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DEPARTMENT OF REAL ESTATE

By *R. Frost*

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BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	
JBC FINANCIAL SERVICES, INC.)	No. H-10730 SF
and THOMAS B. McGOVERN,)	
)	
Respondent.)	
)	

ORDER SUSPENDING REAL ESTATE BROKER LICENSES

TO: JBC FINANCIAL SERVICES, INC. and THOMAS B. McGOVERN
("Respondent McGOVERN"), (collectively referred to as "Respondents").

On December 21, 2009, stayed suspensions of Respondents' real estate broker licenses were issued by the Department of Real Estate on the terms, conditions and restrictions set forth in the Real Estate Commissioner's Decision effective January 19, 2010, in Case No. H-10730 SF. This Decision granted the stayed suspensions of Respondents' real estate broker licenses subject to the provisions of Section 10156.7 of the Business and Professions Code ("the Code") of the State of California, and the additional term, condition and restriction imposed under authority of Section 10148 of the Code that Respondents shall, jointly and severally, pay the Commissioner's reasonable costs for the audit which led to the disciplinary action for trust

1 fund violations as set forth in the Proposed Decision dated November 19, 2009. The cost of said
2 audit totaled \$1,969.30.

3 On or about February 8, 2010, the Commissioner sent an initial invoice to
4 Respondent McGOVERN for the reasonable costs of the audit. This initial invoice was received
5 at Respondent McGOVERN's office on or about February 16, 2010.

6 On or about May 5, 2010, the Commissioner sent a second invoice seeking
7 reimbursement for the reasonable costs of the audit. This second invoice was received at
8 Respondent McGOVERN's office on May 17, 2010.

9 On or about May 17, 2010, Respondent McGOVERN sent the Commissioner a
10 letter requesting an extension of time and payment plan under which to pay the balance of the
11 audit costs.

12 On or about May 19, 2010, the Commissioner sent a letter to Respondent
13 McGOVERN granting him a six month extension and informing Respondent McGOVERN that
14 his request for a payment plan had been approved. The first payment of \$328.25 under the
15 approved payment plan was due on June 21, 2010 and the last payment was due on November
16 21, 2010.

17 As of November 15, 2011, the Commissioner has not received any payments for
18 the Commissioner's cost of the audit, as described above.

19 The Commissioner has determined that Respondents failed to satisfy the
20 conditions described above, and as such, that Respondents are in violation of Sections 10148 and
21 10177(d) of the Code.

22 NOW, THEREFORE, IT IS ORDERED under authority of Section 10156.7 of the
23 Code of the State of California that the real estate licenses heretofore issued to Respondents and
24 the exercise of any privileges thereunder are hereby suspended until such time as Respondents
25 provides proof satisfactory to the Commissioner that Respondents have satisfied the conditions,
26 described above, or pending final determination made after hearing (see "Hearing Rights" set
27 forth below).

1 IT IS FURTHER ORDERED that all license certificates and identification cards
2 issued by the Department of Real Estate which are in the possession of Respondents be
3 immediately surrendered by personal delivery or by mailing in the enclosed self-addressed,
4 stamped envelope to:

5 DEPARTMENT OF REAL ESTATE
6 ATTN: Flag Section
7 P. O. Box 187000
8 Sacramento, CA 95818-7000

9 HEARING RIGHTS: Respondents have the right to a hearing to contest the
10 Commissioner's determination that Respondents are in violation of Sections 10148 and 10177(d)
11 of the Code. If Respondents desire a hearing, Respondents must submit a written request. The
12 request may be in any form, as long as it is in writing and indicates that Respondents want a
13 hearing. Unless a written request for a hearing, signed by or on behalf of Respondents, is
14 delivered or mailed to the Department of Real Estate, Legal Section, at 2201 Broadway, P. O.
15 Box 187007, Sacramento, California 95818-7007, within twenty (20) days after the date that this
16 Order was mailed to or served upon Respondents, the Department will not be obligated or
17 required to provide Respondents with a hearing.

18 This Order shall be effective immediately.

19 DATED: 2/2/12

20 BARBARA J. BIGBY
21 Acting Real Estate Commissioner

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