

1 Department of Real Estate
107 South Broadway, Room 8107
2 Los Angeles, California, 90012

JUN 27 1994

[Handwritten signature]

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

11 In the Matter of the Accusation of) No. H-25368 LA
12 HUNTER REALTY, INC.,) STIPULATION AND AGREEMENT
a California corporate broker,)
13 dba ERA Hunter Realty and) IN SETTLEMENT AND ORDER
dba Pacific Subdivision)
14 Consultants; and LAWNAE CONWAY)
HUNTER, individually and)
15 designated officer of Hunter)
Realty, Inc.,)
16 Respondents.)

18 It is hereby stipulated by and between HUNTER REALTY,
19 INC., and LAWNAE CONWAY HUNTER (sometimes referred to as Respondent
20 or Respondents), acting by and through their attorney, Frank Buda,
21 Esq. and the Complainant, acting by and through Sean Crahan,
22 Counsel for the Department of Real Estate, as follows for the
23 purpose of settling and disposing of the Accusation filed on April
24 23, 1993, in this matter:

25 1. All issues which were to be contested and all
26 evidence which was to be presented by Complainant and Respondents
27 at a formal hearing on the Accusation, which hearing was to be held

1 in accordance with the provisions of the Administrative Procedure
2 Act (APA), shall instead and in place thereof be submitted solely
3 on the basis of the provisions of this Stipulation And Agreement In
4 Settlement And Order (hereafter Stipulation).

5 2. Respondents have received, read and understand the
6 Statement to Respondent, the Discovery Provisions of the APA and
7 the Accusation, filed by the Department of Real Estate in this
8 proceeding.

9 3. On May 6, 1993, Respondents filed a Notice of
10 Defense pursuant to Section 11505 of the Government Code for the
11 purpose of requesting a hearing on the allegations in the
12 Accusation. Respondents hereby freely and voluntarily withdraw
13 said Notice of Defense. Respondents acknowledge that they
14 understand that by withdrawing said Notice of Defense, they will
15 thereby waive their right to require the Commissioner to prove the
16 allegations in the Accusation at a contested hearing held in
17 accordance with the provisions of the APA and that they will waive
18 other rights afforded to them in connection with the hearing such
19 as the right to present evidence in defense of the allegations in
20 the Accusation and the right to cross-examine witnesses.

21 4. This Stipulation and Agreement in Settlement and
22 Order relates to the factual allegations contained in paragraphs 1
23 through 4, 6, 6(a), 6(b), 7, 7(a), in the Accusation filed in this
24 proceeding. Respondents choose not to contest these factual
25 allegations and to remain silent and understand that, as a result
26 thereof, these factual allegations, without being admitted or
27 denied, will serve as a basis for the discipline stipulated to

1 herein. This Stipulation and Agreement in Settlement and Order and
2 the findings based on Respondents' decision not to contest the
3 Accusation are hereby expressly limited to this proceeding and made
4 for the sole purpose of reaching an agreed disposition of this
5 proceeding, only. Respondents' decision not to contest the factual
6 allegations is made solely for the purpose of effectuating this
7 Stipulation and is intended by Complainant and Respondents to be
8 non-binding upon them in any actions against Respondents by third
9 parties and shall not be deemed, used, or accepted as an
10 acknowledgement or admission. However, the results of this
11 Stipulation may provide the basis for establishing prior
12 discipline, and the basis thereof, in any subsequent proceeding by
13 Complainant. The Real Estate Commissioner shall not be required to
14 provide further evidence to prove such allegations.

15 5. For purposes of this Stipulation, the matters cited
16 in this Stipulation have either been corrected or are currently not
17 in issue.

18 6. It is understood by the parties that the Real Estate
19 Commissioner may adopt the Order in this Stipulation as his
20 decision and order in this matter thereby imposing the penalty and
21 sanctions on Respondents' real estate licenses and/or license
22 rights as set forth in the below Order. In the event that the
23 Commissioner in his discretion does not adopt the Stipulation, the
24 Stipulation And Agreement In Settlement shall be void and of no
25 effect, and Respondents shall retain the right to a hearing and
26 proceeding on the Accusation under all the provisions of the APA
27 and shall not be bound by any admission or waiver made herein.

1 7. The Order or any subsequent Order of the Real Estate
2 Commissioner made pursuant to this Stipulation shall not constitute
3 an estoppel, merger or bar to any further administrative or civil
4 proceedings by the Department of Real Estate with respect to any
5 matters which were not specifically alleged to be causes for
6 accusation in this proceeding.

7 8. The below Determination of Issues contains a
8 determination that Respondent HUNTER REALTY, INC., has violated
9 Regulation 2832.1. Respondent HUNTER REALTY, INC., is aware that
10 by agreeing to this Stipulation And Agreement In Settlement, if the
11 findings set forth below in the Determination of Issues become
12 final, the Commissioner may charge Respondent HUNTER REALTY, INC.,
13 for the costs of any audit conducted pursuant to Section 10148 of
14 the Code to determine if Respondent HUNTER REALTY, INC., is in
15 compliance with the Real Estate Law. The maximum cost of said
16 audit will not exceed \$4,500.00

17 DETERMINATION OF ISSUES

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

22 1. The conduct or omissions of Respondent HUNTER REALTY,
23 INC., as set forth in paragraphs 1 through 4, 6, 6(a), 6(b), 7,
24 7(a), of the Accusation constitute cause to suspend or revoke its
25 corporate real estate broker license and/or license rights under
26 the provisions of Code Section 10177(d) for violations of Code
27 Sections 10085 and Regulation 2832.1, of Title 10, Chapter 6 of the

1 California Code of Regulations (hereafter Regulations).

2 2. The conduct or omissions of Respondent LAWNAE CONWAY
3 HUNTER, as set forth in paragraph 1 through 4, 7, 7(a), of the
4 Accusation constitute cause to suspend or revoke her real estate
5 broker license and/or license rights under the provisions of Code
6 Section 10177(d) for violation of Code Section 10085.

7 ORDER

8 WHEREFORE, THE FOLLOWING ORDER is hereby made:

9 I

10 The real estate broker licenses issued to Respondent
11 HUNTER REALTY, INC., shall be suspended for thirty (30) days from
12 the effective date of this Order. However, if Respondent HUNTER
13 REALTY, INC., petitions, the thirty (30) day suspension of
14 Respondent HUNTER REALTY, INC.'s licenses shall be permanently
15 stayed upon condition that Respondent HUNTER REALTY, INC. pay to
16 the Department's Recovery Account \$2,500 prior to the effective
17 date of this Order, in accordance with the provisions of Business
18 and Professions Code Section 10175.2.

19 (1) Payment of the aforementioned monetary penalty
20 shall be in the form of a cashier's check or certified check, made
21 payable to the Recovery Account of the Real Estate Fund. Payment
22 must be made prior to the effective date of this Order.

23 (2) The Commissioner, in exercising his discretion
24 under Code Section 10175.2, finds, by adopting this Order, that it
25 would not be against the public interest to permit such petitioning
26 Respondent to pay the aforesaid monetary penalty.

27 /

II

The real estate broker licenses issued to Respondent LAWNAE CONWAY HUNTER shall be suspended for fifteen (15) days from the effective date of this Order. However, if Respondent LAWNAE CONWAY HUNTER petitions, the fifteen (15) day suspension of Respondent LAWNAE CONWAY HUNTER's licenses shall be permanently stayed upon condition that Respondent LAWNAE CONWAY HUNTER pay to the Department's Recovery Account \$1,500 prior to the effective date of this Order, in accordance with the provisions of Business and Professions Code Section 10175.2.

(1) Payment of the aforementioned monetary penalty shall be in the form of a cashier's check or certified check, made payable to the Recovery Account of the Real Estate Fund. Payment must be made prior to the effective date of this Order.

(2) The Commissioner, in exercising his discretion under Code Section 10175.2, finds, by adopting this Order, that it would not be against the public interest to permit such petitioning Respondent to pay the aforesaid monetary penalty.

We have read the Stipulation And Agreement In Settlement And Order, and its terms are understood by us and are agreeable and acceptable to us. We understand that we are waiving rights given to us by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and we 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 we would have the right to cross-examine witnesses

1 against us and to present evidence in defense and mitigation of the
2 charges.

3
4 DATED:

1-7-94

Lawnae Conway Hunter
HUNTER REALTY, INC., Respondent, by
Lawnae Conway Hunter, Designated
Officer.

6
7 DATED:

1-7-94

Lawnae Conway Hunter
LAWNAE CONWAY HUNTER, Respondent.

8
9 DATED:

1-5-94

Frank Buda
FRANK BUDA, ESQ, Counsel for
Respondents Hunter Realty, Inc. and
Lawnae Conway Hunter

10
11
12 DATED:

1-12-94

Sean Crahan
SEAN CRAHAN, Counsel for
Complainant.

13
14
15 * * * * *

16
17 The foregoing Stipulation And Agreement In Settlement is
18 hereby adopted as my Decision and Order and shall become effective
19 at 12 o'clock noon on March 15, 1994.

20 IT IS SO ORDERED

1-24-94

21 CLARK WALLACE
22 Real Estate Commissioner

23
24
25
26
27

Sacto.
Flag

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)

Case No. H-25368 LA

OAH No. L-59971


OCT-5 1993

HUNTER REALTY, INC.,)

et al.,)

Respondents.)

DEPARTMENT OF REAL ESTATE

BY 

AMENDED NOTICE OF CONTINUED HEARING ON ACCUSATION

To the above-named Respondents:

You are hereby notified that a hearing will be held before the Department of Real Estate at 10:00 a.m. on January 18, 1994; and at 9:00 a.m. on January 19, 20, 21, and 24, 1994, at the Holiday Inn, 5650 Calle Real, Goleta, California, or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

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.

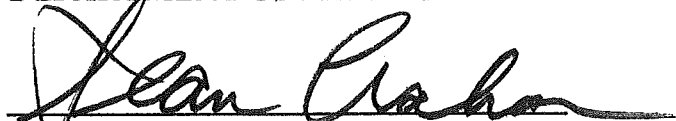
You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real 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. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

Dated: October 5, 1993.

cc: Hunter Realty, Inc.
Lawnae Conway Hunter
Frank M. Buda, Esq.
Sacto.
OAH

DEPARTMENT OF REAL ESTATE


SEAN CRAHAN, Counsel

RE 501 (Mac 8/92vj)

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)

Case No. H-25368 LA

OAH No. L-59971

SEP 21 1993

HUNTER REALTY, INC.,)

et al.,)

Respondents.)

DEPARTMENT OF REAL ESTATE

BY

NOTICE OF CONTINUED HEARING ON ACCUSATION

To the above-named Respondents:

You are hereby notified that a hearing will be held before the Department of Real Estate on January 18, 19, 20, 21 and 24 1994, at 10:00 a.m., at the Holiday Inn, 5650 Calle Real, Goleta, California, or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

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.

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Dated: September 21, 1993.

cc: Hunter Realty, Inc.
Lawnae Conway Hunter
Frank M. Buda, Esq.
Sacto.
OAH

DEPARTMENT OF REAL ESTATE


SEAN CRAHAN, Counsel

RE 501 (Mac 8/92vj)

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)

Case No. H-25368 LA

HUNTER REALTY, INC.,)

OAH No. L-59971

et al.,)

Respondents.)

JUN -2 1993

DEPARTMENT OF REAL ESTATE
BY 

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondents:

You are hereby notified that a hearing will be held before the Department of Real Estate on September 20, 21 and 22, 1993, at 9:00 a.m., at Office of Administrative Hearings, 314 West First Street, Los Angeles, California; and on September 23 and 24, 1993, at 9:00 a.m., at Office of the Ventura County Superintendent of Schools, The Oxnard Room, 550 Airport Way, Camarillo, California, or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

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. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

Dated: June 2, 1993.

cc: Hunter Realty, Inc.
Lawnae Conway Hunter
Frank M. Buda, Esq.
Sacto.
OAH

DEPARTMENT OF REAL ESTATE


SEAN CRAHAN, Counsel

S.M.D.
Plus

SEAN CRAHAN, Counsel
Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012

(213) 897-3937

FILED

APR 23 1993

DEPARTMENT OF REAL ESTATE

BY *[Signature]*

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H-25368 LA
HUNTER REALTY, INC.,)	A C C U S A T I O N
a California corporate broker,)	
dba ERA Hunter Realty and)	
dba Pacific Subdivision)	
Consultants; and)	
LAWNAE CONWAY HUNTER,)	
individually and as)	
designated officer of Hunter)	
Realty, Inc.,)	
Respondents.)	

The Complainant, Steven J. Ellis, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against HUNTER REALTY, INC., a California corporate broker, dba ERA Hunter Realty and dba Pacific Subdivision Consultants; and LAWNAE CONWAY HUNTER, individually and as designated officer of Hunter Realty, Inc., alleges as follows:

1.

The Complainant, Steven J. Ellis, a Deputy Real Estate Commissioner, brings this Accusation in his official capacity.

2.

HUNTER REALTY, INC. (hereafter respondent HRI), 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 (hereafter cited as the Code). At all times herein mentioned, respondent HRI was licensed by the Department of Real Estate of the State of California (hereafter the Department) as a corporate real estate broker, individually and dba ERA Hunter Realty and dba Pacific Subdivision Consultants.

3.

LAWNAE CONWAY HUNTER (hereafter respondent HUNTER) is presently licensed and/or has license rights under the Real Estate Law.

(a) At all times herein mentioned, respondent HUNTER was licensed by the Department of Real Estate of the State of California (hereafter the Department) as a real estate broker, individually and as designated officer of respondent HRI.

(b) Pursuant to Code Section 10159.2, respondent HUNTER was responsible for the supervision of the officers, agents and employees of respondent HRI for which a real estate license was required.

4.

At all times mentioned herein, in the State of California, respondent HRI engaged in the business of a real estate broker within the meaning of Code Section 10131(b), including the operation of a rental property management business, in that respondent HRI solicited owners to rent properties to tenants,

1 solicited tenants to rent properties from owners, negotiated rental
2 agreements between owners and tenants and collected rents from
3 tenants on behalf of owners, for or in expectation of compensation.

4 5.

5 Respondents HRI and HUNTER used the fictitious business
6 name of "ERA Property Management & Rental Service" without having a
7 real estate license bearing said fictitious name, in willful
8 violation of Code Section 10159.5 and Section 2731 from Title 10,
9 Chapter 6, California Code of Regulations (hereafter Regulations).

10 6.

11 Between July 23, 1991, through July 26, 1991, auditors
12 from the Department examined the books and records of respondent
13 HRI's property management business covering a period of time from
14 May 1, 1990, through July 26, 1991 (hereafter the "audit period").
15 That examination revealed that respondents HRI and HUNTER, during
16 the audit period, violated the following Code Sections and
17 Regulations:

18 (a) In connection with the collection of rents from
19 tenants on behalf of owners, respondent HRI received funds in trust
20 from or on behalf of owners and deposited them into two accounts at
21 Mid-State Bank:

22 (i) Account No. 13-116261-01 in the name of ERA
23 Hunter Realty Property Management Trust Account at the Mid-State
24 Bank branch at 828 North "H" Street, Lompoc, California (hereafter
25 Account 6).

26 (ii) Account No. 111100185800 in the name of ERA
27 Hunter Realty Property Management Trust Account at the Mid-State

1 Bank branch at 1154 South Broadway, Santa Maria, California
2 (hereafter Account 9).

3 (b) As of June 31, 1991, respondent HRI's adjusted bank
4 balance in Account 6 was \$66,283.14. Respondent HRI's
5 accountability to owners on that date was \$80,818.55 leaving a
6 shortage of \$14,535.41. There was an overage in Account 9 of
7 \$149.65, leaving a net shortage of \$14,385.76. Said shortage was
8 caused, allowed or permitted by respondents HRI and HUNTER and was
9 without the written consent of each and every principal whose funds
10 were in the trust accounts and was in violation of Code Section
11 10145 and Regulation 2832.1.

12 (c) The shortage set forth in paragraph 4(b) above was
13 caused by respondent HRI paying the expenses of some third-party
14 owners whose expenses exceeded their income with trust funds owned
15 by owners whose income exceeded their expenses.

16 (d) Respondents HRI and HUNTER failed to monthly
17 reconcile its control records with its separate records, as is
18 required by Regulation 2831.2.

19 7.

20 In the course of soliciting owners to rent properties to
21 tenants, soliciting tenants to rent properties from owners and
22 negotiating rental agreements between owners and tenants,
23 respondent HRI engaged in the business of advertising and agreeing,
24 in writing, to pay to the owners the last month's rent in the event
25 (1) the tenant defaulted on his or her rent obligations and (2)
26 owners obtained a final judgment against the tenant for rent in
27 return for a fee of \$50 paid by the tenant to HRI upon signing a

1 rental agreement. Respondents refer to this agreement as an "ERA
2 Hunter Realty Rental Bond". Respondent HRI undertook these
3 agreements to promote the lease of real estate. The foregoing
4 constitutes an advance fee as described and regulated by Code
5 Sections 10026, 10027(c), 10085, 10131.2, and 10146 and Regulations
6 2970 and 2972. During the audit period, respondent HRI collected
7 advance fees from tenants. Respondents HRI and HUNTER:

8 (a) Failed to obtain from the Department approval for
9 the use of advertising or contracts setting forth the terms of the
10 "ERA Hunter Realty Rental Bond" in willful violation of Code
11 Section 10085 and Regulation 2970.

12 (b) Deposited said advance fees into two accounts at
13 Mid-State Bank:

14 (i) Account 13-147027-01 in the name of ERA
15 Hunter Realty at the Mid-State branch at 828 North "H" Street,
16 Lompoc, California (hereafter Account 7);

17 (ii) Account 111104529400 in the name of ERA
18 Hunter Realty at the Mid-State branch at 1154 South Broadway, Santa
19 Maria, California (hereafter Account 10); and

20 (iii) Neither Account 7 nor 10 was designated as a
21 trust account in violation of Code Section 10146 and Regulation
22 2830.

23 (c) As of June 30, 1991, respondent HRI's adjusted bank
24 balance in Accounts 7 and 10 was \$18,115.57. Respondent HRI's
25 accountability to owners on that date was \$34,108.95 leaving a
26 shortage of \$15,993.38. Said shortage was caused, allowed or
27 permitted by respondent and was without the written consent of each

1 and every principal whose funds were in the trust accounts and was
2 in violation of Code Section 10145 and Regulation 2832.1.

3 (d) Said shortage set forth above was caused when
4 respondent HRI commingled said funds with its own funds and
5 converted them to its own use.

6 (e) Respondent HRI failed to render to the parties
7 accountings as required by Code Section 10146 and Regulation 2972.

8 8.

9 Respondent HUNTER failed to exercise adequate supervision
10 over the activities of officers, agents or employees of respondent
11 HRI so as to prevent the violations set forth above from occurring.

12 9.

13 The conduct or omissions of respondent HRI, as set forth
14 above, subject its real estate licenses and license rights to
15 suspension or revocation under Code Sections:

16 (a) Code Section 10176(e) for commingling, as set forth
17 in paragraph 7(d) above.

18 (b) Code Section 10176(i) for conversion, as set forth
19 in paragraph 7(d) above.

20 (c) Code Section 10177(d) for willful violations of the
21 following Code Sections and Regulations:

22 (i) Code Section 10085 and Regulation 2970 for
23 failure to obtain prior authorization from the Department prior to
24 use of advertising or written contracts pertaining to the "ERA
25 Hunter Realty Rental Bond", as set forth in paragraph 7(a) above.

26 (ii) Code Section 10159.5 and Regulation 2731 for
27 use of a fictitious business name without having a real estate

1 license bearing that name, as set forth in paragraph 5 above.

2 (iii) Code Section 10146 and Regulation 2830 for
3 depositing and disbursing advance fees from accounts not designated
4 as a trust account with respondent as trustee, as set forth in
5 paragraph 7(b) above.

6 (iv) Regulation 2831.2 for failure to monthly
7 reconcile the control with the separate records, as set forth in
8 paragraph 6(d) above.

9 (v) Code Section 10145 and Regulation 2832.1 for
10 the trust fund shortages, as set forth in paragraphs 6(b) above.

11 (vi) Code Section 10145 and Regulation 2832.1 for
12 the advance fee shortage, as set forth in paragraph 7(c) above.

13 (vii) Code Section 10146 and Regulation 2972 for
14 failure to render accountings to the principals, as set forth in
15 paragraph 7(e) above.

16 10.

17 The conduct or omissions of respondent HUNTER, as set
18 forth above, subject her real estate licenses and license rights to
19 suspension or revocation under Code Sections:

20 (a) Code Section 10176(e) for commingling, as set forth
21 in paragraph 7(d) above.

22 (b) Code Section 10176(i) for conversion, as set forth
23 in paragraph 7(d) above.

24 (c) Code Section 10177(d) for willful violations of the
25 following Code Sections and Regulations:

26 (i) Code Section 10085 and Regulation 2970 for
27 failure to obtain prior authorization from the Department prior to

1 use of advertising or written contracts pertaining to the "ERA
2 Hunter Realty Rental Bond".

3 (ii) Code Section 10159.5 and Regulation 2731 for
4 use of a fictitious business name without having a real estate
5 license bearing that name, as set forth in paragraph 5 above.

6 (iii) Code Section 10146 and Regulation 2830 for
7 depositing and disbursing advance fees from accounts not designated
8 as a trust account with respondent HRI as trustee, as set forth in
9 paragraph 7(b) above.

10 (iv) Regulation 2831.2 for failure to monthly
11 reconcile the control with the separate records, as set forth in
12 paragraph 6(d) above.

13 (v) Code Section 10145 and Regulation 2832.1 for
14 the trust fund shortages, as set forth in paragraphs 6(b) above.

15 (vi) Code Section 10145 and Regulation 2832.1 for
16 the advance fee shortage, as set forth in paragraph 7(c) above.

17 (vii) Code Section 10146 and Regulation 2972 for
18 failure to render accountings to the principals, as set forth in
19 paragraph 7(e) above.

20 (d) Section 10177(f) or 10177(d) for willful violation
21 of Code Section 10159.2 for failure to supervise the activities of
22 the employees of respondent HRI.

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24 /

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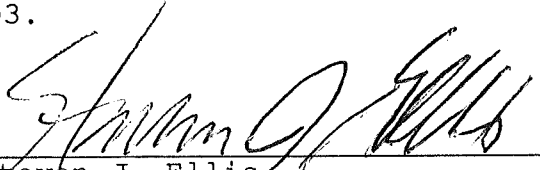
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27 /

1 WHEREFORE, Complainant prays that a hearing be conducted
2 on the allegations of this Accusation and, that upon proof thereof,
3 a decision be rendered imposing disciplinary action against all
4 licenses and license rights of respondent HUNTER REALTY, INC., a
5 California corporate broker, dba ERA Hunter Realty and dba Pacific
6 Subdivision Consultants; and LAWNAE CONWAY HUNTER, individually and
7 as designated officer of Hunter Realty, Inc., under the Real Estate
8 Law (Part 1 of Division 4 of the Business and Professions Code) and
9 for such other and further relief as may be proper under other
10 applicable provisions of law.

11 Dated at Los Angeles, California

12 this 23rd day of April, 1993.

13 
14 Steven J. Ellis
15 Deputy Real Estate Commissioner
16
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24
25

26 cc: Hunter Realty, Inc.
27 Lawnae Conway Hunter
 Sacto.
 TCD