

1 Megan Lee Olsen, Counsel, SBN 272554
2 Bureau of Real Estate
3 P. O. Box 137007
4 Sacramento, CA 95813-7007

5 Telephone: (916) 263-8672
6 (916) 263-3767 (Fax)
7 (916) 263-7305 (Direct)

FILED

JUN 13 2017

BUREAU OF REAL ESTATE

By M. Roberts

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of

HALO FINANCIAL INC.,
PETER STEPHAN HALO, and
STEPHANIE ANN HALO

Respondents.

NO. H-12098 SF

ACCUSATION

The Complainant, ROBIN S. TANNER, acting in her official capacity as a
Supervising Special Investigator for the State of California, for cause of Accusation against
HALO FINANCIAL INC. (hereinafter "HFI"), PETER STEPHAN HALO (hereinafter "P
HALO"), and STEPHANIE ANN HALO (hereinafter "S HALO"), collectively, Respondents, is
informed and alleges as follows:

1

At all times herein mentioned, HFI was and is presently licensed and/or has
license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and
Professions Code (hereinafter "the Code") by the Bureau of Real Estate (hereinafter "the
Bureau") as a corporate real estate broker doing business as Halo-House Commercial, Halo-
House Mortgage, and Halo-House Realty. On or about October 13, 2015, the California
Secretary of State suspended the corporate powers, rights and privileges of HFI. To date, the

1 corporate powers, rights and privileges of HFI remain suspended by the California Secretary of
2 State.

3 2

4 At all times herein mentioned, P HALO was and is presently licensed and/or has
5 license rights under the Real Estate Law, Part 1 of Division 4 of the Code by the Bureau as a real
6 estate broker.

7 3

8 At all times herein mentioned, S HALO was and is presently licensed and/or has
9 license rights under the Real Estate Law, Part 1 of Division 4 of the Code by the Bureau as a
10 real estate broker.

11 4

12 At all times herein mentioned, P HALO and S HALO were licensed by the
13 Bureau as the designated brokers/officers of HFI. As the designated brokers/officers, P HALO
14 and S HALO were responsible, pursuant to Section 10159.2 of the Code, for the supervision of
15 the activities of the officers, agents, real estate licensees and employees of HFI for which a real
16 estate license is required.

17 5

18 At all times herein mentioned, Respondents engaged in the business of, acted in
19 the capacity of, advertised, or assumed to act as a real estate broker, in the State of California,
20 within the meaning of section 10131 (a) of the Code, including the operation and conduct of a
21 real estate resale brokerage with the public, wherein, on behalf of others, for compensation or in
22 expectation of compensation, Respondents sold and offered to sell, bought and offered to buy,
23 solicited prospective sellers and purchasers of, solicited and obtained listings of, and negotiated
24 the purchase and resale of real property.

25 ///

26 ///

27 ///

Whenever reference is made in an allegation in this Accusation to an act or omission of HFI, such allegation shall be deemed to mean that the officers, directors, employees, agents and real estate licensees employed by or associated with HFI committed such act or omission while engaged in the furtherance of the business or operations of HFI and while acting within the course and scope of their corporate authority and employment.

FIRST CAUSE OF ACTION

(As to HFI only)

7

Each and every allegation in Paragraphs 1 through 6, inclusive, is incorporated by this reference as if fully set forth herein.

8

In the course and scope of the activities set forth above in Paragraph 5, HFI, on or about May 24, 2016, entered into a listing agreement with Phuan T., seller, to market and sell the real property at 33 Adrian Terrace, San Rafael, CA 94903.

9

As set forth above in Paragraphs 1 and 5-8, at all times herein mentioned, HFI engaged in activities requiring a real estate license while its corporate status was suspended.

10

The facts alleged above in Paragraphs 1 and 5-8 constitute cause for the suspension or revocation of all licenses and license rights of HFI under Section 2742 (c) of the California Code of Regulations (Operating While Not In Good Standing with Secretary of State), in conjunction with Section 10177 (d) (Willful Disregard of Real Estate Laws), and/or 10177 (g) (Negligence/Incompetence of Licensee) of the Code.

///

///

///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

2

3

4
5

6

7
8

9

10
11
12
13

14

15
16
17
18

19

20
21
22

23

24
25
26

27

1 10177 (d) (Willful Disregard of Real Estate Laws), and/or 10177 (g) (Negligence/Incompetence
2 of Licensee) of the Code.

3 THIRD CAUSE OF ACTION

4 (As to P Halo and S Halo only)

5 17

6 Each and every allegation in Paragraphs 1 through 16, inclusive, is incorporated
7 by this reference as if fully set forth herein.

8 18

9 P HALO and S HALO, as the designated brokers/officers of HFI, were required to
10 exercise reasonable supervision and control over the activities of HFI. P HALO and S HALO
11 failed to exercise reasonable supervision over the acts and/or omissions of HFI in such a manner
12 as to allow the acts and/or omissions as described in Paragraphs 7 through 10, above, to occur in
13 violation of Section 10159.2 of the Code (Duty of Designated Officer to Supervise the Activities
14 of the Corporation).

15 19

16 The above acts and/or omissions of P HALO and S HALO violate Section 2725
17 (Broker Supervision) of the Regulations and Section 10159.2 of the Code and constitute grounds
18 for disciplinary action under the provisions of Sections 10177(d), 10177(g) and/or 10177(h)
19 (Broker Supervision) of the Code.

20 20

21 COST RECOVERY

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

26 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
27 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary

1 action against all licenses and license rights of Respondent under the Code, for the reasonable
2 cost of investigation and agency attorney's fees in this matter, and for such other and further
3 relief as may be proper under other provisions of law.

4
5 

6 ROBIN S. TANNER
Supervising Special Investigator

7 Dated at Oakland, California,
8 this 9th day of June, 2017.

9
10 DISCOVERY DEMAND

11 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
12 Bureau of Real Estate hereby makes demand for discovery pursuant to the guidelines set forth in
13 the *Administrative Procedure Act*. Failure to provide Discovery to the Bureau of Real Estate
14 may result in the exclusion of witnesses and documents at the hearing or other sanctions that the
15 Office of Administrative Hearings deems appropriate.