

FILED  
FEB 21 2007

DEPARTMENT OF REAL ESTATE

By *[Signature]*

Department of Real Estate  
P.O. Box 187007  
Sacramento, CA 95818-7007  
Telephone: (916) 227-0781

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )

No. H-9657 SF

EUGENE LEE BRUINGTON, LESLIE )  
EUGENE RYAN, and MARGARET )  
GLENYS SIMMONS, )

STIPULATION AND  
AGREEMENT

Respondent.

It is hereby stipulated by and between EUGENE LEE BRUINGTON (hereinafter "Respondent") and their attorney, Marlon V. Young, and the Complainant, acting by and through Truly Sughrue, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing the Accusation filed on August 3, 2006 in this matter:

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing was to be held in accordance with the provisions of the Administrative Procedure Act (APA), shall instead and in place thereof be submitted solely on the basis of the provisions of this

1 Stipulation and Agreement.

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

5           3. Respondent filed a Notice of Defense pursuant to  
6 Section 11505 of the Government Code for the purpose of  
7 requesting a hearing on the allegations in the Accusation.  
8 Respondent hereby freely and voluntarily withdraws said Notice of  
9 Defense. Respondent acknowledges that he understands that by  
10 withdrawing said Notice of Defense he will thereby waive his  
11 rights to require the Commissioner to prove the allegations in  
12 the Accusation at a contested hearing held in accordance with the  
13 provisions of the APA, and that he will waive other rights  
14 afforded to them in connection with the hearing such as the right  
15 to present evidence in defense of the allegations in the  
16 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 interest of  
19 expediency and economy, Respondent chooses not to contest these  
20 factual allegations, but to remain silent and understands that,  
21 as a result thereof, these factual statements will serve as a  
22 prima facie basis for the "Determination of Issues" and "Order"  
23 set forth below. The Real Estate Commissioner shall not be  
24 required to provide further evidence to prove such allegations.

25           5. This Stipulation and Respondent's decision not to  
26 contest the Accusation are made for the purpose of reaching an  
27

1 agreed disposition of this proceeding and are expressly limited  
2 to this proceeding and any other proceeding or case in which the  
3 Department of Real Estate (hereinafter "the Department"), the  
4 state or federal government, an agency of this state, or an  
5 agency of another state is involved.

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

16 7. The Order or any subsequent Order of the Real  
17 Estate Commissioner made pursuant to this Stipulation and  
18 Agreement shall not constitute an estoppel, merger or bar to any  
19 further administrative or civil proceedings by the Department of  
20 Real Estate with respect to any matters which were not  
21 specifically alleged to be causes for accusation in this  
22 proceeding.  
23

24 \* \* \*

25 DETERMINATION OF ISSUES

26 By reason of the foregoing stipulations and waivers and  
27 solely for the purpose of settlement of the pending Accusation

1 without a hearing, it is stipulated and agreed that the following  
2 determination of issues shall be made:

3 I

4 The acts and omissions of Respondent EUGENE LEE  
5 BRUINGTON as described in the Accusation are grounds for the  
6 suspension or revocation of Respondents licenses and license  
7 rights under 10177(d) of the Code in conjunction with Section  
8 2801.5 of the Regulations and Section 11018.2 of the Code.

9 \* \* \*

10 ORDER

11 All licenses and licensing rights of Respondent EUGENE LEE  
12 BRUINGTON under the Real Estate Law are suspended for a period of  
13 thirty (30) days from the effective date of this Order; provided,  
14 however, that the thirty (30) days of said suspension shall be  
15 stayed for one (1) year upon the following terms and conditions:

- 16 a) Respondent shall obey all laws, rules and regulations  
17 governing the rights, duties and responsibilities of a real  
18 estate licensee in the State of California; and,  
19 b) That no final subsequent determination be made, after  
20 hearing or upon stipulation, that cause for disciplinary  
21 action occurred within one (1) year from the effective date  
22 of this Order. Should such a determination be made, the  
23 Commissioner may, in his discretion, vacate and set aside  
24 the stay order and reimpose all or a portion of the stayed  
25 suspension. Should no such determination be made, the stay  
26 imposed herein shall become permanent.  
27

6-Jan-07

DATED

TRULY EUGRUE  
Counsel for Complainant

\* \* \*

I have read the Stipulation and Agreement, discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act, and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

01/04/07

DATED

EUGENE LEE BRUINGTON  
Respondent

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

DATED

1/6/07

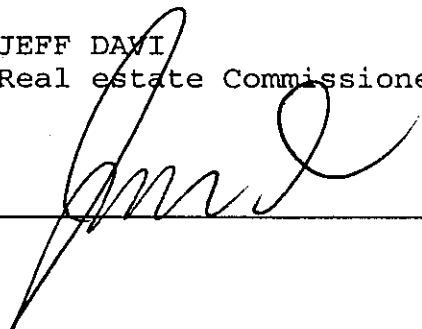
MARION V. YOUNG  
Attorney for Respondent

\* \* \*

The foregoing Stipulation and Agreement is hereby  
adopted as my Decision and shall become effective at 12 o'clock  
noon on MAR 13 2007

IT IS SO ORDERED 2-8-07, 2007.

JEFF DAVIS  
Real estate Commissioner

  
\_\_\_\_\_

FLAG

FILED  
OCT 11 2006

Department of Real Estate  
P.O. Box 187007  
Sacramento, CA 95818-7007

DEPARTMENT OF REAL ESTATE

By Anne Pham

Telephone: (916) 227-0781

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )

No. H-9657 SF

EUGENE LEE BRUINGTON, LESLIE )

STIPULATION AND

EUGENE RYAN, and MARGARET )

AGREEMENT

GLENYS SIMMONS, )

Respondent.

It is hereby stipulated by and between MARGARET GLENYS SIMMONS (hereinafter "Respondent"), and the Complainant, acting by and through Truly Sughrue, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing the Accusation filed on August 3, 2006 in this matter:

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing was to be held in accordance with the provisions of the Administrative Procedure Act (APA), shall instead and in place thereof be submitted solely on the basis of the provisions of this

1 Stipulation and Agreement.

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

5 3. Respondent filed a Notice of Defense pursuant to  
6 Section 11505 of the Government Code for the purpose of  
7 requesting a hearing on the allegations in the Accusation.  
8 Respondent hereby freely and voluntarily withdraws said Notice of  
9 Defense. Respondent acknowledges that he understands that by  
10 withdrawing said Notice of Defense he will thereby waive his  
11 rights to require the Commissioner to prove the allegations in  
12 the Accusation at a contested hearing held in accordance with the  
13 provisions of the APA, and that he will waive other rights  
14 afforded to them in connection with the hearing such as the right  
15 to present evidence in defense of the allegations in the  
16 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 interest of  
19 expediency and economy, Respondent chooses not to contest these  
20 factual allegations, but to remain silent and understands that,  
21 as a result thereof, these factual statements will serve as a  
22 prima facie basis for the "Determination of Issues" and "Order"  
23 set forth below. The Real Estate Commissioner shall not be  
24 required to provide further evidence to prove such allegations.

25 5. This Stipulation and Respondent's decision not to  
26 contest the Accusation are made for the purpose of reaching an  
27



1 agreed disposition of this proceeding and are expressly limited  
2 to this proceeding and any other proceeding or case in which the  
3 Department of Real Estate (hereinafter "the Department"), the  
4 state or federal government, an agency of this state, or an  
5 agency of another state is involved.

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

16 7. The Order or any subsequent Order of the Real  
17 Estate Commissioner made pursuant to this Stipulation and  
18 Agreement shall not constitute an estoppel, merger or bar to any  
19 further administrative or civil proceedings by the Department of  
20 Real Estate with respect to any matters which were not  
21 specifically alleged to be causes for accusation in this  
22 proceeding.  
23

24 \* \* \*

25 DETERMINATION OF ISSUES

26 By reason of the foregoing stipulations and waivers and  
27 solely for the purpose of settlement of the pending Accusation

1 without a hearing, it is stipulated and agreed that the following  
2 determination of issues shall be made:

3 I

4 The acts and omissions of Respondent MARGARET GLENYS  
5 SIMMONS as described in the Accusation are grounds for the  
6 suspension 10177(d) of the Code in conjunction with Section  
7 2801.5 of the Regulations and Section 11018.2 of the Code;

8 \* \* \*

9 ORDER

10 All licenses and licensing rights of Respondent MARGARET  
11 GLENYS SIMMONS under the Real Estate Law are suspended for a  
12 period of thirty (30) days from the effective date of this Order;  
13 provided, however, that the thirty (30) days of said suspension  
14 shall be stayed for two (2) years upon the following terms and  
15 conditions:

- 16 a) Respondent shall obey all laws, rules and regulations  
17 governing the rights, duties and responsibilities of a real  
18 estate licensee in the State of California; and,  
19 b) That no final subsequent determination be made, after  
20 hearing or upon stipulation, that cause for disciplinary  
21 action occurred within two (2) years from the effective date  
22 of this Order. Should such a determination be made, the  
23 Commissioner may, in his discretion, vacate and set aside  
24 the stay order and reimpose all or a portion of the stayed  
25 suspension. Should no such determination be made, the stay  
26 imposed herein shall become permanent.  
27

6-Sept-06

DATED

Truly  
TRULY SUGHRUE

Counsel for Complainant

\* \* \*

I have read the Stipulation and Agreement, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act, and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

8-30-06

DATED

Margaret Glenys Simmons


MARGARET GLENYS SIMMONS  
Respondent

\* \* \*

The foregoing Stipulation and Agreement is hereby adopted as my Decision and shall become effective at 12 o'clock noon on OCT 31 2006

IT IS SO ORDERED 10-10, 2006.

JEFF DAVI  
Real estate Commissioner



FILED  
OCT 11 2006

DEPARTMENT OF REAL ESTATE

By *Gene Mawer*

Department of Real Estate  
P.O. Box 187007  
Sacramento, CA 95818-7007

Telephone: (916) 227-0781

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )

No. H-9657 SF

EUGENE LEE BRUINGTON, LESLIE )

STIPULATION AND  
AGREEMENT

EUGENE RYAN, and MARGARET )

GLENYS SIMMONS, )

Respondent.

It is hereby stipulated by and between LESLIE EUGENE RYAN (hereinafter "Respondent"), and the Complainant, acting by and through Truly Sughrue, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing the Accusation filed on August 3, 2006 in this matter:

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

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

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

17           4. This stipulation is based on the factual  
18 allegations contained in the Accusation. In the interest of  
19 expediency and economy, Respondent chooses not to contest these  
20 factual allegations, but to remain silent and understands that,  
21 as a result thereof, these factual statements will serve as a  
22 prima facie basis for the "Determination of Issues" and "Order"  
23 set forth below. The Real Estate Commissioner shall not be  
24 required to provide further evidence to prove such allegations.

25           5. This Stipulation and Respondent's decision not to  
26 contest the Accusation are made for the purpose of reaching an  
27 agreed disposition of this proceeding and are expressly limited

1 to this proceeding and any other proceeding or case in which the  
2 Department of Real Estate (hereinafter "the Department"), the  
3 state or federal government, an agency of this state, or an  
4 agency of another state is involved.

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

15 7. The Order or any subsequent Order of the Real  
16 Estate Commissioner made pursuant to this Stipulation and  
17 Agreement shall not constitute an estoppel, merger or bar to any  
18 further administrative or civil proceedings by the Department of  
19 Real Estate with respect to any matters which were not  
20 specifically alleged to be causes for accusation in this  
21 proceeding.  
22

23 \* \* \*

24 DETERMINATION OF ISSUES

25 By reason of the foregoing stipulations and waivers and  
26 solely for the purpose of settlement of the pending Accusation  
27

1 without a hearing, it is stipulated and agreed that the following  
2 determination of issues shall be made:

3 I

4 The acts and omissions of Respondent LESLIE EUGENE  
5 RYAN as described in the Accusation are grounds for the  
6 suspension 10177(d) of the Code in conjunction with Section  
7 2801.5 of the Regulations and Section 11018.2 of the Code;

8 \* \* \*

9 ORDER

10 All licenses and licensing rights of Respondent LESLIE  
11 EUGENE RYAN under the Real Estate Law are suspended for a period  
12 of forty-five (45) days from the effective date of this Order;  
13 provided, however, that:

14 1) Fifteen (15) days of said suspension shall be stayed, upon the  
15 condition that Respondent petition pursuant to Section 10175.2  
16 of the Business and Professions Code and pays a monetary  
17 penalty pursuant to Section 10175.2 of the Business and  
18 Professions Code at a rate of \$100 for each day of the  
19 suspension for a total monetary penalty of \$1,500.

20 a) Said payment shall be in the form of a cashier's check or  
21 certified check made payable to the Recovery Account of the  
22 Real Estate Fund. Said check must be delivered to the  
23 Department prior to the effective date of the Order in this  
24 matter.

25 b) No further cause for disciplinary action against the Real  
26 Estate licenses of said Respondent occurs within two (2)  
27

1 years from the effective date of the decision in this  
2 matter.

3 c) If Respondent fails to pay the monetary penalty as provided  
4 above prior to the effective date of this Order, the stay of  
5 the suspension shall be vacated as to that Respondent and  
6 the order of suspension shall be immediately executed, under  
7 this Order, in which event the said Respondent shall not be  
8 entitled to any repayment nor credit, prorated or otherwise,  
9 for the money paid to the Department under the terms of this  
10 Order.

11 d) If Respondent pays the monetary penalty and any other moneys  
12 due under this Stipulation and Agreement and if no further  
13 cause for disciplinary action against the real estate  
14 license of said Respondent occurs within two (2) years from  
15 the effective date of this Order, the entire stay hereby  
16 granted under this Order, as to said Respondent only, shall  
17 become permanent.

18 2) The remaining thirty (30) days of said suspension shall be  
19 stayed for two (2) years upon the following terms and  
20 conditions:

21 a) Respondent shall obey all laws, rules and regulations  
22 governing the rights, duties and responsibilities of a real  
23 estate licensee in the State of California; and,

24 b) That no final subsequent determination be made, after  
25 hearing or upon stipulation, that cause for disciplinary  
26 action occurred within two (2) years from the effective date  
27 of this Order. Should such a determination be made, the



Commissioner may, in his discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed suspension. Should no such determination be made, the stay imposed herein shall become permanent.

13-Sept-06

DATED

TRULY SUGHRUE  
Counsel for Complainant

\* \* \*

I have read the Stipulation and Agreement, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act, and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

Sept 8, 06

DATED

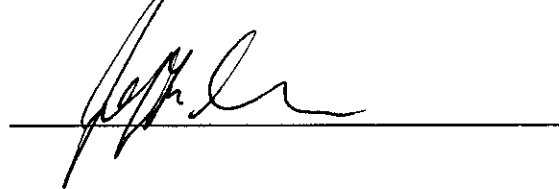
Margaret Glentys Simons  
Respondent

\* \* \*

The foregoing Stipulation and Agreement is hereby  
adopted as my Decision and shall become effective at 12 o'clock  
noon on OCT 31 2006

IT IS SO ORDERED 10-10, 2006.

JEFF DAVI  
Real estate Commissioner



1 TRULY SUGHRUE, Counsel  
2 State Bar No. 223266  
3 Department of Real Estate  
4 P.O. Box 187007  
5 Sacramento, CA 95818-7007  
6  
7 Telephone: (916) 227-0781  
8

FILED  
AUG 03 2008

DEPARTMENT OF REAL ESTATE

By Anne Sharrow

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
EUGENE LEE BRUINGTON, LESLIE )  
EUGENE RYAN, and MARGARET )  
GLENYS SIMMONS, )  
Respondents. )

No. H-9657 SF

ACCUSATION

The Complainant, E. J. HABERER II, a Deputy Real Estate  
Commissioner of the State of California, for cause of Accusation  
against EUGENE LEE BRUINGTON, LESLIE EUGENE RYAN, and MARGARET  
GLENYS SIMMONS (hereinafter "Respondents"), is informed and  
alleges as follows:

I

The Complainant, E. J. HABERER II, a Deputy Real Estate  
Commissioner of the State of California, makes this Accusation in  
his official capacity.

\\

\\

II

At all times herein mentioned, Respondents were and now are licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) (hereinafter "the Code").

III

At all times herein mentioned, Respondent EUGENE LEE BRUINGTON (hereinafter "BRUINGTON") was and now is licensed by the Department of Real Estate (hereinafter "the Department") as a real estate broker.

IV

At all times herein mentioned, Respondent LESLIE EUGENE RYAN (hereinafter "RYAN") was and now is licensed by the Department as a restricted real estate broker.

V

At all times herein mentioned Respondent MARGARET GLENYS SIMMONS (hereinafter "SIMMONS") was and now is licensed by the Department as a real estate salesperson, and was employed as such by Respondent RYAN.

VI

At all times herein mentioned, Respondent RYAN, and Respondent SIMMONS acting on behalf of Respondent RYAN, engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers within the State of California within the meaning of Sections 10131(a) of the Code, including the operation and conduct of a real estate brokerage business with the public wherein, on behalf of others,

1 for compensation or in expectation of compensation, Respondents  
2 RYAN and SIMMONS sold and offered to sell, solicited prospective  
3 sellers and purchasers of, and negotiated the purchase and sale  
4 of real property.

5 VII

6 At all times mentioned herein Respondents were the  
7 owner or subdivider, or agents of the owner or subdivider of  
8 subdivided lands as defined in Sections 11000, 11003, and 11004.5  
9 of the Code.

10 VIII

11 Said subdivided lands are known as or commonly called  
12 Tract No. 225, Unit 1, of the "Vichy Springs" subdivision, and  
13 are located in or near the City of Ukiah, State of California  
14 (hereinafter "Vichy Springs").

15 IX

16 On or about August 16, 1991, the Department issued to  
17 Art C., LLC, a California Limited Liability Company, the  
18 Department's Final Subdivision Public Report, File Number  
19 030206SA-A02 (hereinafter "the Final Public Report"), authorizing  
20 said subdividers to offer for sale and sell lots in the Vichy  
21 Springs. On or about March 27, 2001 the Final Public Report was  
22 renewed and amended.

23 X

24 On or about May 8, 2002, Art C, LLC transferred it's  
25 interest in parcels 34, 35, 36, 37, 38, 49, 50, 51, 52, 53, 54,  
26 55, 56, 59, 60, 61, 62, 63, 64, and 65 of the Vichy Springs  
27 subdivision to Exchange Bank as custodian for Peter Piasecki Roth

1 IRA, Exchange Bank as custodian for Monica C. Piasecki Roth IRA,  
2 and Exchange Bank as custodian for Brooke E. Piasecki Roth IRA.

3 XI

4 Also on or about May 8, 2002, Exchange Bank as  
5 custodian for Peter Piasecki Roth IRA, Exchange Bank as custodian  
6 for Monica C. Piasecki Roth IRA, and Exchange Bank as custodian  
7 for Brooke E. Piasecki Roth IRA transferred it's interest in  
8 parcels 34, 35, 36, 37, 38, 49, 50, 51, 52, 53, 54, 55, 56, 59,  
9 60, 61, 62, 63, 64, and 65 of the Vichy Springs subdivision to  
10 Respondent BRUINGTON.

11 XII

12 At all times herein mentioned, the Department has never  
13 issued to BRUINGTON any conditional public report or any final  
14 public report authorizing any person to offer for sale or lease,  
15 negotiate the sale or lease, or sell or lease of any lots, units  
16 or parcels in the Vichy Springs subdivision.

17 XIII

18 Beginning on or about October 2003, Respondents  
19 solicited prospective purchasers, offered for sale, and sold  
20 lots, units or parcels in Vichy Springs Subdivision, including  
21 but not limited to parcels 34, 50, 51, 52, 53, 59, 60, 61, 62,  
22 63, 64, and 65.

23 XIV

24 On or about the dates tabulated below, Respondents  
25 offered for sale and sold the lots tabulated below in said  
26 Subdivision to the purchasers tabulated below:  
27

Parcel	Date	Purchasers
34	6/16/2004	Edward and Alma de los Santos
50	1/28/2005	The Michael Joseph Group, LLC
51	5/4/2005	Bobby & Sherrilynn Goates
52	11/24/2003	Mitchell and Linda Crossley
53	10/3/2003	Pacific Northwest Development
59	2/20/2004	The Michael Joseph Group, LLC
60	8/3/2004	Juvenal and Emma Vasquez
61	9/24/2004	Redro and Julia Roche
62	5/20/2005	Juvenal Vasquez, Emma Vasquez, Rigoberto Vasquez, and Francisco Vasquez
63	3/4/2004	Mike Schutz, Chris Harris
64	5/18/2004	Kevin Berry, Maureen Baumgartner
65	12/21/2004	The Michael Joseph Group, LLC

#### XV

Respondents sold and offered for sale lots, units, or parcels in said Subdivision, as described in Paragraphs XIII and XIV, above, without having first obtained a public report as required by Section 11018.2 of the Business and Professions Code of the State of California (hereinafter "the Code") and Section 2801.5 of Chapter 6, Title 10, California Code of Regulations (hereinafter "the Regulations").

#### XVI

The acts and omissions of Respondents described in Paragraph XV, above, constitute cause for the suspension or revocation of the licenses and license rights of Respondents

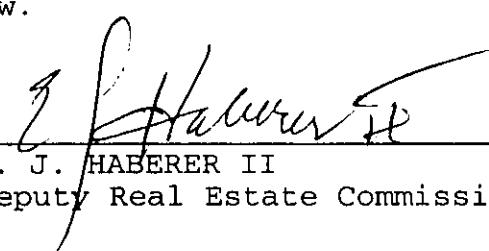
1 under Section 10177(d) of the Code in conjunction with Section  
2 2801.5 of the Regulations and Section 11018.2 of the Code.

3 PRIOR DISCIPLINE

4 XVII

5 Effective July 11, in Case No. H-7782 SF, the Real  
6 Estate Commissioner revoked the real estate broker license of  
7 Respondent RYAN for violation of Sections 10145 and 10177(h) of  
8 the Code, and Sections 2831.2 and 2832.1 of the Regulations in  
9 conjunction with Section 10177(d) of the Code, but granted each  
10 Respondent the right to the issuance of a restricted real estate  
11 broker license, subject to terms, conditions and restrictions  
12 pursuant to Sections 10156.6 and 10156.7 of the Code.

13 WHEREFORE, Complainant prays that a hearing be  
14 conducted on the allegations of this Accusation and that upon  
15 proof thereof a decision be rendered imposing disciplinary action  
16 against all licenses and license rights of Respondent under the  
17 Real Estate Law (Part 1 of Division 4 of the Business and  
18 Professions Code) and for such other and further relief as may be  
19 proper under other provisions of law.

20  
21   
22 E. J. HABERER II  
Deputy Real Estate Commissioner

23 Dated at Oakland, California,  
24 this 2nd day of August, 2006  
25  
26  
27