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

(213) 897-3937

FILED
Feb 23 1998
DEPARTMENT OF REAL ESTATE
By *[Signature]*

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

To:)	
FIRST TEAM REAL ESTATE-ORANGE)	H-27507 LA
COUNTY and CAMERON NATHAN MERAGE)	<u>ORDER TO DESIST</u>
)	<u>AND REFRAIN</u>
)	

The Real Estate Commissioner of the State of California has caused an investigation to be made of your activities as a real estate broker, and based on the findings of that investigation, is of the opinion that FIRST TEAM REAL ESTATE-ORANGE COUNTY has violated Sections 10145(a), 10148, and 10137 of the Business and Professions Code (hereinafter Code), as well as Regulations 2832.1, 2830, 2832, 2831, 2831.1, 2831.2, 2834, 2731, 2752, and 2726 (all references herein to Regulations refer to the California Code of Regulations, Title 10, Chapter 6, hereinafter the Regulations).

I

That at all times herein mentioned, you, FIRST TEAM REAL ESTATE-ORANGE COUNTY, were licensed by the Department of Real Estate of the State of California (hereinafter Department) as a

1 corporate real estate broker and CAMERON NATHAN MERAGE, was
2 licensed as the designated officer of said corporation.

3 II

4 At all times herein mentioned, you, FIRST TEAM REAL
5 ESTATE-ORANGE COUNTY, on behalf of others in expectation of
6 compensation, engaged in the business, acted in the capacity of,
7 advertised or assumed to act as a real estate broker in the State
8 of California within the meaning of Section 10131(a) and (b) of
9 the Code, including soliciting buyers and sellers and negotiating
10 the sale of real property, as well as soliciting renters and
11 owners and collecting rents on behalf of the owners of real
12 property.

13 III

14 During 1996, in connection with the aforesaid real
15 estate brokerage activities, you, FIRST TEAM REAL ESTATE-ORANGE
16 COUNTY, accepted or received funds from buyers/sellers and
17 renters/owners and thereafter made disbursements of such funds.

18 IV

19 In connection with your activities as a real estate
20 broker, as described above, you, FIRST TEAM REAL ESTATE-ORANGE
21 COUNTY and CAMERON NATHAN MERAGE, acted in violation of the Real
22 Estate Law as follows:

23 1. Violated Section 10145(a) of the Code and Regulation
24 2832.1 by maintaining a shortage in trust account No. 00973-34347
25 as of October 31, 1996, in the amount of \$352.18.

26 2. Violated Regulation 2830/2832 in that not all trust
27 accounts were maintained in the broker's name as trustee, and



1 earnest money deposits and rents collected were not deposited into
2 a trust account by the next business day.

3 3. Violated Regulation 2831 in that the columnar
4 records did not always show a running daily balance. There was no
5 record maintained for some earnest money deposits received in
6 sales transactions.

7 4. Violated Regulation 2834 by allowing salespersons
8 JOAN COURTNEY, TOMI LAKATOSH, JUDITH LAUREN, ANDY LAKATOSH, GERRI
9 DUARTE, and GARY HOUSLEY, who were not licensed to respondents to
10 be trust account signatories. There was no fidelity bond
11 converge.

12 5. Violated Regulation 2831.2 by failing to maintain a
13 monthly record of trust fund account reconciliation. The
14 columnar record was not reconciled to the separate records on a
15 monthly basis for account Nos. 00973-34347 and 01039135.

16 6. Violated Section 10148 of the Code by failing to
17 maintain copies of all bank statements, canceled checks and
18 invoices prior to October 1996 for account No. 00977-34784.

19 7. Violated Regulation 2731 by using the unlicensed
20 fictitious business names "Nolan Real Estate", "First Team Real
21 Estate", and "First Team Nolan Real Estate" in its real estate
22 brokerage business.

23 8. Violated Regulation 2752 by failing to notify the
24 Department of Real Estate when salespersons JOAN COURTNEY, GARY
25 HAWLEY, ANDREW LAKATOSH, TOMI LAKATOSH, CODY FERRIS, and WILLIAM
26 ROLFING were employed by respondents.

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