

1 Department of Real Estate
2 107 South Broadway, Room 8107
3 Los Angeles, CA 90012
4 (213) 897-3937

FILED
MAY 29 1997
DEPARTMENT OF REAL ESTATE

By K. Kunderhald

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 To:) No. H-27183 LA
12)
12 FRANK VIOLI) ORDER TO DESIST
13)
13 _____) AND REFRAIN

14 The Real Estate Commissioner of the State of California
15 has caused an investigation to be made of your activities as a
16 real estate broker, and based on the findings of that
17 investigation, is of the opinion that FRANK VIOLI has violated
18 Sections 10145(a) and 10137 of the Business and Professions Code
19 (hereinafter Code), as well as Regulations 2831.1, 2831.2 and
20 2731, (all references herein to Regulations refer to the
21 California Code of Regulations, Title 10, Chapter 6, hereinafter
22 the Regulations).

23 I

24 That at all times herein mentioned, you, FRANK
25 VIOLI, were licensed by the Department of Real Estate of the
26 State of California (hereinafter Department) as a real estate
27 broker.

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II

At all times herein mentioned, you, FRANK VIOLI, on behalf of others in expectation of compensation, engaged in the business, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of Section 10131(b) of the Code, including soliciting renters and owners and collecting rents on behalf of the owners of real property.

III

During 1996, in connection with the aforesaid real estate brokerage activities, you accepted or received funds from renters and owners and thereafter made disbursements of such funds.

IV

In connection with your activities as a real estate broker, as described above, you acted in violation of the Real Estate Law as follows:

1. Violated Section 10145(a) of the Code by maintaining a shortage in the trust account as of October 31, 1996, in the amount of \$320.93.
2. Violated Section 10137 of the Code by employing and compensating Robert K. Cooper who is not licensed as a real estate broker or salesperson to solicit renters and owners at the La Costa Hills Condominium project in San Diego County as well as to collect rents on behalf of the owners of units in the project. The activities of Cooper require a real estate license under Section 10131(b) of the Code.



1 3. Violated Regulation 2831.1 by maintaining
2 separate records which were missing the daily balance, check
3 numbers, record of cash transactions, and a record of
4 transactions in chronological sequence.

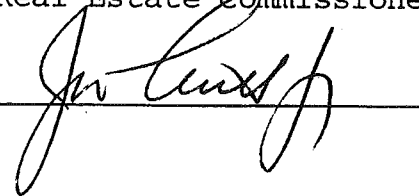
5 4. Violated Regulation 2831.2 by failing to
6 maintain a monthly record of trust fund account
7 reconciliation. The columnar record was not reconciled to
8 the separate records on a monthly basis.

9 5. Violated Regulation 2731 by conducting your
10 real property management business under the unlicensed
11 fictitious business name "La Costa Hills Management Company".
12

13 NOW, THEREFORE, YOU, FRANK VIOLI, ARE ORDERED TO
14 DESIST AND REFRAIN from performing any and all activities for
15 which a real estate broker license is required until you
16 comply with all provisions of the Real Estate Law as
17 discussed in this Order.

18 DATED: 5/21/97

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21 JIM ANTT, JR.
22 Real Estate Commissioner

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24

25
26 cc: Frank Violi
27 227 North El Camino Real, Suite 202.
 Encinitas, CA 92024

JRP:PI:kw

