order was rendered in the above-entitled matter as to Respondent Luka only, to become effective October 9, 2001. On September 5, 2001, Respondent Luka petitioned for reconsideration of the Order of August 6, 2001.

I have given due consideration to the petition of Respondent Luka. I find no good cause to reconsider the Order of August 6, 2001, and reconsideration is hereby denied.

IT IS HEREBY ORDERED September 24 2001.

PAULA REDDISH ZINNEMANN  
Real Estate Commissioner

Paula Reddish

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 187000  
3 Sacramento, CA 95818-7000  
4 Telephone: (916) 227-0789

FILED  
SEP 18 2001

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 ELADIA MARGARITA LAINES, ) NO. H-7777 SF  
13 and ERIC WILLIAM LUKA, ) STIPULATION AND AGREEMENT  
14 Respondents. ) AS TO ELADIA MARGARITA  
 ) LAINES

15 It is hereby stipulated by and between ELADIA MARGARITA  
16 LAINES ("Respondent LAINES") and her attorney, J. Anne Rawlins;  
17 and the Complainant, acting by and through Larry A. Alamao,  
18 Counsel for the Department of Real Estate; as follows, for the  
19 purpose of settling and disposing of the Accusation filed on  
20 January 5, 2000, in this matter:

21 1. All issues which were to be contested and all  
22 evidence which was to be presented by Complainant and Respondents  
23 at a formal hearing on the Accusation, which hearing was to be  
24 held in accordance with the provisions of the Administrative  
25 Procedure Act ("APA"), shall instead and in place thereof be  
26 submitted solely on the basis of the provisions of this  
27 Stipulation and Agreement.

1           2. Respondent LAINES has received, read, and  
2 understands the Statement to Respondent, the Discovery  
3 Provisions of the APA and the Accusation filed by the  
4 Department of Real Estate in this proceeding.

5           3. On January 29, 2000, Respondent LAINES filed a  
6 Notice of Defense pursuant to Section 11505 of the Government  
7 Code for the purpose of requesting a hearing on the  
8 allegations in the Accusation. Respondent LAINES hereby  
9 freely and voluntarily withdraws said Notice of Defense.

10 Respondent LAINES acknowledges that she understands that by  
11 withdrawing said Notice of Defense she will thereby waive her  
12 right to require the Commissioner to prove the allegations in  
13 the Accusation at a contested hearing held in accordance with  
14 the provisions of the APA and that she will waive other  
15 rights afforded to her in connection with the hearing such as  
16 the right to present evidence in defense of the allegations  
17 in the Accusation and the right to cross-examine witnesses.

18           4. This Stipulation is based on the factual  
19 allegations contained in the Accusation alleging violations of  
20 Section 10137 and 10138 of the Business and Professions Code. In  
21 the interests of expedience and economy, Respondent LAINES  
22 chooses not to contest these allegations, but to remain silent  
23 and understands that, as a result thereof, these factual  
24 allegations, without being admitted or denied, will serve as a  
25 prima facie basis for the disciplinary action stipulated to  
26 herein. The Real Estate Commissioner shall not be required to  
27 provide further evidence to prove said factual allegations.

1           5. It is understood by the parties that the Real  
2 Estate Commissioner may adopt the Stipulation and Agreement as  
3 her Decision in this matter, thereby imposing the penalty and  
4 sanctions on Respondent LAINES' real estate licenses and  
5 license rights as set forth in the below "Order". In the event  
6 that the Commissioner in her discretion does not adopt the  
7 Stipulation and Agreement, it shall be void and of no effect,  
8 and Respondent LAINES shall retain the right to a hearing and  
9 proceeding on the Accusation under all the provisions of the  
10 APA and shall not be bound by any admission or waiver made  
11 herein.

12           6. The Order or any subsequent Order of the Real  
13 Estate Commissioner made pursuant to this Stipulation and  
14 Agreement shall not constitute an estoppel, merger, or bar to  
15 any further administrative or civil proceedings by the Department  
16 of Real Estate with respect to any matters which were not  
17 specifically alleged to be causes for accusation in this  
18 proceeding.

19                           DETERMINATION OF ISSUES  
20

21           By reason of the foregoing stipulations, admissions and  
22 waivers, and solely for the purpose of settlement of the pending  
23 Accusation without a hearing, it is stipulated and agreed that  
24 the following determination of issues shall be made:

25           The conduct of Respondent LAINES, as described in the  
26 Accusation, is cause for the suspension or revocation of the real  
27 estate license and license rights of Respondent LAINES under the

1 provisions of Sections 10137 and 10138 of the Business and  
2 Professions Code ("Code").

3  
4 ORDER

5 A. All licenses and licensing rights of Respondent LAINES under  
6 the Real Estate Law are suspended for a period of one hundred  
7 and eighty (180) days from the effective date of this Order.

8 B. Eighty (80) days of said suspension are stayed for a period  
9 of two (2) years upon the following terms and conditions:

- 10 1. Respondent shall obey all laws, rules and regulations  
11 governing the rights, duties and responsibilities of a  
12 real estate licensee in the State of California; and,  
13 2. If the Real Estate Commissioner determines that further  
14 cause for disciplinary action against Respondent has  
15 occurred within two (2) years from the effective date of  
16 the Order, the stay of suspension hereby granted to  
17 Respondent, or such portion of the stay as the Real  
18 Estate Commissioner shall deem appropriate, shall be  
19 vacated.

20 C. If Respondent petitions the Department in writing pursuant to  
21 Section 10175.2 of the Code prior to the effective date of  
22 the Order, the remaining one hundred (100) days of said  
23 suspension shall be stayed upon condition that:

- 24 1. Respondent LAINES pays a monetary penalty pursuant to  
25 Section 10175.2 of the Business and Professions Code at  
26 a rate of \$75.00 for each day of the suspension for a  
27 total combined monetary penalty of \$7,500.00.

- 1        2. Said payment shall be in the form of a cashier's check or  
2        certified check made payable to the Recovery Account of  
3        the Real Estate Fund. Said check must be received by the  
4        Department prior to the effective date of the Order in  
5        this matter.
- 6        3. No further cause for disciplinary action against the  
7        real estate license of Respondent LAINES occurs within  
8        two (2) years from the effective date of the Order in  
9        this matter.
- 10       4. If Respondent LAINES fails to pay the monetary penalty in  
11       accordance with the terms and conditions of the Order,  
12       the Commissioner may, without a hearing, order the  
13       immediate execution of all or any part of the stayed  
14       suspension in which event Respondent LAINES shall not be  
15       entitled to any repayment nor credit, prorated or  
16       otherwise, for the money paid to the Department under the  
17       terms of this Order.
- 18       5. If Respondent LAINES pays the monetary penalty and if no  
19       further cause for disciplinary action against the real  
20       estate license of Respondent LAINES occurs within two (2)  
21       years from the effective date of the Order, the stay  
22       hereby granted shall become permanent.
- 23       6. If the Real Estate Commissioner determines that further  
24       cause for disciplinary action against Respondent has  
25       occurred within two (2) years from the effective date of  
26       the Order, the stay of suspension hereby granted to  
27       Respondent, or such portion of the stay as the Real

1 Estate Commissioner shall deem appropriate, shall be  
2 vacated.

3 7/19/01

4 DATED

5 *Larry Alamao*  
LARRY A. ALAMAO, Counsel  
DEPARTMENT OF REAL ESTATE

6 \* \* \*

7 I have read the Stipulation and Agreement, have  
8 discussed it with my counsel, and its terms are understood by  
9 me and are agreeable and acceptable to me. I understand that I  
10 am waiving rights given to me by the California Administrative  
11 Procedure Act (including but not limited to Sections 11506,  
12 11508, 11509, and 11513 of the Government Code), and I  
13 willingly, intelligently, and voluntarily waive those rights,  
14 including the right of requiring the Commissioner to prove the  
15 allegations in the Accusation at a hearing at which I would  
16 have the right to cross-examine witnesses against me and to  
17 present evidence in defense and mitigation of the charges.

18  
19 7.25.01

20 DATED

21 *Eladia Margarita Laines*  
ELADIA MARGARITA LAINES  
Respondent

22 I have reviewed the Stipulation and Agreement as to  
23 form and content and have advised my client accordingly.

24  
25 7.24.01

26 DATED

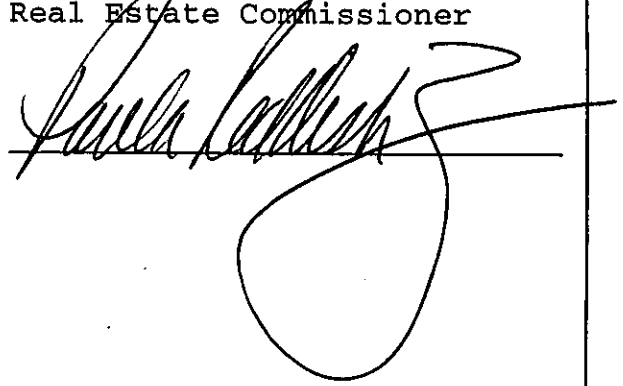
27 *J. Anne Rawlins*  
J. ANNE RAWLINS  
Attorney for Respondent

\* \* \*

The foregoing Stipulation and Agreement is hereby  
adopted by the Real Estate Commissioner as her Decision  
and shall become effective at 12 o'clock noon on  
October 9, 2001.

IT IS SO ORDERED August 22, 2001.

PAULA REDDISH ZINNEMANN  
Real Estate Commissioner

A large, stylized handwritten signature in black ink, appearing to read 'Paula Reddish Zinnemann', is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.



FILED  
SEP - 5 2001

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )

NO. H-7777 SF

ELADIA MARGARITA LAINES,  
and ERIC WILLIAM LUKA,

ORDER STAYING EFFECTIVE DATE  
(As To Eric William Luka Only)

Respondents. )

On August 6, 2001, a Decision was rendered in the above-entitled matter as to Respondent Eric William Luka, to become effective on September 6, 2001.

On September 5, 2001, Respondent Eric William Luka petitioned for reconsideration of the Decision of August 6, 2001.

IT IS HEREBY ORDERED that the effective date of the Decision shall be stayed as to Respondent Eric William Luka for a period of thirty (30) days. The Decision of August 6, 2001, shall become effective at 12 o'clock noon on October 9, 2001.

DATED: September 5, 2001.

PAULA REDDISH ZINNEMANN  
Real Estate Commissioner

Paula Reddish Zinnemann

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 187000  
3 Sacramento, CA 95818-7000  
4 Telephone: (916) 227-0789

FILED  
AUG 17 2001

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

8 BEFORE THE  
9 DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of )  
13 ELADIA MARGARITA LAINES, )  
14 and ERIC WILLIAM LUKA, )  
15 Respondents. )

NO. H-7777 SF

STIPULATION AND AGREEMENT  
AS TO ERIC WILLIAM LUKA

16 It is hereby stipulated by and between ERIC WILLIAM  
17 LUKA ("Respondent LUKA"); and the Complainant, acting by and  
18 through Larry A. Alamao, Counsel for the Department of Real  
19 Estate; as follows, for the purpose of settling and disposing of  
20 the Accusation filed on January 5, 2000, in this matter:

21 1. All issues which were to be contested and all  
22 evidence which was to be presented by Complainant and Respondents  
23 at a formal hearing on the Accusation, which hearing was to be  
24 held in accordance with the provisions of the Administrative  
25 Procedure Act ("APA"), shall instead and in place thereof be  
26 submitted solely on the basis of the provisions of this  
27 Stipulation and Agreement.

1           2. Respondent LUKA has received, read, and understands  
2 the Statement to Respondent, the Discovery Provisions of the APA  
3 and the Accusation filed by the Department of Real Estate in this  
4 proceeding.

5           3. On January 20, 2000, Respondent LUKA filed a Notice  
6 of Defense pursuant to Section 11505 of the Government Code for  
7 the purpose of requesting a hearing on the allegations in the  
8 Accusation. Respondent LUKA hereby freely and voluntarily  
9 withdraws said Notice of Defense. Respondent LUKA acknowledges  
10 that he understands that by withdrawing said Notice of Defense he  
11 will thereby waive his right to require the Commissioner to prove  
12 the allegations in the Accusation at a contested hearing held in  
13 accordance with the provisions of the APA and that he will waive  
14 other rights afforded to him in connection with the hearing such  
15 as the right to present evidence in defense of the allegations in  
16 the Accusation and the right to cross-examine witnesses.

17           4. This Stipulation is based on the factual  
18 allegations contained in the Accusation. In the interests of  
19 expedience and economy, Respondent LUKA chooses not to contest  
20 these allegations, but to remain silent and understands that,  
21 as a result thereof, these factual allegations, without being  
22 admitted or denied, will serve as a prima facie basis for the  
23 disciplinary action stipulated to herein. The Real Estate  
24 Commissioner shall not be required to provide further evidence  
25 to prove said factual allegations.

26           5. It is understood by the parties that the Real  
27 Estate Commissioner may adopt the Stipulation and Agreement as

1 her Decision in this matter, thereby imposing the penalty and  
2 sanctions on Respondent LUKA's real estate licenses and license  
3 rights as set forth in the below "Order". In the event that  
4 the Commissioner in her discretion does not adopt the  
5 Stipulation and Agreement, it shall be void and of no effect,  
6 and Respondent LUKA shall retain the right to a hearing and  
7 proceeding on the Accusation under all the provisions of the  
8 APA and shall not be bound by any admission or waiver made  
9 herein.

10 6. The Order or any subsequent Order of the Real  
11 Estate Commissioner made pursuant to this Stipulation and  
12 Agreement shall not constitute an estoppel, merger, or bar to any  
13 further administrative or civil proceedings by the Department of  
14 Real Estate with respect to any matters which were not  
15 specifically alleged to be causes for accusation in this  
16 proceeding.

17 DETERMINATION OF ISSUES  
18

19 By reason of the foregoing stipulations, admissions and  
20 waivers, and solely for the purpose of settlement of the pending  
21 Accusation without a hearing, it is stipulated and agreed that  
22 the following determination of issues shall be made:

23 The conduct of Respondent LUKA, as described in the  
24 Accusation, is cause for the suspension or revocation of the real  
25 estate license and license rights of Respondent LUKA under the  
26 provisions of Sections 10137 and 10177(d) of the Business and  
27 Professions Code ("Code").

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-1/12/01  
DATED

Larry Alamao  
LARRY A. ALAMAO, Counsel  
DEPARTMENT OF REAL ESTATE

\* \* \*

06.26.01  
DATED

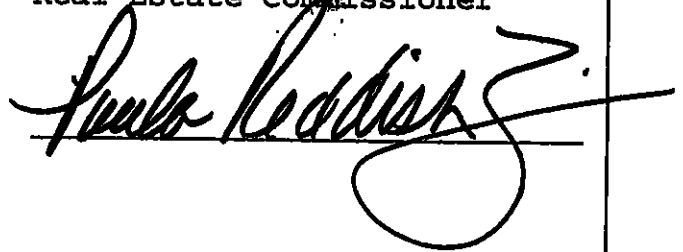
  
ERIK WILLIAM LUKA  
Respondent  
qu

\* \* \*

1           The foregoing Stipulation and Agreement is hereby  
2 adopted by the Real Estate Commissioner as her Decision  
3 and shall become effective at 12 o'clock noon on  
4 September 6, 2001.

5  
6 IT IS SO ORDERED August 6, 2001.

7  
8 PAULA REDDISH ZINNEMANN  
Real Estate Commissioner

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FILED  
JUN 20 2001

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

In the matter of the Association of

ELADY M. ARITA LAINES,  
and ERIC WILLIAM LUKA,

Case No. H-7777 SF

OAH No. N-2000030014

Respondent

THIRD CONTINUED  
NOTICE OF HEARING ON ACCUSATION

To the Respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at

The Office of Administrative Hearings, 560 J Street,

Room 360, Sacramento, California 95814

on July 30, 2001, at the hour of 9:00 AM,  
or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission 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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: June 20, 2001

By

Larry Alamao  
LARRY A. ALAMAO

Counsel



BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

FILED  
FEB - 9 2001

DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

LEADIA MARGALITA LAINES, et al.,

Case No. H-7777 SF

OAH No. N-2000030014

By Kathleen Contreras

Respondent

SECOND 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

The Office of Administrative Hearings, 560 J Street,

Sacramento, California 95814

on March 29, 2001, at the hour of 9:00 AM,

or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission 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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: February 1, 2001

By Thomas C. Lasken  
THOMAS C. LASKEN Counsel

FILED  
NOV 22 2000

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

By Kathleen Contreas

In the Matter of the Accusation of

GLADIA LAINES, and  
ERIC WILLIAM LUKA,

Case No. H-7777 SF

OAH No. N-2000030014

Respondent

FIRST 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

the Office of Administrative Hearings, the Elihu Harris State

Building, 1115 Clay Street, Suite 206, Oakland, California 94612

on January 4, 2001, at the hour of 9:00 AM,  
or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of  
hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten  
(10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days  
will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You  
are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent  
yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the  
Department may take disciplinary action against you based upon any express admission 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 and pay his or her costs. The  
interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: November 21, 2000

By

Thomas C. Lasken

THOMAS C. LASKEN

Counsel

1 C. LASKEN, Counsel (SBN 61832)  
2 DEPARTMENT OF REAL ESTATE  
3 P.O. Box 187000  
4 San Francisco, CA 95818-7000

5 (916) 227-0789

FILED

JAN 05 2000

DEPARTMENT OF REAL ESTATE

By Jean Ramon

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 Matter of the Accusation of )  
12 ELADIA MARGARITA LAINES and )  
13 WILLIAM LUKA, )  
14 Respondents. )

NO. H-7777-SF

ACCUSATION

15 The Complainant, Les R. Bettencourt, a Deputy Real  
16 Estate Commissioner of the State of California, for cause of  
17 Accusation against ELADIA MARGARITA LAINES (hereinafter  
18 "Respondent LAINES"), and ERIC WILLIAM LUKA (hereinafter  
19 "Respondent LUKA"); is informed and alleges as follows:

20 I

21 Respondent LAINES is presently licensed and/or has  
22 license rights under the Code as a real estate broker.

23 II

24 Respondent LUKA is presently licensed and/or has  
25 license rights under the Code as a real estate broker. Prior to  
26 September 10, 1998, Respondent LUKA was licensed as a real estate  
27 salesperson.

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III

The Complainant, Les R. Bettencourt, a Deputy Real Estate Commissioner of the State of California, makes this statement in his official capacity.

IV

At all times herein mentioned, Respondents LAINES and LUKA were performing acts requiring a real estate license, including the operation and conduct of a mortgage loan brokerage business with the public wherein lenders and borrowers were solicited for loans secured directly or indirectly by liens on real property, wherein such loans were originated, negotiated, processed, and consummated on behalf of others for compensation or in expectation of compensation.

V

During the period from March 1, 1996, and continuing through at least June 17, 1998, Respondent LUKA was employed by Respondent LAINES to perform acts requiring a real estate license. Respondent LUKA's salesperson license expired on or about March 23, 1997, and remained expired until on or about June 17, 1998.

VI

During the above period when Respondent LUKA's license was expired, Respondent LAINES employed and compensated Respondent LUKA for performing acts requiring a real estate license, and Respondent LUKA received and accepted compensation from Respondent LAINES for said acts. Said acts include, but are not

1 limited to, the following transactions involving the brokerage of  
2 secured by real property:

- 3 (a) 42672 East Veldt Street,  
4 Rancho Mirage, California.  
5 (b) 42584-42676 East Veldt Street  
6 Rancho Mirage, California.

7 VII

8 During the period of time when Respondent LAINES  
9 employed Respondent LUKA, Respondent LAINES, in connection with  
10 the mortgage loan brokerage activities described in Paragraph IV  
11 above, failed to maintain on file true and correct signed copies  
12 of statements with the contents set forth in Section 10241 of the  
13 Code in violation of Section 10240(a) of the Code.

14 VIII

15 The facts alleged in Paragraph VI above constitute  
16 violation of Sections 10137 and 10138 of the Code, and are cause  
17 under Sections 10137 and 10138 of the Code for the suspension or  
18 revocation of all licenses and license rights of Respondent  
19 LAINES under the Real Estate Law.

20 XI

21 The facts alleged in Paragraph VII above are cause  
22 under Section 10177(d) of the Code for the suspension or  
23 revocation of all licenses and license rights of Respondent  
24 LAINES under the Real Estate Law.

25 X

26 The facts alleged in Paragraph VI above constitute  
27 violation of Sections 10130, 10137, and 10139 of the Code, and  
are cause under Sections 10137 and 10177(d) of the Code for the

1 suspension or revocation of all licenses and license rights of  
2 Respondent LUKA under the Real Estate Law.


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XI

During the period from March 1, 1996, and continuing  
through at least June 17, 1998, Respondent LAINES failed to  
exercise reasonable supervision and control over the licensed  
activities of Respondent LUKA. Such failure is cause for the  
suspension or revocation of Respondent LAINES' licenses and/or  
license rights under Section 10177(h) of the Code.

PRIOR DISCIPLINARY ACTION

On or about February 1, 1995, in Case No. H-7070 SF,  
the Real Estate Commissioner suspended the real estate broker  
of Respondent LAINES (aka ELADIA MARGARITA GANULIN) for  
violations of Section 10177(d) of the Code.

WHEREFORE, Complainant prays that a hearing be  
conducted on the allegations of this Accusation and that upon  
proof thereof a decision be rendered imposing disciplinary action  
against all licenses and license rights of Respondents, under the  
Real Estate Law (Part 1 of Division 4 of the Business and  
Professions Code) and for such other and further relief as may be  
proper under other provisions of law, including the imposition of  
a fine of up to \$10,000 against Respondent LAINES pursuant to the  
provisions of Section 10139.5 of the Code.

  
LES R. BETTENCOURT  
Deputy Real Estate Commissioner

Dated at Oakland, California,  
this 6th day of December, 1999.