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JUL 29 1991

DEPARTMENT OF REAL ESTATE  
BY *Sylvia Williams*

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \* \*

In the Matter of the Accusation of	)	No. H-22298 LA
	)	
BEATRICE C. LA RUE,	)	L-35691
	)	
Respondent.	)	
	)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On June 17, 1986, a Decision was rendered herein revoking the real estate salesperson license of Respondent, effective July 10, 1986, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on July 25, 1986, and Respondent has operated as a restricted licensee since that time without further cause for discipline.

On September 20, 1990, Respondent petitioned for reinstatement of said real estate salesperson license and the Attorney General of the State of California has been given notice of the filing of said petition.

1 I have considered Respondent's petition and the  
2 evidence and arguments submitted in support thereof. Respondent  
3 has demonstrated to my satisfaction that grounds do not presently  
4 exist to deny the issuance of an unrestricted real estate sales-  
5 person license to Respondent.

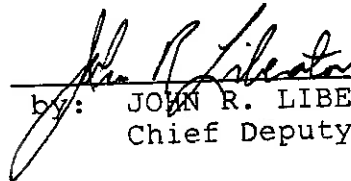
6 NOW, THEREFORE, IT IS ORDERED that Respondent's  
7 petition for reinstatement is granted and that an unrestricted  
8 real estate salesperson license be issued to respondent after  
9 she satisfies the following conditions within one (1) year from  
10 the date of this Order:

- 11 1. Submittal of a completed application and payment  
12 of the fee for a real estate salesperson license; and  
13 2. Submittal of evidence satisfactory to the Real  
14 Estate Commissioner that Respondent has, during the last four  
15 years, taken and successfully completed the continuing education  
16 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
17 for renewal of a real estate license.

18 This Order is effective immediately.

19 DATED: July 24, 1991.

20  
21 CLARK WALLACE  
22 Real Estate Commissioner

23   
24 by: JOHN R. LIBERATOR  
25 Chief Deputy Commissioner

26 cc: Beatrice C. LaRue  
27 2336 Delta Avenue  
Long Beach, CA 90810

7/2/86

MAY 25 1988

DEPARTMENT OF REAL ESTATE  
*Sybil Williams*

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DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \* \*

In the Matter of the Accusation of ) NO. H-22298 LA  
)  
)  
) BRIAN NELSON OKULEY,  
) DONALD EDWARD PARSONS, JR.,  
) BEATRICE C. LA RUE; and  
) CALIFORNIA PACIFIC FUNDING  
) CORPORATION doing business  
) as Consumer Real Estate  
) Services.  
)  
) Respondents. )

ORDER GRANTING REINSTATEMENT OF LICENSE

On June 12, 1986, a Decision was rendered herein  
revoking the real estate salesperson license of respondent  
DONALD EDWARD PARSONS, JR. (hereinafter "respondent") effective  
July 8, 1986, but granting respondent the right to the issuance  
of a restricted real estate salesperson license. A restricted  
real estate salesperson license was issued to respondent on  
July 25, 1986, and respondent has operated as a restricted  
licensee without cause for disciplinary action against respondent  
since that time.

On September 29, 1987, respondent petitioned for rein-  
statement of said real estate salesperson license and the  
Attorney General of the State of California has been given  
notice of the filing of said petition.

4 notice of this  
5 I have considered respondent's petition and the  
6 evidence and arguments in support thereof including respondent's  
7 record as a restricted licensee. Respondent has demonstrated  
8 to my satisfaction that grounds do not presently exist to deny  
9 the issuance of an unrestricted real estate salesperson license  
10 to respondent.

10 to respondent.  
11 NOW, THEREFORE, IT IS ORDERED that respondent's  
12 petition for reinstatement is granted and that an unrestricted  
13 real estate salesperson license be issued to respondent after  
14 respondent satisfies the following conditions within one (1)  
15 year from the date of this Order:

1. Submittal of a completed application and payment  
of the fee for a real estate salesperson license.

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4

2. Submittal of evidence satisfactory to the Real Estate Commissioner that respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license.

This Order shall become effective immediately.

DATED: May 11, 1988

JAMES A. EDMONDS, JR.  
Real Estate Commissioner

By:

JOHN R. LIBERATOR  
Chief Deputy Commissioner

cc: Donald Edward Parsons, Jr.  
10102 Forrestal Drive  
Huntington Beach, CA 92646

FILED

MAY 25 1988

DEPARTMENT OF REAL ESTATE

BY *E. J. Williams*

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \* \*

In the Matter of the Accusation of )  
BRIAN NELSON OKULEY, )  
DONALD EDWARD PARSONS, JR., )  
BEATRICE C. LA RUE; and )  
CALIFORNIA PACIFIC FUNDING )  
CORPORATION doing business )  
as Consumer Real Estate )  
Services. )  
Respondents. )

NO. H-22298 LA

L-35691

ORDER GRANTING REINSTATEMENT OF LICENSE

On June 17, 1986, a Decision was rendered herein  
revoking the real estate salesperson license of respondent  
BRIAN NELSON OKULEY, (hereinafter "respondent"), effective  
July 10, 1986.

On October 29, 1987, respondent petitioned for rein-  
statement of said real estate salesperson license and the  
Attorney General of the State of California has been given  
notice of the filing of said petition.

I have considered respondent's petition and the

1 evidence and arguments in support thereof. Respondent has  
2 demonstrated to my satisfaction that grounds do not presently  
3 exist to deny the issuance of an unrestricted real estate sales-  
4 person license to respondent.

5 NOW, THEREFORE, IT IS ORDERED that respondent's  
6 petition for reinstatement is granted and that an unrestricted  
7 real estate salesperson license be issued to respondent BRIAN  
8 NELSON OKULEY, after respondent satisfies the following condi-  
9 tions within one (1) year from the date of this Order:

10 1. Submittal of a completed application and payment  
11 of the fee for a real estate salesperson license.

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1                   2. Submittal of evidence satisfactory to the Real  
2 Estate Commissioner that respondent has, since the most recent  
3 issuance of an original or renewal real estate license, taken  
4 and successfully completed the continuing education requirements  
5 of Article 2.5 of Chapter 3 of the Real Estate Law for renewal  
6 of a real estate license.

7                   This Order shall become effective immediately.

8                   DATED: May 16, 1988

9  
10 JAMES A. EDMONDS, JR.  
Real Estate Commissioner

11  
12 By:

John R. Liberator  
JOHN R. LIBERATOR  
Chief Deputy Commissioner

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23  
24  
25 cc: Brian Nelson Okuley  
26       261 Altura Drive  
27       Fullerton, CA 92635



DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

JUN 20 1986

DEPARTMENT OF REAL ESTATE

By *Laura B. Choma*

In the Matter of the Accusation of )

BRIAN NELSON OKULEY, )  
DONALD EDWARD PARSONS, JR., )  
BEATRICE C. LA RUE; and )  
CALIFORNIA PACIFIC FUNDING )  
CORPORATION doing business )  
as Consumer Real Estate )  
Services, )

No. H- 22298 LA

L- 35691

Respondent(s). )

DECISION

The Proposed Decision dated JUNE 2, 1986,  
of the Administrative Law Judge of the Office of Administrative  
Hearings, is hereby adopted as the Decision of the Real Estate  
Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock  
noon on July 10, 1986.

IT IS SO ORDERED

June 17, 1986  
JAMES A. EDMONDS, JR.  
Real Estate Commissioner

By: *John R. Liberator*  
JOHN R. LIBERATOR  
Chief Deputy Commissioner

BEFORE THE DEPARTMENT OF REAL ESTATE

OF THE STATE OF CALIFORNIA

In the Matter of the Accusation of

BRIAN NELSON OKULEY,  
DONALD EDWARD PARSONS JR.,  
BEATRICE C. LA RUE; and  
CALIFORNIA PACIFIC FUNDING  
CORPORATION doing business  
as Consumer Real Estate  
Services,

NO. H-22298 LA

L-35691

Respondents.

## PROPOSED DECISION

This matter came on regularly for hearing before Rosalyn M. Chapman, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California, on May 14, 1986. Complainant was represented by Timothy Newlove, Staff Counsel. Respondent Okuley was present at the hearing and was represented by Morris Stone, Attorney at Law. Respondent La Rue was present at the hearing and was represented by Huey P. Shepard, Attorney at Law. Respondent California Pacific Funding Corporation was represented by Ross Como, President.

At the hearing complainant moved to dismiss the Accusation against Donald Edward Parsons, Jr., on the grounds that a settlement had been reached with him. Said motion was granted.

Evidence was presented solely by stipulation and based upon that evidence, the Administrative Law Judge makes the following findings:

1. The Accusation was made by Thomas McCrady solely in his official capacity as Deputy Real Estate Commissioner of the State of California.

2. At all times mentioned herein, respondent Brian Nelson Okuley (hereafter respondent Okuley) was and is licensed by the Department of Real Estate of the State of California (hereafter Department) as a real estate salesperson.

3. At all times mentioned herein, respondent Beatrice C. La Rue (hereafter respondent La Rue) was and is licensed by the Department as a real estate salesperson.

4. At all times mentioned herein, respondent California Pacific Funding Corporation doing business as Consumer Real Estate Services (hereafter respondent California) was and is licensed by the Department as a corporate real estate broker.

5. At all times mentioned herein, respondents Okuley and La Rue were performing acts for which a real estate license is required, in expectation of compensation, while licensed and acting on behalf of respondent California.

6. On or about August 24, 1984, Martha L. Watson (hereafter Watson) was the owner of real property commonly known as 1620 East McMillan, Compton, California (hereafter property).

7. At all times mentioned herein, respondent La Rue, on behalf of respondent California, acted as real estate agent for Watson in the sale of the property. On or about August 24, 1982, Watson and respondent Okuley executed a document entitled "Agreement to Purchase and Receipt for Deposit" whereby Watson agreed to sell and respondent Okuley "or nominee" agreed to purchase property.

8. On or about August 24, 1982, Watson and Ross Paul Como and Kathleen A. Como executed a document entitled "Escrow Instructions" whereby Watson agreed to sell and Como agreed to purchase the property. The escrow instructions were prepared at Gold Country Escrow, Inc., and were amended on numerous occasions. At all times material herein, respondent Okuley acted as real estate agent for Como in the subject transaction.

9. At all times mentioned herein, Ross Paul Como was the owner and president of respondent California. On or about August 2, 1982, Ross Paul Como and respondent Okuley and each of them, filed fictitious business name statements in Los Angeles County for Consumer Real Estate Services and Consumer Escrow Services.

10. On or about October 7, 1982, respondent California employed respondents Okuley and La Rue as real estate salespersons.

11. On or about September 2, 1982, the above-described escrow at Gold Country Escrow, Inc., was cancelled. On or about October 11, 1982, escrow for the subject transaction was reopened at Consumer Real Estate Escrow Division and Watson and Como executed escrow instructions for the sale and purchase of property.

12. The escrow instructions dated October 11, 1982, set forth the following terms: The sales price was \$83,000; Como agreed to pay the sales price by paying \$19,800 in cash and obtain a new loan for \$63,200, and Watson agreed to pay an entity entitled "Future City Investments" \$7,450 from the escrow proceeds. At all times material herein, Future City Investments was a sole proprietorship owned and operated by respondent Okuley.

13. In or about September 1982, Como applied for a \$63,200 loan from Dade Savings Mortgage Company in order to finance the purchase of property. In or about November 1982, the loan was approved and funded.

14. On or about November 12, 1982, escrow closed on the subject transaction and Watson deeded the property to Como. In or about the same time, respondent Okuley caused the preparation of and executed a \$19,800 note and second deed of trust in favor of Watson. Said note and deed of trust were part of the financing of the transaction. The deed of trust was secured by the property and recorded on March 10, 1983.

15. From January 1983 to and including April 1983, respondent Okuley made monthly payments on the Dade Savings loan. Thereafter, Okuley ceased making such payments. From December 1982 to and including August 1983, respondent Okuley made monthly payments on the above-described \$19,800 note to Watson. Thereafter Okuley ceased making such payments.

16. On or about February 15, 1983, Como executed a document entitled "Grant Deed" whereby he transferred the property to respondent Okuley. Said grant deed was recorded on March 4, 1983.

17. On or about September 27, 1983, Dade Savings filed a notice of default on the above-described loan to Como. On or about May 22, 1984, Dade Savings was granted property by a trustee sale. Said nonjudicial foreclosure proceedings extinguished Watson's interest in the above-described \$19,800 note and second deed of trust.

18. In acting as real estate agents in the transaction, respondent Okuley and La Rue acted negligently by allowing Watson to enter into a "cash to buyer" transaction without explaining the dangers of said transaction to her.

\* \* \* \* \*

Pursuant to stipulation between the parties, the Administrative Law Judge makes the following determination of issues:

1. Grounds exist to revoke or suspend respondent Okuley's license pursuant to Business and Professions Code Section 10177(g) in that he was negligent in the Watson transaction.

2. Grounds exist to revoke or suspend respondent La Rue's license pursuant to BPC Section 10177(g) in that she was negligent in the Watson transaction.

3. Grounds exist to revoke or suspend the license of respondent California Pacific Funding Corporation dba Consumer Real Estate Services pursuant to BPC Section 10177(h) for failing to properly supervise respondent La Rue in the Watson transaction.

\* \* \* \* \*

Pursuant to stipulation between the parties, and without making any independent evaluation of the facts and determination of issues,

THE FOLLOWING ORDER is hereby made:

1. The license of respondent Brian Nelson Okuley to act as a real estate salesperson is revoked.

2. The license of respondent Beatrice C. La Rue to act as a real estate salesperson is revoked; provided, however, a restricted real estate salesperson's license shall be issued to respondent La Rue pursuant to Business and Professions Code (BPC) Section 10156.5, et seq. if she makes application therefor and pays the Department of Real Estate the appropriate fees for said license within six (6) months from the effective date of the decision herein.

The restricted license issued to respondent La Rue shall be subject to all the provisions of BPC Section 10156.7 and to the following limitations, conditions and restrictions:

A. Said restricted license may be suspended prior to hearing by order of the Real Estate Commissioner in the event of respondent La Rue's conviction of, or plea of nolo contendere to, a crime which bears a significant relationship to respondent's fitness or capacity to act as a real estate licensee.

B. Respondent La Rue shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal

of any of the conditions, limitations or restrictions of a restricted license until one (1) year has elapsed from the date of issuance of the restricted license to her.

C. Respondent La Rue shall not engage in activities for which a real estate license is required except while she is employed, and under the supervision, of a fully licensed real estate broker. Within thirty (30) days of the commencement of her employment by any such broker or transfer to such broker, respondent shall submit to the Department a statement signed by the employing broker which shall certify:

(1) That he has read the decision of the Commissioner which has granted the right to the restricted license;  
and

(2) That he will exercise close supervision over the performance of respondent La Rue's activities for which a real estate license is required.

D. Within one year of the issuance of the restricted real estate license to respondent La Rue, she shall present evidence satisfactory to the Department of having taken and completed 45 hours of approved continuing education offerings within the four year period immediately preceding the date upon which she presents such evidence to the Department.

3. The corporate real estate broker's license issued to California Pacific Funding Corporation, doing business as Consumer Real Estate Services is hereby revoked.

4. In the event that the Commissioner does not adopt the herein Proposed Decision, all stipulations between the parties shall be deemed null and void and the matter shall be reset for hearing in accordance with Government Code Section 11500 et seq.

I hereby submit the foregoing which constitutes my Proposed Decision in the above-entitled matter, as a result of the hearing had before me on May 14, 1986, at Los Angeles, California, and recommend its adoption as the decision of the Real Estate Commissioner.

DATED: June 2, 1986

*Rosalyn M. Chapman*  
ROSALYN M. CHAPMAN  
Administrative Law Judge  
Office of Administrative Hearings

RMC:mh

FILED

JUN 17 1986

DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE

BY Laura B. Orna

STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of )

NO. H-22298 LA

BRIAN NELSON OKULEY,  
DONALD EDWARD PARSONS, JR.,  
BEATRICE C. LA RUE; and  
CALIFORNIA PACIFIC FUNDING  
CORPORATION doing business  
as Consumer Real Estate  
Services.

Respondents )

DECISION

The Proposed Decision dated May 29, 1986, of Robert Arnold, Regional Manager, Department of Real Estate, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter as to respondent DONALD EDWARD PARSONS, JR, only.

This Decision shall become effective at 12 o'clock noon

on July 8, 1986.

IT IS SO ORDERED

June 12, 1986.

JAMES A. EDMONDS, JR.  
Real Estate Commissioner

By:

John R. Liberator  
JOHN R. LIBERATOR  
Chief Deputy Commissioner



DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of ) NO. H-22298 LA  
)  
BRIAN NELSON OKULEY, )  
DONALD EDWARD PARSONS, JR., )  
BEATRICE C. LA RUE; and )  
CALIFORNIA PACIFIC FUNDING )  
CORPORATION doing business )  
as Consumer Real Estate )  
Services, )  
Respondents. )

PROPOSED DECISION

This matter was presided over as an uncontested case by Robert Arnold, Regional Manager, Department of Real Estate, as the designee of the Real Estate Commissioner, in Los Angeles, California on May 29, 1986.

Complainant was represented by Timothy L. Newlove, Counsel.

PARSONS) DONALD EDWARD PARSONS, JR. (hereinafter respondent represented himself at the hearing.  
The matter of the Accusation of BRIAN NELSON OKULEY, BEATRICE C. LA RUE and CALIFORNIA PACIFIC FUNDING CORPORATION have been severed for hearing and decision purposes. The matter of the Accusation of PARSONS was submitted upon the written Stipulation of the parties, and pursuant thereto the following Decision is proposed, certified and recommended for adoption:

FINDINGS OF FACT

I

The complainant, J. Chris Graves, a Deputy Real Estate Commissioner of the State of California, made the Accusation in his official capacity.

II

Respondent PARSONS is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter "Code").

### III

At all times mentioned herein, respondent PARSONS was and now is licensed by the Department of Real Estate of the State of California (hereinafter "Department") as a real estate salesperson.

### IV

At all times mentioned herein, respondent CALIFORNIA PACIFIC FUNDING CORPORATION, doing business as Consumer Real Estate Services (hereinafter "respondent CALIFORNIA PACIFIC"), was and is a California corporation licensed by the Department as a corporate real estate broker.

### V

In performing the acts described hereinbelow, respondent PARSONS was at all times performing acts for which a real estate license is required, for or in expectation of a compensation, while licensed and acting on behalf of respondent CALIFORNIA PACIFIC under its dba of Consumer Real Estate Services.

### VI

On or about August 24, 1982, Martha L. Watson (hereinafter "Watson") was the owner of real property commonly known as 1620 E. McMillan, Compton, California (hereinafter "subject property"). On said date, Watson agreed to sell the subject property to respondent BRIAN NELSON OKULEY.

### VII

Respondent PARSONS and the Department stipulate that if Watson testifies in a hearing on this matter, she will testify that, at all times material herein, respondent PARSONS, on behalf of respondent CALIFORNIA PACIFIC, acted as the real estate agent for Watson in the sale of the subject property.

### VIII

Respondent PARSONS and the Department stipulate that if Watson testifies in a hearing on this matter, she will testify to the following: that the terms of the purchase and sale of the subject property included, inter alia, that Watson agreed to pay \$7,450 to Future City Investments, an entity controlled by respondent OKULEY; that respondent PARSONS did not inform Watson that she risked losing money by paying cash to the buyer in the subject transaction; and that respondent PARSONS did not make adequate safeguards that the proceeds paid by Watson to Future City Investments would be used for improvements of the subject property, as represented by respondent OKULEY.

## DETERMINATION OF ISSUES

### I

The conduct of respondent PARSONS, in failing to provide Watson with adequate advice and to make adequate safeguards on behalf of Watson, as described in Paragraph VIII hereinabove, constitutes negligence in performing an act for which a real estate license is required and is a basis for the suspension or revocation of respondent's real estate license and license rights under the provisions of Section 10177(g) of the Code.

### ORDER

WHEREFORE, THE FOLLOWING ORDER IS MADE PURSUANT TO THE WRITTEN STIPULATION OF THE PARTIES:

The real estate salesperson license and licensing rights of respondent DONALD EDWARD PARSONS, JR. are hereby revoked; provided however, that a restricted real estate salesperson license shall be issued to respondent pursuant to Section 10156.5 of the Business and Professions Code if respondent makes application therefor and pays to the Department of real Estate the appropriate fee for said license within six (6) months from the effective date of the Decision herein.

The restricted license issued to respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of said Code:

(1) Said restricted license may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which bears a significant relationship to respondent's fitness or capacity as a real estate licensee.

(2) Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations, or restrictions of a restricted license until one year has elapsed from the date of issuance of the restricted license to respondent.

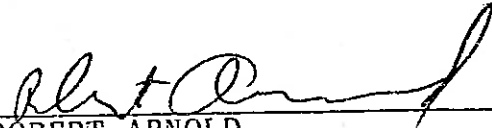
(3) Respondent shall submit with his application for license under an employing broker, or his application for a transfer to a new employing broker, a statement signed by the prospective employing broker which shall certify:

(a) That the Decision of the Commissioner which granted the right to a restricted license has been read; and

(b) That close supervision will be exercised over the performance by the restricted licensee of activities for which a real estate license is required.

(5) Respondent shall, within 6 months from the effective date of the Decision, present evidence satisfactory to the Real Estate Commissioner that he has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the respondent presents such evidence. The Commissioner shall afford respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

DATED: June 4, 1984

  
ROBERT ARNOLD  
Regional Manager  
Department of Real Estate

*SACW*  
*Hay*

1 TIMOTHY L. NEWLOVE, Counsel  
2 Department of Real Estate  
3 107 South Broadway, Room 8107  
4 Los Angeles, CA 90012  
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7  
8 (213) 620-4790

006-7 1385

DEPARTMENT OF REAL ESTATE  
*Thomas B. Crady*

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \*

11 In the Matter of the Accusation of ) NO. H-22298 LA  
12 )  
13 BRIAN NELSON OKULEY, )  
14 DONALD EDWARD PARSONS JR., )  
15 BEATRICE C. LA RUE; and )  
16 CALIFORNIA PACIFIC FUNDING )  
17 CORPORATION doing business )  
18 as Consumer Real Estate )  
19 Services, )  
20 Respondents. )  
21 )  
22 )

23 The complainant, Thomas McCrady, a Deputy Real Estate  
24 Commissioner of the State of California, for cause of accusation  
25 against BRIAN NELSON OKULEY, DONALD EDWARD PARSONS JR., BEATRICE  
26 C. LA RUE; and CALIFORNIA PACIFIC FUNDING CORPORATION doing  
27 business as Consumer Real Estate Services alleges as follows:

1. The complainant, Thomas McCrady, a Deputy Real Estate  
Commissioner of the State of California, makes this Accusation in  
his official capacity.

2. Each respondent is presently licensed and/or has  
license rights under the Real Estate Law, Part 1 of Division 4 of

1 the Business and Professions Code (hereinafter referred to as  
2 the "Code").

3 3. At all times mentioned herein, respondent BRIAN  
4 NELSON OKULEY (hereinafter "respondent OKULEY") was and is  
5 licensed by the Department of Real Estate of the State of  
6 California (hereinafter "Department") as a real estate salesperson.

7 4. At all times mentioned herein, respondent DONALD  
8 EDWARD PARSONS JR. (hereinafter "respondent PARSONS") was and is  
9 licensed by the Department as a real estate salesperson.

10 5. At all times mentioned herein, respondent BEATRICE  
11 C. LA RUE (hereinafter "respondent LA RUE") was and is licensed  
12 by the Department as a real estate salesperson.

13 6. At all times mentioned herein, respondent CALIFORNIA  
14 PACIFIC FUNDING CORPORATION, doing business as Consumer Real  
15 Estate Services (hereinafter "respondent CALIFORNIA PACIFIC"), was  
16 and is a California corporation licensed by the Department as a  
17 corporate real estate broker.

18 7. In performing the acts described hereinbelow,  
19 respondents PARSONS and LA RUE, and each of them, were at all  
20 times performing acts for which a real estate license is required,  
21 for or in expectation of a compensation, while licensed and acting  
22 on behalf of respondent CALIFORNIA PACIFIC under its dba of  
23 Consumer Real Estate Services.

24 8. On or about August 24, 1982, Martha L. Watson  
25 (hereinafter "Watson") was the owner of real property commonly  
26 known as 1620 E. McMillan, Compton, California (hereinafter  
27 "subject property").

1           9. On or about August 24, 1982, Watson and respondent  
2 OKULEY executed a document entitled Agreement to Purchase and  
3 Receipt for Deposit whereby Watson agreed to sell and respondent  
4 OKULEY "or nominee" agreed to purchase the subject property.

5           10. At all times herein mentioned, respondents, LA RUE  
6 and PARSONS, and each of them, on behalf of respondent CALIFORNIA  
7 PACIFIC acted as the real estate agent for Watson in the sale of  
8 the subject property and respondent PARSONS acted as the real  
9 estate agent for respondent OKULEY in the purchase of the subject  
10 property.

11           11. On or about August 24, 1982, Watson and Ross Paul  
12 Como and Kathaleen A. Como (hereinafter collectively "Como")  
13 executed a document entitled Escrow Instructions whereby Watson  
14 agreed to sell and Como agreed to purchase the subject property.  
15 The escrow instructions were prepared at Gold Country Escrow, Inc.  
16 and were amended on numerous occasions.

17           12. At all times herein mentioned, respondent OKULEY and  
18 Ross Paul Como, and each of them, acted in concert as partners or  
19 joint venturers in the purchase of the subject property and the  
20 activities described hereinbelow undertaken to effectuate said  
21 purchase.

22           13. At all times herein mentioned, Ross Paul Como was  
23 the owner and president of respondent CALIFORNIA PACIFIC. On or  
24 about August 2, 1982, Ross Paul Como and respondent OKULEY, and  
25 each of them, filed fictitious business name statements in  
26 Los Angeles County for Consumer Real Estate Services and Consumer  
27 Escrow Services. On or about October 7, 1982, respondent

1 CALIFORNIA PACIFIC employed respondents, OKULEY, PARSONS and  
2 LA RUE, and each of them, as real estate salespersons.

3 14. On or about September 2, 1982, the above-described  
4 escrow at Gold Country Escrow Inc., was cancelled. On or about  
5 October 11, 1982, escrow for the subject transaction was reopened  
6 at Consumer Real Estate Escrow Division and Watson and Como  
7 executed escrow instructions for the sale and purchase of the  
8 subject property.

9 15. The escrow instructions dated October 11, 1982 set  
10 forth the following terms: the sales price was \$83,000; Como  
11 agreed to pay the sales price by paying \$19,800 in cash and  
12 obtaining a new loan for \$63,200; and Watson agreed to pay an  
13 entity entitled Future City Investments \$7,450 from the escrow  
14 proceeds. At all times material herein Future City Investments  
15 was a sole proprietorship owned and operated by respondent OKULEY.

16 16. Notwithstanding the above-described escrow  
17 instructions, Como did not intend to and did not pay any cash to  
18 Watson for the purchase of the subject property. In fact, Como  
19 and respondent OKULEY, and each of them, conspired to give the  
20 appearance of paying cash to Watson in order to satisfy the  
21 requirements of the lender when at all times material herein they  
22 planned to give Watson a \$19,800 note and second deed of trust to  
23 complete the financing for the purchase of the property. As part  
24 of said conspiracy, in or about November, 1982, Como paid a certain  
25 amount of cash to Consumer Real Estate Escrow Division (hereinafter  
26 "subject escrow"); the subject escrow paid the identical amount to  
27 Future City Investments and Future City Investments, by and



1 through respondents OKULEY, repaid Como.

2 17. In or about September, 1982, Como applied for a  
3 \$63,200 loan from Dade Savings Mortgage Company (hereinafter  
4 "Dade Savings") in order to finance the purchase of the subject  
5 property. In or about November 1982, the loan was approved and  
6 funded. The loan was approved with the understanding by Dade  
7 Savings that Como was paying \$19,800 in cash for said purchase  
8 and that there was no secondary financing involved in the  
9 subject transaction. At all times material herein, Como, with  
10 OKULEY'S knowledge, knowingly and falsely failed to inform Dade  
11 Savings of the true facts that they were not paying cash for the  
12 subject property and that secondary financing was involved in  
13 the transaction.

14 18. On or about November 12, 1982, escrow closed on the  
15 subject transaction and Watson deeded the subject property to  
16 Como. In or about the same time, respondent OKULEY caused the  
17 preparation of and executed a \$19,800 note and (second) deed of  
18 trust in favor of Watson. Said note and deed of trust were part  
19 of the financing of the subject transaction. The deed of trust  
20 was secured by the subject property and not recorded until March  
21 10, 1983.

22 19. From January, 1983 to and including April, 1983,  
23 respondent OKULEY made monthly payments on the Dade Savings loan.  
24 Thereafter, OKULEY ceased making such payments. From December,  
25 1982 to and including August, 1983, respondent OKULEY made monthly  
26 payments on the above described \$19,800 note to Watson. There-  
27 after, OKULEY ceased making such payments.

1           20. On or about February, 15, 1983, Como executed a  
2 document entitled Grant Deed whereby they transferred the subject  
3 property to respondent OKULEY. Said Grant Deed was recorded on  
4 March 4, 1983.

5           21. On or about September 27, 1983, Dade Savings filed  
6 a Notice of Default on the above-described loan to Como. On or  
7 about May 22, 1984, Dade Savings was granted the subject property  
8 by a trustee's deed. Said non-judicial foreclosure proceedings  
9 extinguished Watson's interest in the above-described \$19,800 note  
10 and second deed of trust.

11           22. Respondent OKULEY is guilty of committing the  
12 following fraudulent, misleading and dishonest acts in connection  
13 with the sale and purchase of the subject property:

14           a. Respondent OKULEY represented to Watson and her  
15 real estate agents, respondents, PARSONS and LA RUE,  
16 and each of them, that he needed funds to make repairs  
17 and improvements to the subject property and that the  
18 \$7,450 paid by Watson to Future City Investments as  
19 part of the subject transaction would be used to make  
20 said repairs and improvements.

21           b. Respondent OKULEY participated with Como in  
22 acquiring the subject property with knowledge that  
23 Como had committed a fraud on Dade Savings in  
24 obtaining the loan used to purchase the property as  
25 set forth in Paragraph 17, hereinabove.

26  
27

1           23. The foregoing activities of respondent OKULEY were  
2 fraudulent, misleading and dishonest in that:

3           a. At all times material herein, respondent OKULEY  
4 knew that the \$7,450 paid by Watson to Future City  
5 Investments would not be used and was not used by  
6 OKULEY, as the sole owner and operator of Future  
7 City Investments, for making improvements and repairs  
8 to the subject property. Instead, said proceeds  
9 were used for the personal expenses and purposes of  
10 respondent OKULEY.

11           b. At all times material herein, respondent OKULEY  
12 knew that Como was not the true purchaser of the  
13 subject property; that Como was simply used as a  
14 straw buyer of the property; that respondent OKULEY  
15 intended to own the property; that at the close of  
16 escrow OKULEY intended to assume or become responsible  
17 for the payments on the Dade Savings loan; that Dade  
18 Savings approved and funded the loan with the understanding  
19 that the buyer was paying \$19,800 in cash to the seller and  
20 that no secondary financing was involved in the  
21 transaction; and that the buyer was actually paying  
22 no cash to the seller and that secondary financing  
23 was involved in the transaction. Despite said  
24 knowledge, respondent OKULEY failed to notify Dade  
25 Savings that in obtaining the above-described loan,  
26 Como was committing a fraud upon said lender and, in  
27 addition, OKULEY intended to benefit from said fraud.

1           24. In acting as the real estate agents for Watson  
2 in the subject transaction, respondents, PARSONS and LA RUE, and  
3 each of them committed the following negligent acts:

4           a. Respondents, PARSONS and LA RUE, and each of them,  
5 allowed Watson to enter into a "cash-to-buyer"  
6 transaction without explaining the dangers of such  
7 a transaction to Watson.

8           b. Respondents, PARSONS and LA RUE, and each of them,  
9 allowed Watson to agree to pay cash from her  
10 proceeds in the subject transaction to an entity  
11 controlled by the buyer without making adequate  
12 safeguards that said proceeds would be used for  
13 making improvements and repairs to the subject  
14 property, as represented by the buyer, respondent  
15 OKULEY.

16           25. The acts and omissions of respondent OKULEY, as  
17 alleged hereinabove in Paragraphs 8 to and including 23,  
18 constitutes grounds for suspension or revocation of respondent's  
19 real estate license and license rights under the provisions of  
20 Section 10177(j) of the Code for making substantial  
21 misrepresentations and committing acts of fraud and dishonest  
22 dealing.

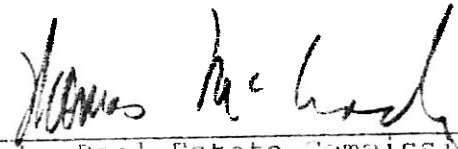
23           26. The acts and omissions of respondents PARSONS and  
24 LA RUE, and each of them, as alleged in Paragraphs 8 to and  
25 including Paragraph 24 hereinabove, constitute grounds for the  
26 suspension or revocation of respondents' real estate licenses and  
27 license rights under the provisions of Section 10177(q) of the

1 Code for negligence and incompetence in performing acts for which  
2 said respondents, and each of them, were required to hold a real  
3 estate license.

4 27. Respondent CALIFORNIA PACIFIC failed to exercise  
5 reasonable supervision over respondents, PARSONS and LA RUE, and  
6 each of them, in the subject transaction and such failure  
7 constitutes grounds for the suspension or revocation of the real  
8 estate license and real estate license rights of respondent,  
9 under Section 10177(h) of the Code.

10  
11 WHEREFORE, complainant prays that a hearing be conducted  
12 on the allegations of this Accusation and, that upon proof thereof,  
13 a decision be rendered imposing disciplinary action against all  
14 licenses and license rights of respondents, BRIAN NELSON OKULEY,  
15 DONALD EDWARD PARSONS JR., BEATRICE C. LA RUE, and CALIFORNIA  
16 PACIFIC FUNDING CORPORATION, doing business as Consumer Real  
17 Estate Services, under the Real Estate Law (Part 1 of Division 4  
18 of the California Business and Professions Code) and for such  
19 other and further relief as may be proper under other applicable  
20 provisions of law.

21 Dated at Los Angeles, California  
22 this 7th day of August, 1985.

23   
24 Deputy Real Estate Commissioner

25 cc: Brian Nelson Okuley  
26 Donald Edward Parsons, Jr.  
27 Beatrice C. La Rue  
California Pacific Funding Corporation  
Michael Donnie Ames  
Reynaldo Garcia Gutierrez  
Finas Whitfield Shaw -9-  
Sacto, PFH