

FILED
DEC 23 1996

DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

By Laura B. Olvera

* * * * *

In the Matter of the Accusation of)

No. H-26226 LA

RUDOLFO LORENZO CONCHA, dba)
Wall Street Financial/Wall Street)
Realty and Investment and)
Security Real Estate Brokerage,)

L-9512189

Respondent(s).)

DECISION

The Proposed Decision dated November 21, 1996,
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 January 14, 1997.

IT IS SO ORDERED

12/16/96

JIM ANTT, JR.
Real Estate Commissioner

J. Antt Jr.

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation)
of)

RUDOLFO LORENZO CONCHA, dba)
Wall Street Financial/Wall)
Street Realty and Invest-)
ment and Security Real)
Estate Brokerage,)

Respondent.)

No. H 26226 LA

OAH NO. L-9512189

PROPOSED DECISION

On October 23, 1996, in Los Angeles, California, Joseph D. Montoya, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

Ms. V. Ahda Sands, Staff Counsel, represented the complainant.

Respondent appeared personally, and with his attorney, Mr. Lawrence H. Lackman.

During the course of the proceeding, complainant moved to amend the Accusation. There being no objection, the motion was granted, and the Accusation is amended as follows:

At page 4, line 15, the words "Escrow Trust" are deleted, and the words "General Escrow" added in their place. That portion of the accusation, as amended, now reads: ". . . Financial Services General Escrow Account', at the Vineyard National Bank"

Evidence was received and the matter was submitted on October 23, 1996.

FINDINGS OF FACT

1. The Accusation was filed by Peter F. Hurst in his official capacity as a Deputy Real Estate Commissioner, Department of Real Estate ("the Department").

2. Respondent is presently licensed as a real estate broker. He was first licensed as a broker in 1980. At times relevant to this proceeding, he has used the fictitious business names "Security Real Estate Brokerage," "Wall Street Financial", and "Wall Street Realty and Investment", as described further below.

3. Up until October 1992 Respondent did business only under the fictitious business name "Security Real Estate Brokerage." Under that business name Respondent concentrated on the business of real estate resale and the business of commercial leasing.

4. In approximately October 1992, Respondent formed a partnership with Mr. Tony Torres, and his wife, Mrs. Evelyn Torres, to engage in the sale of real estate, to broker loans, and other related activities. Respondent became the designated broker for that enterprise.¹ Respondent operated the partnership with Mr. and Mrs. Torres under the fictitious names "Wall Street Financial" and "Wall Street Realty and Investment."

5. In June 1993 Respondent determined to end his partnership relationship with Mr. and Mrs. Torres. He agreed with them that he would remain in the partnership until the end of that year. The partnership business terminated at the end of 1993.

6. On August 2, 1994, the Department completed an audit of Respondent's books and records for the period from December 31, 1992, through June 30, 1994. The Department audited the books and records of Security Realty as well as Wall Street Financial and Wall Street Realty and Investments. The Department was unable to complete certain aspects of the audit because Respondent was not in possession of books and records of the partnership business. Instead, those books and records were in the possession of Mrs. Torres.

¹ Just prior to this agreement Mr. and Mrs. Torres had been doing business as "Wall Street Financial." The Torres's were licensed as real estate salespersons, but not as brokers. Up until their agreement with Respondent they were partners with another broker, who had served as qualifying broker for their firm.

7. The audit established the following violations of the Real Estate Law and Department regulations, and such violations are hereby found to have occurred, in connection with the business of Wall Street Financial and Wall Street Realty & Investments:

(A) Respondent deposited trust fund monies into a trust account held in a fictitious name, rather than into a trust account held in his own name.

(B) Respondent failed to deliver Mortgage Loan Disclosure Statements to some customers.

(C) Respondent failed to disclose to borrowers that the partnership received rebates from lenders as additional compensation for processing loan transactions.

(D) Respondent failed to retain trust account records and bank records for a period of three years.

8. The audit established the following violations of the Real Estate Law and Department regulations, and such violations are hereby found to have occurred, in connection with the business of Security Real Estate Brokerage:

(A) Respondent failed to maintain an adequate trust fund receipts journal and an adequate disbursements journal for funds received in trust.

(B) Respondent failed to notify the Department that salespersons in his employ had terminated their employment with him.

(C) Respondent failed to notify the Department that Respondent had moved his principal place of business from West Covina, California, to Montebello, California.

9. As to all other allegations of the Accusation set out at paragraphs 9(a) through 9(h), and 13(a) through 13(e), where no finding has been specifically made herein, such allegations have not been proven.

10. In the course of the partnership business with Mr. and Mrs. Torres, Respondent delegated the duty of keeping and maintaining the partnership books and records to Mrs. Torres. Because she had acted as bookkeeper when she and her husband were partners with a previous broker, and because Respondent learned the predecessor firm had passed a Department audit, Respondent had confidence in Mrs. Torres's ability to carry out those responsibilities.

11. Respondent also relied upon Mrs. Torres to complete the administrative tasks of closing the partnership real estate

business, including closing the bank accounts, sending notices of address changes to the Department, and terminating employees, while he was out of town at the end of 1993. Upon his return he confirmed the partnership business had been closed.

12. Through the audit process Respondent learned his trust in Mrs. Torres had been misplaced. Respondent made several efforts to obtain the records from Mrs. Torres. However, Mrs. Torres failed to produce the records, despite her promises to Respondent and to the Department's auditor to deliver them for review. He also learned Mrs. Torres had not completed the tasks of closing the partnership in compliance with Department regulations and the Real Estate Law.

13. Mitigating facts and circumstances exist in this case. No clients or other members of the public suffered any harm as a result of Respondent's violations of the statutes or regulations. Respondent made several efforts to obtain the records from Mrs. Torres for the auditor's review; there is no evidence he was trying to conceal the records. Respondent acknowledged that any failures to comply with statutes and regulations were his responsibility, and that his delegation of duties to Mrs. Torres did not excuse him from discipline.

14. Respondent presented evidence demonstrating his rehabilitation. Respondent has gone back to operating a sole proprietorship brokerage. He has taken steps to cure defects of the type found in the audit in the operation of his current business. Respondent, through his licensed activities, is the sole means of support for a family of six. Finally, Respondent has no prior discipline, although a real estate licensee since 1977.

DETERMINATION OF ISSUES

1. Cause exists to suspend or revoke the Respondent's license pursuant to Sections 10165 and 10177(d) of the Business and Professions Code ("the Code"), for violations of the Code and for violations of Title 10 of the California Code of Regulations ("CCR"), as follows:

(A) Section 10145 of the Code, as set forth in Finding 7(A), above;

(B) Section 10240 of the Code, and sections 2840 and 2842.5 of the CCR, as set forth in Finding 7(B), above;

(C) Section 10240 of the Code, as set forth in Finding 7(C), above;

(D) Section 10148(a) of the Code, as set forth in Finding 7(D), above;

(E) Section 2831 of the CCR, as set forth in Finding 8(A), above;

(F) Section 10161.8(b) of the Code, as set forth in Finding 8(B), above;

(G) Section 10162 of the Code, and section 2715 of the CCR, as set forth in Finding 8(C), above.

2. There are mitigating factors in determining what discipline should be imposed. (Findings 11 through 13.)

3. There is evidence of rehabilitation in determining what discipline should be imposed. (Finding 14.)

3. The Administrative Law Judge concludes that allowing Respondent to continue in his licensed activities does not pose a threat to the public welfare. It is in the best interests of the public that he be allowed to continue his profession as a real estate broker, subject to restrictions.

ORDER

WHEREFORE, THE FOLLOWING ORDER IS HEREBY MADE:

All licenses and licensing rights of Respondent Rudolfo Lorenzo Concha under the Real Estate Law are hereby revoked; provided, however, a restricted real estate brokers 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 the restricted license within 90 days from the effective date of this Decision. 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 to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:

1. The restricted license issued to Respondent 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 is substantially related to Respondent's fitness or capacity as a real estate licensee.

2. The restricted license issued to Respondent may be suspended prior to hearing by order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.

3. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor for the removal of any of the conditions, limitations or restrictions of a restricted license until three (3) years have elapsed from the effective date of this Decision.

4. Respondent shall, within nine months from the effective date of this Decision, present 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. 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.

5. Respondent shall report in writing to the Department of Real Estate as the Real Estate Commissioner shall direct by his Decision herein or by separate written order issued while the restricted license is in effect such information concerning Respondent's activities for which a real estate license is required as the Commissioner shall deem to be appropriate to protect the public interest.

Such reports may include, but shall not be limited to, periodic independent accountings of trust funds in the custody and control of Respondent and periodic summaries of salient information concerning each real estate transaction in which the Respondent engaged during the period covered by the report.

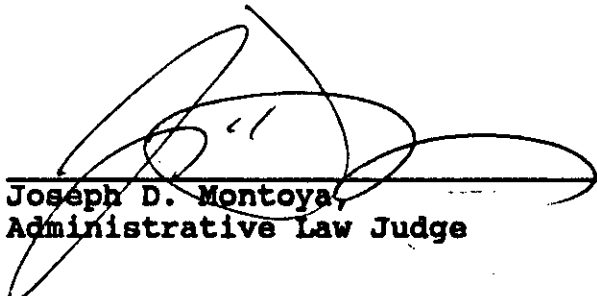
6. Pursuant to Section 10148(b) of the Business and Professions Code, Respondent shall pay the Commissioner's reasonable cost for an audit to determine if Respondent has corrected the trust fund violation(s) found in paragraphs 8(A) and 8(D) of the Findings of Fact, above. However, the audit shall only be conducted to determine if his current licensed business activities comply in regard to Respondent's record-keeping obligations. He will not be required to demonstrate that he has obtained and maintained records of his partnership business with Mr. and Mrs. Torres. In calculating the amount of the

Commissioner's reasonable cost, the Commissioner may use the estimated average hourly salary for all persons performing audits of real estate brokers, and shall include an allocation for travel time to and from the auditor's place of work.

Respondent shall pay such cost within sixty (60) days of receiving an invoice from the Commissioner detailing the activities performed during the audit and the amount of time spent performing those activities. The Commissioner may suspend the restricted license issued to respondent pending a hearing held in accordance with Section 11500, et seq., of the Government Code, if payment is not timely made as provided for herein, or as provided for in a subsequent agreement between the Respondent and the Commissioner.

The suspension shall remain in effect until payment is made in full or until Respondent enters into an agreement satisfactory to the Commissioner to provide for payment, or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

November 21, 1996



Joseph D. Montoya,
Administrative Law Judge

Sacto

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

FILED
JUN 25 1996

In the Matter of the Accusation of) Case No. H-26226 LA
RUDOLFO LORENZO CONCHA,) OAH No. L-9512189
Respondents.)

DEPARTMENT OF REAL ESTATE
By *Luis B. Brown*

NOTICE OF CONTINUED HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 314 West First Street, Los Angeles, California, on OCTOBER 23 & 24, 1996, at the hour of 9:00 a.m. 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 25, 1996

DEPARTMENT OF REAL ESTATE

By: *V. Ahda Sands*
V. AHDA SANDS, Counsel

cc: Rudolfo Lorenzo Concha
Michael A. Naso, Esq.
Sacto.
OAH

Sacto

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILE
JAN - 4 1996
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of) Case No. H-26226 LA
RUDOLFO LORENZO CONCHA,) OAH No. L-9512189
Respondent.)

By Laura B. Orona

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 314 West First Street, Los Angeles, California, JUNE 18 & 19, 1996, at the hour of 9:00 a.m. 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: January 4, 1996

DEPARTMENT OF REAL ESTATE

By: V. Ahda Sands

V. AHDA SANDS, Counsel

cc: Rudolfo Lorenzo Concha
Michael A. Naso, Esq.
Sacto.
OAH

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Seto Jan

1 V. AHDA SANDS, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, California 90012
5 (213) 897-3937

FILED
JUL 13 1995
DEPARTMENT OF REAL ESTATE

By *Laura B. Aron*

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

11	In the Matter of the Accusation of)	NO. H-26226 LA
12	RUDOLFO LORENZO CONCHA, doing)	<u>ACCUSATION</u>
13	business as Wall Street)	
14	Financial/Wall Street Realty and)	
15	Investment and Security Real)	
16	Estate Brokerage)	
	Respondent.)	

17 Complainant, Peter F. Hurst, a Deputy Real Estate
18 Commissioner of the State of California, as and for cause of
19 Accusation against RUDOLFO LORENZO CONCHA, doing business as Wall
20 Street Financial/Wall Street Realty and Investment and Security
21 Real Estate Brokerage (herein "Respondent") alleges as follows:

1

23 The term "the Regulations" as used herein refers to
24 provisions of Chapter 6, Title 10, California Code of
25 Regulations.

/

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1
2 The Complainant, Peter F. Hurst, a Deputy Real Estate
3 Commissioner of the State of California, makes this Accusation
4 against Respondent in his official capacity.

5
6 Respondent is presently licensed and/or has license
7 rights under the Real Estate Law, Part 1 of Division 4 of the
8 Business and Professions Code (herein "the Code").

9
10 At all times mentioned herein, Respondent RUDOLFO
11 LORENZO CONCHA, doing business as Wall Street Financial/Wall
12 Street Realty and Investment and Security Real Estate Brokerage,
13 (herein "CONCHA") was and now is licensed by the Department of
14 Real Estate of the State of California (herein "the Department")
15 as a real estate broker.

16
17 All further references herein to "Respondent" includes
18 the party identified in Paragraph 4, above, and also includes
19 the employees, agents and real estate licensees employed by or
20 associated with said party and who at all times herein mentioned
21 were engaged in the furtherance of the business or operations of
22 said party and who were acting within the course and scope of
23 their authority and employment.

24
25 At all times herein mentioned, Respondent engaged in
26 the business of, acted in the capacity of, advertised or assumed
27



1 to act as a real estate broker for others in the State of
2 California within the meaning of Sections:

3 10131(a) whereby Respondent sold or offered to
4 sell, bought or offered to buy, solicited or obtained listings
5 of, or negotiated the purchase, sale or exchange of real property
6 of a business opportunity as the agent of others for compensation
7 and/or;

8 10131(b) whereby Respondent leased or rented or
9 offered to lease or rent, or placed for rent, or solicited
10 listings of places for rent, or solicited for prospective
11 tenants, or negotiated the sale, purchase or exchange of leases
12 on real property, or on a business opportunity, or collected
13 rents from real property, or improvements thereon, or from
14 business opportunities as the agent for others for compensation
15 and/or;

16 10131(d) of the Code, including the operation and
17 conduct of mortgage loan activities with the public wherein, on
18 behalf of others and for compensation or in expectation of
19 compensation. Respondent solicited lenders and borrowers for
20 loans secured directly or collaterally by a lien on real
21 property; arranged, negotiated, processed, and consummated said
22 loans. In addition, while not licensed under the Escrow Law,
23 Respondent acted in the capacity of an escrow holder in loan
24 transactions in which Respondent performed acts for which a real
25 estate license is required.

26 /
27 /

In connection with the aforesaid real estate broker activities, Respondent accepted or received funds in trust (hereinafter "trust funds") from or on behalf of borrowers and lenders and note owners and thereafter made disbursements of such funds. Respondent deposited certain of said funds into the following accounts (herein "said accounts"):

(1) Account No. 004-155165, the "Wall Street Financial Services Escrow Trust Account", at the Vineyard National Bank of, California, T/A#1.

(2) Account No. 004-105273, the "Wall Street Financial Services Escrow Trust Account", at the Vineyard National Bank of, California, T/A#2.

(3) Account No. 004-155696, the "Wall Street Financial Services Escrow Trust Account", at the Vineyard National Bank of, California, T/A#3.

FIRST CAUSE OF ACCUSATION

WALL STREET FINANCIAL AUDIT VIOLATIONS

On August 2, 1994, the Department concluded its examination of Respondent's books and records pertaining to the real estate activities described in Paragraph 6, above, for the nineteen month period ending June 30, 1994, which examination revealed violations of the Code and of the Regulations as set forth in the following paragraphs:

/

/

1
2 In connection with the trust funds referred to in
3 Paragraph 7, above, Respondent acted in violation of the Code
4 and the Regulations in that Respondent:

5 (a) failed to maintain separate records of the
6 receipt and disposition of trust funds in violation of Code
7 Section 10145(g). In fact the Department's auditor could not
8 determine the amount owed to beneficiaries because there were
9 insufficient records available for any of the trust accounts;

10 (b) violated Section 10145 of the Code and Section
11 2830 of the Regulations by depositing certain funds received in
12 trust into accounts maintained by Wall Street Financial Services
13 Bank, rather than into a trust account in CONCHA's name as broker
14 and as trustee for T/A #1 and T/A # 2;

15 (c) failed to maintain an adequate formal trust fund
16 receipt journal and a formal trust fund disbursements journal for
17 T/A #1 and T/A # 2 or other records of the receipt and
18 disposition of trust funds received, conforming to the
19 requirements of Section 2831 of the Regulations.

20 (d) failed to maintain adequate separate records for
21 each beneficiary or transaction, accounting therein for said
22 account trust funds received, deposited, and disbursed,
23 conforming to the requirements of Sections 2831.1 and 2951 for
24 T/A #1 and T/A # 2;

25 (e) violated Section 2831.2 of the Regulations by
26 failing to perform a monthly reconciliation of the records of the
27 receipt and disposition of all trust funds received, and the

1 balance of all separate beneficiary or transaction records T/A #1
2 and T/A # 2;

3 (f) failed to retain all original or copies of the
4 vouchers or invoices in violation of Section 10148(a) of the
5 Regulations;

6 (g) failed to provide borrowers with a Mortgage Loan
7 Disclosure Statement in violation of Section 10240 of the Code
8 and 2840 and 2842.5 of the Regulations and

9 (h) failed to disclose to borrowers in writing that
10 Respondent received a rebate from the lenders as additional
11 compensation for processing loan transactions, in violation of
12 sections 10240 and/or 10176(g) of the Code;

13 - 10

14 The acts and omissions of Respondent described in
15 Paragraph 9, above, violated the Code and the Regulations as set
16 forth below:

	<u>PARAGRAPH</u>	<u>PROVISIONS</u>	<u>VIOLATIONS</u>
17	9(a)	Sec. 10145(g)	of the Code
	9(b)	Sec. 10145	of the Code;
18		Sec. 2830	of the Regulations;
	9(c)	Sec. 2831	of the Regulations;
19	9(d)	Sec. 2831.1, 2951	of the Regulations;
	9(e)	Sec. 2831.2	of the Regulations;
20	9(f)	Sec. 10148(a)	of the Code;
	9(g)	Sec. 10240	of the Code;
21		Sec. 2840	of the Regulations;
		Sec. 2842.5	of the Regulations;
22	9(h)	Sec. 10176(g), 10240	of the Code.

23 Each of the foregoing violations separately constitutes
24 cause for the suspension or revocation of all licenses and
25 license rights of Respondent pursuant to the provisions of
26 Sections 10176(g) and 10177(d) of the Code.

27 /

2 In connection with the aforesaid real estate
3 activities, as related to Security Real Estate Brokerage,
4 Respondent accepted or received funds in trust (hereinafter
5 "trust funds") from or on behalf of buyers, sellers, leasees or
6 lessors and thereafter made disbursements of such funds.
7 Respondent deposited certain of said funds into the following
8 account (herein "said account") No. 04283-03405, the "Security
9 Real Estate Brokerage Trust Account", at Bank of America,
10 Montebello Branch # 428, California.

11 SECOND CAUSE OF ACCUSATION

12 SECURITY REAL ESTATE BROKERAGE

13 AUDIT VIOLATIONS

14 12

15 On August 2, 1994, the Department concluded its
16 examination of Respondents' books and records pertaining to the
17 real estate activities described in Paragraph 6, above, for the
18 nineteen month period ending June 30, 1994, which examination
19 revealed violations of the Code and of the Regulations as set
20 forth in the following paragraphs:

21 13

22 In connection with the trust funds referred to in
23 Paragraph 11, above, Respondent acted in violation of the Code
24 and the Regulations in that Respondent:

25 (a) violated Section 10145 of the Code and Section
26 2830 of the Regulations by depositing certain funds received in
27 trust into accounts maintained by Security Real Estate Brokerage,



1 rather than into a trust account in the broker's name as broker
2 and as trustee;

3 (b) failed to maintain an adequate formal trust fund
4 receipt journal and a formal trust fund disbursements journal for
5 the account identified in Paragraph 11, above, or other records
6 of the receipt and disposition of trust funds received,
7 conforming to the requirements of Section 2831 of the
8 Regulations.

9 (c) violated Section 2832 of the Regulations by
10 failing to timely deposit trust funds received by the end of the
11 following business day.

12 (d) failed to notify the Department that licensed
13 real estate salespersons Sue L. Dong, Armando Gutierrez, Tracy
14 Liu, Carmen Maria Morell, Adriana Patricia Silva, Rebecca Evelyn
15 Torres and Tony Torres left the employ of Respondent. These
16 persons had previously, conducted acts requiring a license, in
17 expectation of compensation. Failure to give notice is a
18 violation of Section 10161.8(a) of the Code and Section 2752 of
19 the Regulations.

20 (e) failed to notify the Department that
21 Respondent moved from 120 N. Fairway Lane, West Covina,
22 California to 3314 W. Beverly Blvd., Montebello, California, in
23 violation of Code Section 10162 and Regulation Section 2715.

24 14

25 The acts and omissions of Respondent described in
26 Paragraph 13, above, violated the Code and the Regulations as set
27 forth below:

	<u>PARAGRAPH</u>	<u>PROVISIONS</u>	<u>VIOLATIONS</u>
1	13(a)	Sec. 10145	of the Code and
2		Sec. 2830	of the Regulations;
	13(b)	Sec. 2831	of the Code;
3	13(d)	Sec. 10161.8(a)	of the Code;
	13(c)	Sec. 2832	of the Code;
4		Sec. 2752	of the Regulations;
	13(e)	Sec. 2715	of the Regulations;
5		Sec. 10162	of the Code.

6 Each of the foregoing violations separately constitutes
7 cause for the suspension or revocation of all licenses and
8 license rights of Respondent pursuant to the provisions of
9 Sections 10165 and/or and 10177(d) of the Code.

10 WHEREFORE, Complainant prays that a hearing be
11 conducted on the allegations of this Accusation and that upon
12 proof thereof a decision be rendered imposing disciplinary action
13 against all licenses and license rights of Respondent RUDOLFO
14 LORENZO CONCHA under the Real Estate Law (Part 1 of Division 4 of
15 the Business and Professions Code) and for such other and further
16 relief as may be proper under other applicable provisions of law.
17 Dated at Los Angeles, California
18 this 13th day of July, 1995.

19

20

21

PETER F. HURST

22

Deputy Real Estate Commissioner

23

24

25

cc: Rudolfo Lorenzo Concha
26 Sacto.
 DMH
27 OAH
 VAS

