

1 I have considered Respondent's petition and the
2 evidence and arguments in support thereof. Respondent has
3 failed to demonstrate to my satisfaction that Respondent
4 has undergone sufficient rehabilitation to warrant the
5 reinstatement of Respondent's real estate broker license, in
6 that:

7 I

8 On or about June 27, 1997, an Order to Desist and
9 Refrain was issued to Respondent. A Department of Real Estate
10 ("Department") investigation determined that in or about 1995
11 and 1996, Respondent violated Business and Professions Code
12 ("Code") Sections 10130 and 10145(c). Respondent was ordered to
13 desist and refrain from any and all conduct requiring a real
14 estate license unless and until he was in compliance with the
15 Real Estate Law.

16 II

17 In the Decision which revoked Respondent's real estate
18 broker license, there was a Determination of Issues made that
19 there was cause to revoke Respondent's license for violation of
20 Code Sections 10130, 10137 and 10145(c). It had been found that
21 during a period of time in 1995 and 1996, while licensed as a
22 real estate salesperson, Respondent conducted licensed activity
23 while not affiliated with a real estate broker. It had also
24 been found that during a period of time in 1996, while
25 affiliated with a real estate broker, Respondent accepted trust
26 funds (advanced management fees and rental payments) directly
27

1 from owners and tenants and deposited them into his personal
2 bank account.

3 III

4 Respondent has not paid or entered into a payment
5 arrangement for a state tax lien by the Franchise Tax Board, in
6 the amount of approximately \$5,000, filed on or about April 14,
7 1997, against Respondent and his former fictitious business
8 names Express Real Estate and Express Leasing. This evidences
9 cause to deny Respondent's petition pursuant to Section 2911(h),
10 Title 10, Chapter 6, California Code of Regulations
11 ("Regulations").

12 IV

13 The serious nature of the conduct which led to the
14 revocation of Respondent's real estate broker license combined
15 with the facts set forth in Paragraph III, evidences that not
16 enough time has passed to determine that Respondent is
17 completely rehabilitated. This evidences cause to deny
18 Respondent's petition pursuant to Regulation 2911(a).

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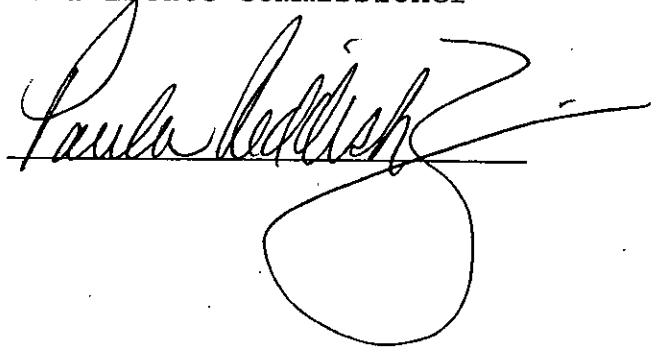
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NOW, THEREFORE, IT IS ORDERED that Respondent's
petition for reinstatement of Respondent's real estate broker
license is denied.

This Order shall become effective at 12 o'clock noon
on May 9, 2001

DATED: April 16, 2001

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



cc: Ronald W. Hubbard
507 Clubhouse
Newport Beach, CA 92667

1 trust fund established for that purpose. However, I note that
2 some evidence of rehabilitation is present due to respondent
3 having made full payment to the complaining witness, Gene
4 Hovatter, in March 1996.

5 I have reconsidered said Decision of January 6, 1998 and
6 it is hereby ordered that the disciplinary action therein imposed
7 against the real estate license and license rights of respondent
8 be reduced by modifying the Order of said Decision to read as
9 follows:

10 ORDER

11 The real estate license and license rights of respondent
12 RONALD W. HUBBARD under the Real Estate Law (Part 1 of Division 4
13 of the Business and Professions Code) are hereby revoked.

14 However, Respondent shall be entitled to apply for and
15 be issued a restricted real estate salesperson license if
16 Respondent makes application therefor and pays to the Department
17 of Real Estate the appropriate fee for said license within ninety
18 (90) days of the effective date of the Decision herein.

19 The restricted license issued to Respondent shall be
20 subject to all of the provisions of Section 10156.7 of the Code
21 and the following limitations, conditions and restrictions imposed
22 under authority of Section 10156.6 of the Code:

23 A. The restricted license may be suspended prior to
24 hearing by Order of the Real Estate Commissioner in the event of a
25 conviction (including conviction on a plea of nolo contendere) to
26 a crime which bears a significant relationship to a Respondent's
27 fitness or capacity as a real estate licensee.



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B. The restricted license may be suspended prior to
hearing by Order of the Real Estate Commissioner on evidence
satisfactory to the Commissioner that Respondent has, after the
effective date of the Decision herein, violated provisions of the
California Real Estate Law, the Subdivided Lands Law, Regulations
of the Real Estate Commissioner or conditions attaching to said
restricted license.

C. Respondent shall obey all laws of the United States,
the State of California and its political subdivisions, and shall
further obey and comply with all rules and regulations of the Real
Estate Commissioner.

D. Respondent shall, within twelve (12) 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 renewed 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 an opportunity
for a hearing pursuant to the APA to present such evidence.

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1 E. Respondent shall within six months from the
2 effective date of the Decision, take and pass the Professional
3 Responsibility Examination administered by the Department
4 including the payment of the appropriate examination fee. If
5 Respondent fails to satisfy this condition, the Commissioner may
6 order suspension of the restricted license until Respondent passes
7 the examination.

8 F. Respondent shall not be eligible for the issuance of
9 an unrestricted real estate license nor the removal of any of the
10 conditions, limitations or restrictions of the restricted license
11 until at least one year has elapsed from the issuance of any
12 restricted real estate license.

13 G. Respondent shall submit with any application for
14 license under an employing broker, or any application for transfer
15 to a new employing broker, a statement signed by the prospective
16 broker, a statement signed by the prospective broker which shall
17 certify:

18 (1) That the employing broker has read the Order of the
19 Commissioner which granted the right to a restricted
20 license; and

21 (2) That the employing broker will exercise close
22 supervision over the performance by the restricted
23 licensee relating to activities for which a real estate
24 license is required.

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1 H. The restricted real estate salesperson license issued
2 to respondent shall be suspended for thirty (30) days from the date
3 of its issuance; provided, however, that if respondent petitions,
4 said suspension shall be stayed upon condition that:

5 (1) Respondent pays a monetary penalty pursuant to
6 Section 10175.2 of the Business and Professions Code in
7 the amount of \$2,000.00.

8 (2) Said payment shall be in the form of a cashier's
9 check or certified check made payable to the Recovery
10 Account of the Real Estate Fund. Said check must be
11 delivered to the Department prior to the effective date
12 of the Decision in this matter.

13 (3) No further cause for disciplinary action against
14 the real estate license of respondent occurs within one
15 year from the effective date of the Decision in this
16 matter.

17 (4) If respondent fails to pay the monetary penalty
18 in accordance with the terms and conditions of the
19 Decision, the Commissioner may, without a hearing, order
20 the immediate execution of all or any part of the stayed
21 suspension in which event the respondent shall not be
22 entitled to any repayment nor credit, prorated or
23 otherwise, for money paid to the Department under the
24 terms of this Decision.

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This Decision shall become effective at 12 o'clock noon
on April 7, 1998

IT IS SO ORDERED 3/16, 1998.

JIM ANTT, JR.
Real Estate Commissioner



*Success
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FILED
MAR 12 1998
DEPARTMENT OF REAL ESTATE

By *[Signature]*

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	
)	
)	
RONALD W. HUBBARD,	No. H-27184 LA
)	
)	
)	
Respondent,	
)	

AMENDED ORDER STAYING EFFECTIVE DATE

IT IS HEREBY ORDERED THAT the March 2, 1998, ORDER STAYING EFFECTIVE DATE shall become effective at 12 o'clock noon on March 16, 1998.

DATED: March 12, 1998

Randolph Brenda by [Signature]
Randolph Brenda
Regional Manager

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FILED
MAR - 2 1998
DEPARTMENT OF REAL ESTATE

By K. Muderholt

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	
)	
RONALD W. HUBBARD,)	No. H-27184 LA
)	
)	
Respondent.)	

ORDER STAYING EFFECTIVE DATE

On January 4, 1998, a Decision was rendered in the above-entitled matter to become effective February 4, 1998. On February 2, 1998, an ORDER STAYING EFFECTIVE DATE stayed the effective date of February 4, 1998 for 30 days, staying the effective date until March 4, 1998.

IT IS HEREBY ORDERED that the effective date of the Decision of January 4, 1998, is stayed for an additional period of 10 days.

The Decision of January 4, 1998, shall become effective at 12 o'clock noon on March 14, 1998.

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DATED: March 2, 1998

Randolph Brenda by Jan McLeary

Randolph Brenda
Regional Manager



Handwritten notes:
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FILED
FEB - 2 1998
DEPARTMENT OF REAL ESTATE

By *K. Kenedy*

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of) No. H-27184 LA
RONALD W. HUBBARD,)
Respondent.)

ORDER STAYING EFFECTIVE DATE

On January 4, 1998, a Decision was signed in the above-entitled matter to become effective February 4, 1998.

IT IS HEREBY ORDERED that the effective date of the Decision of January 4, 1998, is stayed for a period of 30 days.

The Decision shall become effective at 12 o'clock noon on March 6, 1998.

DATED: *2 Feb. 98*

JIM ANTT, JR.
Real Estate Commissioner

By: *Randolph Brendia*
RANDOLPH BRENDIA
Regional Manager

May 20, 1996 to on or about August 4, 1996, HUBBARD was affiliated with Charles Alphonse Mansur as his employing broker.

IV

At all times herein mentioned, in the city of Newport Beach, Orange County, respondent HUBBARD, a real estate salesperson, acted in the capacity of a real estate broker, within the meaning of Section 10131(b) of the Code, including the operation and conduct of a property management business with the public, to wit, Express Leasing, wherein, for or in expectation of compensation, for another or others, respondent HUBBARD leased or rented or offered to lease or rent, or placed for rent, or solicited listings of places for rent, or solicited for prospective tenants, or collected rents from real property, or improvements thereon.

V

Between the period beginning on December 28, 1995 and ending on May 19, 1996, while HUBBARD was not affiliated with an employing broker, he negotiated real estate property transactions that included the Mike Rademacher, Gene Hovatter, and Teri Bruno Freeman management agreements for the properties located at 30182 Silverado Cyn, Silverado Cyn, 515 Marguerite, CDM, 2 Partridge, Aliso Viejo, and included the Inger Teegardern and Brigitte Cady, Marie A. Longchamp, and rental agreements for the respective properties located at 515 Margaritte, CDM, 2 Partridge, Aliso Viejo, and 26710 Quail Creek, #194, Laguna Hills. During this aforesaid period, HUBBARD accepted advanced management fees and rental payments directly from owners and tenants and deposited them in his personal account in his own name at Wells Fargo Bank, Concord, California.

VI

Between the period of time beginning on May 20, 1996 and ending on or about August 4, 1996, while HUBBARD was affiliated with Charles Alphonse Mansur as his employing broker, he negotiated real estate property transactions that included the John Wilson, Charlotte Freeman management agreements for the properties located at 26701 Quail Creek, #194, Laguna Hills and 4 Chandon, Laguna Niguel and include the Lorena and Christina Daily, Bleick and Evans rental agreements for the properties located at 42 Terrace Ct., Laguna Niguel, 200 Pacific Coast Highway, #M29, Huntington Beach, and 2 Pacific Coast Highway, #205, Huntington Beach. During this aforesaid period, he accepted advanced management fees and rental payments directly from owners and tenants and deposited them in his personal account in his own name at Wells Fargo Bank, Concord, California.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent RONALD WAYNE HUBBARD exists pursuant to Business and Professions Code Sections 10130, 10137, 10145(c) and 10177(d).

II

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

The license and license rights of Respondent RONALD WAYNE HUBBARD under the provisions of Part 1 of Division 4 of the Business and Professions Code are revoked.

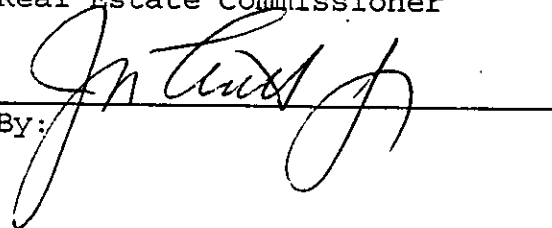
This Decision shall become effective at 12 o'clock noon on February 4, 1998.

DATED: _____

1/6/98

JIM ANTT, JR.
Real Estate Commissioner

By: _____



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

4 (213) 897-3937

FILED
DEC - 1 1997
DEPARTMENT OF REAL ESTATE

By H. Niederholt

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * * *

11	In the Matter of the Accusation of)	
12	CHARLES ALPHONSE MANSUR)	No. H-27184 LA
13	and RONALD WAYNE HUBBARD,)	
14)	<u>STIPULATION AND AGREEMENT</u>
15)	
16	Respondents.)	

17 It is hereby stipulated by and between CHARLES ALFONSE
18 MANSUR, dba Castle Financial, Castle Realtors, Eagle Realty and
19 Huntington Landmark Realty and Bert Cook, Counsel for Respondent
20 CHARLES ALFONSE MANSUR and the Complainant, acting by and through
21 Elliott Mac Lennan, Counsel for the Department of Real Estate, as
22 follows for the purpose of settling and disposing of the
23 Accusation filed on May 16, 1997, in this matter:

24 1. All issues which were to be contested and all
25 evidence which was to be presented by Complainant and Respondent
26 CHARLES ALFONSE MANSUR at a formal hearing on the Accusation,
27 which hearing was to be held in accordance with the provisions of

1 the Administrative Procedure Act ("APA"), shall instead and in
2 place thereof be submitted solely on the basis of the provisions
3 of this Stipulation and Agreement (Stipulation).

4 2. Respondent has received, read and understands the
5 Statement to Respondent, the Discovery Provisions of the APA and
6 the Accusation filed by the Department of Real Estate in this
7 proceeding.

8 3. On August 20, 1997, Respondent CHARLES ALPHONSE
9 MANSUR filed a Notice of Defense pursuant to Section 11506 of the
10 Government Code for the purpose of requesting a hearing on the
11 allegations in the Accusation. Respondent hereby freely and
12 voluntarily withdraws said Notice of Defense. Respondent
13 acknowledges that he understands that by withdrawing said Notice
14 of Defense he will thereby waive his right to require the
15 Commissioner to prove the allegations in the Accusation at a
16 contested hearing held in accordance with the provisions of the
17 APA and that he will waive other rights afforded to him in
18 connection with the hearing such as the right to present evidence
19 in his defense and the right to cross-examine witnesses.

20 4. Respondent CHARLES ALPHONSE MANSUR, pursuant to the
21 limitations set forth below, hereby admits that the factual
22 allegations in Paragraphs one (I) through eight (VIII) and
23 Paragraphs Fourteen (XIV) through sixteen (XVI) of the Accusation
24 filed in this proceeding are true and correct and the Real Estate
25 Commissioner shall not be required to provide further evidence of
26 such allegations.

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5. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation as his decision in this matter thereby imposing the penalty and sanctions on Respondent's real estate license and license rights as set forth in the below "Order." In the event that the Commissioner in his discretion does not adopt the Stipulation, it shall be void and of no effect. Respondent shall retain the right to a hearing and proceeding on the Accusation under all the provisions of the APA and shall not be bound by any admission or waiver made herein. It is the intent and understanding of the parties that this Stipulation shall not be binding or admissible against respondent in any actions against respondent by third parties.

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

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check must be delivered to the Department prior to the effective date of the Order in this matter;

(3) If Respondent fails to pay the monetary penalty in accordance with the terms of this paragraph or this Order, the Commissioner may, without a hearing, order the immediate execution of all or any part of the thirty (30) day stayed suspension, in which event respondent shall not be entitled to any repayment nor credit, prorated or otherwise, for money paid to the Department under the terms of this Order.

B. Sixty (60) days of the ninety (90) day suspension provided in paragraph "I" shall be stayed for two (2) years upon the following terms and conditions:

(1) Respondent shall obey all laws, rules and regulations governing the rights, duties and responsibilities of real estate licensees in the State of California;

(2) That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred two (2) years of the effective date of this Order;

(3) If no further cause for disciplinary action against the real estate license of Respondent occurs within two (2) years from the effective date of this Order, the sixty (60) day stay granted pursuant to this paragraph shall become permanent.

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DATED: 11-6-97

E. J. L.
ELLIOTT MAC LENNAN
Counsel for Complainant

* * * * *

I have read the Stipulation and Agreement, have discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code). I 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 I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

DATED: 11/12/97 Charles Alphonse Mansur
CHARLES ALPHONSE MANSUR Respondent

DATED: 11/12/97 Bert Cook
BERT COOK, Counsel for Respondent

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The foregoing Stipulation and Agreement is adopted as my Decision and shall become effective at 12 o'clock noon on December 1, 1997.

IT IS SO ORDERED 11/24, 1997.

JIM ANTT, JR.
Real Estate Commissioner



*Sacto
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FILED
AUG 19 1997
DEPARTMENT OF REAL ESTATE

**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

By *K. Mederholt*

In the Matter of the Accusation of

CHARLES ALPHONSE MANSUR, et al.,

Case No. H-27184 LA

OAH No. L-1997070343

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at _____
Office of Administrative Hearings, 107 South Broadway, Second Floor
Los Angeles, CA 90012

on October 31, 1997 at the hour of 9:00 a.m.,
or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

By *Marjorie P. Messel*
Counsel

Dated: August 19, 1997

cc: Charles Alphonse Mansur
Sacto
OAH
SR.
Bert Cook, Esq.

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MARJORIE P. MERSEL, Counsel
Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012

(213) 897-3937

FILED
MAY 16 1997
DEPARTMENT OF REAL ESTATE

By *K. Mederhals*

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H-27184 LA
CHARLES ALPHONSE MANSUR)	A C C U S A T I O N
and RONALD WAYNE HUBBARD,)	
Respondents.)	

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against CHARLES ALPHONSE MANSUR, dbas Castle Financial, Castle Realtors, Eagle Realty, and Huntington Landmark Realty, and RONALD WAYNE HUBBARD, dba Express Leasing, is informed and alleges in his official capacity as follows:

I

CHARLES ALPHONSE MANSUR (MANSUR) and RONALD WAYNE HUBBARD (HUBBARD), sometimes collectively referred to as respondents, are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code).

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II

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

III

At all mentioned times, RONALD WAYNE HUBBARD (HUBBARD) was originally licensed by the Department of Real Estate on April 27, 1981, as a real estate salesperson. From December 28, 1995, to May 19, 1996, HUBBARD was not affiliated with an employing broker. From May 20, 1996, to on or about August 4, 1996, HUBBARD was affiliated with CHARLES ALPHONSE MANSUR as employing broker.

IV

Respondent CHARLES ALPHONSE MANSUR (MANSUR) was originally licensed by the Department of Real Estate on March 26, 1980, as a real estate broker.

V

At all times herein mentioned, in the City of Huntington Beach, Orange County, respondent MANSUR, a real estate broker, engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker, within the meaning of Section 10131(b) of the Code, including the operation and conduct of a property management business with the public wherein, for or in expectation of compensation, for another or others, respondent MANSUR leased or rented or offered to lease or rent, or place for rent, or solicited listings of places for rent, or solicited for prospective tenants, or collected rents from real property, or improvements thereon.

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VI

At all times herein mentioned, in the City of Newport Beach, Orange County, respondent HUBBARD, a real estate salesperson, engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker, within the meaning of Section 10131(b) of the Code, including the operation and conduct of a property management business with the public, to wit: Express Leasing, wherein, for or in expectation of compensation, for another or others, respondent HUBBARD leased or rented or offered to lease or rent, or placed for rent, or solicited listings of places for rent, of solicited for prospective tenants, or collected rents from real property, or improvements thereon.

VII

Between the period of time beginning on December 28, 1995, and ending on May 19, 1996, while HUBBARD was not affiliated with an employing broker, HUBBARD negotiated real estate property transactions that included the Mike Rademacher, Gene Hovatter, and Teri Bruno Freeman management agreements for the respective properties located at 30182 Silverado Cyn, Silverado Cyn, 515 Marguerite, CDM, 2 Partridge, Aliso Viejo, and included the Inger Teegardern and Brigitte Cady, Marie A. Longchamp, and rental agreements for the respective properties located at 515 Margaritte, CDM, 2 Partridge, Aliso Viejo, and 26710 Quail Creek, #194, Laguna Hills. During this aforesaid period, HUBBARD accepted advanced management fees and rental payments directly



1 from owners and tenants and deposited them in his personal account
2 in his own name at Wells Fargo Bank, Concord, California.

3 VIII

4 Between the period of time beginning on May 20, 1996 and
5 ending on or about August 4, 1996, while HUBBARD was affiliated
6 with MANSUR as his employing broker, HUBBARD negotiated real
7 estate property transactions that included the John Wilson,
8 Charlotte Freeman management agreements for the respective
9 properties located at 26701 Quail Creek, #194, Laguna Hills and 4
10 Chandon, Laguna Niguel and include the Lorena and Christina Daily,
11 Bleick and Evans rental agreements for the respective properties
12 located at 42 Terrace Ct., Laguna Niguel, 200 Pacific Coast
13 Highway, #M29, Huntington Beach, and the 2 Pacific Coast Highway,
14 #205, Huntington Beach. During this aforesaid period, HUBBARD
15 accepted advanced management fees and rental payments directly
16 from owners and tenants and deposited them in his personal account
17 in his own name at Wells Fargo Bank, Concord, California.

18 IX

19 The conduct of HUBBARD in negotiating real property
20 management agreements with owners and leases and rental agreements
21 with tenants, during a period when he was not, nor had ever been
22 licensed by the Department as a real estate broker or as a real
23 estate salesperson affiliated with a real estate broker, as
24 described in Paragraphs VII and VIII, is in violation of Section
25 10130 of the Code and is cause to suspend or revoke his license
26 and license rights under Section 10177(d).

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X

The conduct of respondent HUBBARD in depositing trust funds received from owners and tenants into his personal account at Wells Fargo Bank in Concord, California, as described in Paragraphs VII and VIII, hereinabove, constitutes commingling of trust funds and is a violation of Section 10176(e). Said conduct and violation are cause to suspend or revoke the real estate license and license rights of respondent HUBBARD.

XI

The conduct of respondent HUBBARD in deposited trust funds received from owners and tenants into his personal account at Wells Fargo Bank in Concord, California, as described in Paragraphs VII and VIII, hereinabove, constitutes conversion of trust funds and is a violation of Section 10176(i). Said conduct and violation are cause to suspend or revoke the real estate license and license rights of respondent HUBBARD.

XII

The conduct of HUBBARD in accepted trust funds in the form of advance fees for property management services and rental payments from tenants from leases and rental agreements negotiated by HUBBARD on behalf of the broker under whom he was licensed, MANSUR, between the period beginning on May 20, 1996, and ending on or about August 4, 1996, as described in Paragraphs VII and VIII above, and in receiving payment from the owners directly and not through MANSUR, constitutes a violation of Sections 10137 and 10145(c). This conduct and violation are cause to suspend or

1 revoke the real estate license and license rights of respondent
2 HUBBARD pursuant to Section 10137 and 10177(d) of the Code.

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4 XIII

5 The conduct of respondent HUBBARD, as described in
6 Paragraphs VII and VIII, hereinabove, constitutes negligence or
7 incompetence. This conduct and violation are cause for the
8 suspension or revocation of the real estate license and license
9 rights of respondent HUBBARD under the provision of Section
10 10177(g) of the Code.

11 XIV

12 The conduct of respondent MANSUR in failing to obtain a
13 license for the unlicensed branch office "Express Leasing" used by
14 HUBBARD to conduct his property management business is in
15 violation of Section 10163 of the Code and is cause to suspend or
16 revoke respondent MANSUR'S real estate license and license rights
17 under Section 10165 and 10177(d) of the Code.

18 XV

19 The conduct of respondent MANSUR in failing to obtain a
20 license for use of the fictitious business name "Express Leasing"
21 used by HUBBARD to conduct his property management business is in
22 violation of Section 2731 of the Regulations and is cause to
23 suspend or revoke respondent MANSUR'S real estate licenses and
24 license rights under Section 10177(d) of the Code.

25 XVI

26 The conduct of respondent MANSUR constitutes a failure
27 to exercise reasonable supervision over the acts of his
salesperson, to wit, HUBBARD. This conduct and violation are



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2 cause for the suspension or revocation of the real estate license
3 and license rights of respondent MANSUR under the provisions of
4 Section 10177(h) of the Code.

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6 WHEREFORE, Complainant prays that a hearing be conducted
7 on the allegations of this Accusation and, that upon proof
8 thereof, a decision be rendered imposing disciplinary action
9 against all licenses and license rights of respondents CHARLES
10 ALPHONSE MANSUR and RONALD WAYNE HUBBARD, under the Real Estate
11 Law (Part 1 of Division 4 of the Business and Professions Code)
12 and for such other and further relief as may be proper under other
13 applicable provisions of law.

14 Dated at Los Angeles, California

15 this 16th day of May, 1997.

16 THOMAS MC CRADY

17 Deputy Real Estate Commissioner

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27 cc: Charles Alphonse Mansur
Ronald Wayne Hubbard
Sacto.
SR

