6.		
	JUN 1 8 2007	
1	Department of Real Estate 320 West 4th Street, Ste. 350 DEPARTMENT OF REAL ESTATE	
2	320 West 4th Street, Ste. 350 Los Angeles, California 90013-1105 Telephone: (213) 576-6982 (office)	
3	Telephone: (213) 576-6982 (office)	
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8		
9	BEFORE THE DEPARTMENT OF REAL ESTATE	
10	STATE OF CALIFORNIA	
11	* * * In the Matter of the Accusation of) No. H-33999 LA	
. 12) STONEWOOD CONSULTING INC. and) STIPULATION	
13	HENDRIX MORENO MONTECASTRO, AND individually and as designated AGREEMENT	
14	officer of Stonewood Consulting) Inc.)	
15)	
16	Respondents,)	
17	It is hereby stipulated by and between Respondents	
19	STONEWOOD CONSULTING INC. a corporate real estate broker and	
20	HENDRIX MORENO MONTECASTRO, individually and as designated	
21	officer of Stonewood Consulting Inc. (sometimes collectively	
22	referred to as "Respondents"), represented by William H. Sauls,	,
, 23	Esq., and the Complainant, acting by and through Elliott Mac	
24	Lennan, Counsel for the Department of Real Estate ("Department"),	
25	as follows for the purpose of settling and disposing of the	
26	Accusation ("Accusation") filed on May 23, 2007, in this matter:	
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	- 1 -	

All issues which were to be contested and all
 evidence which was to be presented by Complainant and Respondents
 at a formal hearing on the Accusation, which hearing was to be
 held in accordance with the provisions of the Administrative
 Procedure Act ("APA"), shall instead and in place thereof be
 submitted solely on the basis of the provisions of this
 Stipulation and Agreement ("Stipulation").

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

12 3. Respondents timely filed a Notice of Defense 13 pursuant to Section 11506 of the Government Code for the purpose 14 of requesting a hearing on the allegations in the Accusation. 15 Respondents hereby freely and voluntarily withdraw said Notice of 16 Defense. Respondents acknowledge that they understand that by 17 withdrawing said Notice of Defense they thereby waive their right 18 to require the Commissioner to prove the allegations in the 19 Accusation at a contested hearing held in accordance with the 20 provisions of the APA and that they will waive other rights 21 afforded to them in connection with the hearing such as the right 22 23 to present evidence in their defense and the right to cross-24 examine witnesses.

4. This Stipulation is based on the factual
 allegations contained in the Accusation. In the interest of

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expedience and economy, Respondents choose not to contest these allegations, but to remain silent and understand that, as a result thereof, these factual allegations, without being admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to herein. The Real Estate Commissioner shall not be required to provide further evidence to prove said factual allegations.

8 5. This Stipulation and Respondents' decision not to 9 contest the Accusation is made for the purpose of reaching an 10 agreed disposition of this proceeding and is expressly limited to 11 this proceeding and any other proceeding or case in which the 12 Department, the state or federal government, or any agency of 13 this state, another state or federal government is involved, and 14 otherwise shall not be admissible in any other criminal or civil 15 proceedings. 16

It is understood by the parties that the Real 6. 17 Estate Commissioner may adopt this Stipulation as his Decision in 18 this matter thereby imposing the penalty and sanctions on 19 Respondents' real estate licenses and license rights as set forth 20 in the "Order" herein below. In the event that the Commissioner 21 22 in his discretion does not adopt the Stipulation, it shall be void and of no effect and Respondents shall retain the right to a 23 24 hearing and proceeding on the Accusation under the provisions of 25 the APA and shall not be bound by any stipulation or waiver made 26 herein.

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The Order or any subsequent Order of the Real 7. 1 Estate Commissioner made pursuant to this Stipulation shall not 2 constitute an estoppel, merger or bar to any further 3 administrative or civil proceedings by the Department of Real Δ Estate with respect to any matters which were not specifically 5 alleged to be causes for Accusation in this proceeding but do 6 constitute a bar, estoppel and merger as to any allegations 7 8 actually contained in the Accusations against Respondents herein. 9 DETERMINATION OF ISSUES 10 By reason of the foregoing, it is stipulated and agreed 11 that the following determination of issues shall be made: 12 I. 13 The conduct of STONEWOOD CONSULTING INC., as referred 14 to in Paragraph 4, above, is in violation of Sections 10145 and 15 10241 and of the Business and Professions Code ("Code") and 16 Sections 2831, 2831.1, 2831.2, 2832, 2832.1 and 2834 of Title 10, 17 Chapter 6 of the California Code of Regulations ("Regulations") 18 and is a basis for the suspension or revocation of Respondent's 19 license and license rights as a violation of the Real Estate Law 20 pursuant to Code Sections 10177(d) and 10177(g). 21 II. 22 The conduct of HENDRIX MORENO MONTECASTRO, as described 23 24 in Paragraph 4, above, constitutes a failure to keep Stonewood 25 Consulting Inc. in compliance with the Real Estate Law during the 26 time that he was the officer designated by a corporate broker 27

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	licensee in violation of Section 10159.2 of the Code. This			
1	conduct is a basis for the suspension or revocation of			
2	Respondent's license pursuant to Code Sections 10177(d), 10177(g)			
3	and 10177(h).			
.5	ORDER			
6	WHEREFORE, THE FOLLOWING ORDER is hereby made:			
7	I.			
. 8	All licenses and licensing rights of Respondents			
9	STONEWOOD CONSULTING INC. and HENDRIX MORENO MONTECASTRO under			
· 10	the Real Estate Law are revoked.			
11				
12	DATED: 5-25-07 ELLIOTT MAC LENNAN, Counsel for			
13	the Department of Real Estate			
14	* * *			
15	EXECUTION OF THE STIPULATION			
16	We have read the Stipulation and discussed with our			
17	counsel. Its terms are understood by us and are agreeable and			
18	acceptable to us. We understand that we are waiving rights given			
19	to us by the California Administrative Procedure Act (including			
20	but not limited to Sections 11506, 11508, 11509 and 11513 of the			
21	Government Code), and we willingly, intelligently and voluntarily			
22	waive those rights, including the right of requiring the			
23	Commissioner to prove the allegations in the Accusation at a			
24	hearing at which we would have the right to cross-examine			
25	witnesses against us and to present evidence in defense and			
27	mitigation of the charges.			

- 5 -

MAILING AND FACSIMILE

1			
2	Respondent (1) shall <u>mail</u> the original signed signature		
3	page of the stipulation herein to Elliott Mac Lennan: Attention:		
4	Legal Section, Department of Real Estate, 320 W. Fourth St.,		
5	Suite 350, Los Angeles, California 90013-1105. Additionally,		
6	Respondent shall also (2) <u>facsimile</u> a copy of signed signature		
7	page, to the Department at the following telephone/fax number:		
8	(213) 576-6917, Attention: Elliott Mac Lennan.		
9	A facsimile constitutes acceptance and approval of the		
10	terms and conditions of this stipulation. Respondent agrees,		
11 	acknowledges and understands that by electronically sending to		
12	the Department a facsimile copy of Respondent's actual signature		
13	as it appears on the stipulation, that receipt of the facsimile		
14	copy by the Department shall be as binding on Respondent as if		
15	the Department had received the original signed stipulation.		
16 17			
18	DATED:		
19	STONEWOOD CONSULTING INC., a corporate real estate broker, BY: HENDRIX MORENO MONTECASTRO,		
20	D.O., Respondent		
21	DATED:		
22	HENDRIX MORENO MONTECASTRO individually and as designated		
23	officer of Stonewood Consulting Inc., Respondent		
24			
25	DATED:		
26	Attorney for Respondents Approved as to form		
27			
	- 6 -		
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FAX NO.

P. 07/08

MAILING AND FACSIMILE

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2	Respondent (1) shall mail the original signed signature		
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5	Suite 350, Los Angeles, California 90013-1105. Additionally,		
ស	Respondent shall also (2) facsimile a copy of signed signature		
7	page, to the Department at the following telephone/fax number:		
8	(213) 576-6917, Attention: Elliott Mac Lennan.		
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10	terms and conditions of this stipulation. Respondent agrees,		
11	acknowledges and understands that by electronically sending to		
12	the Department a facsimile copy of Respondent's actual signature		
13	as it appears on the stipulation, that receipt of the facsimile		
14 15	copy by the Department shall be as binding on Respondent as if		
16	the Department had received the original signed stipulation.		
17	N		
18	DATED: 5/31/7		
29	STONEWOOD CONSULTING INC., a corporate real estate broker,		
20	BY: HENDRIX MORENO MONTECASTRO, D.O., Respondent		
21	DATED. 5/31/7		
22	HENDRIX MORENO MONTECASTRO		
23	individually and as designated officer of Stonewood Consulting		
24	Inc, Respondent		
25	DATED: 05-31-2007		
26	WILLIAM H. SAULS, Esq. Attorney for Respondents		
27	Approved as to form		

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The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondents STONEWOOD CONSULTING INC. and HENDRIX MORENO MONTECASTRO, individually and as designated officer of Stonewood Consulting Inc. and shall become effective at 12 o'clock noon on . JUL - 9 _, 2007. IT IS SO ORDERED 2007. JEFF, DAVI Rea 1 Estate Commissioner .13

1 2	ELLIOTT MAC LENNAN, SEN 66674 Department of Real Estate 320 West 4th Street, Ste. 350 Los Angeles, California 90013-1105 DEPARTMENT OF REAL ESTATE
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4	Telephone: (213) 576-6911 (direct) -or- (213) 576-6982 (office) <u>KYululut</u>
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8	BEFORE THE DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * * }
11	In the Matter of the Accusation of No. H-33999 LA
12	STONEWOOD CONSULTING INC.; and $A \subseteq \subseteq \underline{U} \subseteq \underline{A} \equiv \underline{T} \equiv \underline{O} \cong \underline{N}$ HENDRIX MORENO MONTECASTRO,
13	individually and as designated)
14	officer of Stonewood Consulting) Inc.,
15	Respondents
16	Ś
17	The Complainant, Janice Waddell, a Deputy Real Estate
18	Commissioner of the State of California, for cause of Accusation
19	against STONEWOOD CONSULTING INC. and HENDRIX MORENO MONTECASTRO,
20	individually and as designated officer of Stonewood Consulting
21	Inc., alleges as follows:
22	ì.
23	The Complainant, Janice Waddell, acting in her official
24	capacity as a Deputy Real Estate Commissioner of the State of
25	California, makes this Accusation against STONEWOOD CONSULTING
26	INC. and HENDRIX MORENO MONTECASTRO.
27	THE WING MENDILLS MORENO MONTECASTRU.
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All references to the "Code" are to the California 2 Business and Professions Code and all references to "Regulations" з are to Title 10, Chapter 6, California Code of Regulations, 4 except as specifically set forth, S LICENSE HISTORY 6 з. 7 At all times mentioned, STONEWOOD CONSULTING INC. B Α. 9 ("SCI") and HENDRIX MORENO MONTECASTRO ("MONTECASTRO") were 10 licensed or had license rights issued by the Department of Real 11 Estate ("Department") as real estate brokers. 12 В. At all times mentioned, SCI was licensed by the 13 Department as a corporate real estate broker by and through 14 MONTECASTRO, as the designated officer and broker responsible, 15 pursuant to Code Section 10159.2 for supervising the activities 16 requiring a real estate license conducted on behalf of SCI by 17 SCI's officers, agents and employees, including MONTECASTRO. SCI 18 was originally licensed on June 16, 2005, by MONTECASTRO, 19 C. MONTECASTRO was originally licensed as a real 20 estate salesperson on May 3, 1993 and originally licensed as a 21 real estate broker on November 20, 2003. 22 23 111 24 111 25 111 26 111 27

LICENSED ACTIVITIES AND BROKERAGE

4.

2 At all times mentioned, in the City of Murrieta, County 3 of Riverside, SCI and MONTECASTRO acted as real estate brokers ۸ conducting licensed activities within the meaning of: 5 Code Section 10131(a). Respondents engaged in the Α. 6 business of, acted in the capacity of, advertised or assumed to 7 act as real estate brokers, including the solicitation for 8 9 listings of and the negotiation of the sale of real property as 10 the agent of others. 11 Code Section 10131(b). Respondents engaged in the в. 12 business of, acted in the capacity of, advertised or assumed to 13 act as real estate brokers, including the operation and conduct 14 of a property management business with the public wherein, for or 15 in expectation of compensation, for another or others, 16 Respondents leased or rented or offered to lease or rent, or 17 placed for rent, or solicited listings of places for rent, or 18 solicited for prospective tenants, or collected rents from real 19 property, or improvements thereon; and 20 Code Section 10131(d). Respondent's engaged in C. 21 activities with the public wherein lenders and borrowers were 22 solicited for loans secured directly or collaterally by liens on 23 24 real property, wherein such loans were arranged, negotiated,

²⁵ processed and consummated on behalf of others for compensation or ²⁶ in expectation of compensation and for fees collected in advance.

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FIRST CAUSE OF ACTION

MORTGAGE LOAN AUDIT

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4	On May 22, 2007, the Department completed an audit
5	examination of the books and records of SCI pertaining to the
6	mortgage and loan brokerage activities described in Paragraph 4,
7	that require a real estate license. The audit examination
8	covered a period of time beginning on December 1, 2004 to January
9	31, 2007. The audit examination revealed violations of the Code
10	and the Regulations as set forth in the following paragraphs, and
11	more fully discussed in Audit Report SD 060038 and the exhibits
12	and workpapers attached to said audit report.
13	TRUST ACCOUNT
15.	MORTGAGE AND LOAN ACTIVITIES
16	6.
17	At all times mentioned, in connection with the
18	activities described in Paragraph 4, above, SCI accepted or
19	received funds including funds in trust (hereinafter "trust
20	funds") from or on behalf of actual or prospective parties to
21	transactions handled by SCI including borrowers and lenders and
22	thereafter made deposits and or disbursements of such funds.
23	During the audit period SCI did not maintain a trust account for
24	the mortgage loan activities.
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26	///
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VIOLATIONS CITED BY THE

MORTGAGE LOAN AUDIT

7.

In the course of activities described in Paragraphs 4 and 6, above, and during the examination period described in Paragraph 5, Respondents SCI and MONTECASTRO acted in violation of the Code and the Regulations in that they:

R (a) Failed to provide, maintain or retain a true and 9 correct copy of a Department of Real Estate approved Mortgage 10 Loan Disclosure Statement signed by the broker for borrowers 11 DeGuzman (Jameson property), Cabrales (Agean property), Giron 12 (Wrangler property), Lanuzo (Wgasa property) and Lanuzo (Wildwood 13 property), in violation of Code Section 10241. Additionally, no 14 Truth-In-Lending Disclosure Statement was provided in the loan 15 file for borrower Reiss (Falkirk property). The Mortgage Loan 16 Disclosure Statement contained missing signatures, and inaccurate 17 information about current liens and anticipated liens. 16

(b) Failed to disclose loan origination fees and yield
spread premiums from lenders on the Mortgage Loan Disclosure
Statement for the aforesaid borrowers, in violation of Code
Sections 10176(g) and 10241; and

(c) Failed to maintain a record for trust funds handled
 by SCI related to mortgage loan activities, in violation of Code
 Section 10145 of the Code and Regulation 2832.

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ı	VIOLATIONS OF THE REAL ESTATE LAW		
1 2	MORTGAGE LOAN AUDIT		
• 3	8.		
. 4	The conduct of Respondents SCI and MONTECASTRO,		
5	described in Paragraph 7, above, violated the Code and the		
6	Regulations as set forth below:		
7	PARAGRAPH PROVISIONS VIOLATED		
B	7(a) Code Section 10241		
9			
10			
11	7(b) Code Sections 10176(g) and 10241		
12			
13			
14	7(c) Code Section 10145 and Regulation		
15	2832		
16 17	The foregoing violations constitute cause for the suspension or		
18	revocation of the real estate license and license rights of SCI		
19	and MONTECASTRO, under the provisions of Code Sections 10176(g),		
20	10177(d) and/or 10177(g).		
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SECOND CAUSE OF ACTION

RESIDENTIAL RESALES AUDIT

9.

4	On May 22, 2007, the Department completed an audit
5	examination of the books and records of SCI pertaining to the
6	residential resales activities described in Paragraph 4, that
7	require a real estate license. The audit examination covered a
B	period of time beginning on December 1, 2004 to January 31, 2007.
9	The audit examination revealed violations of the Code and the
10	Regulations as set forth in the following paragraphs, and more
11	fully discussed in Audit Report SD 060029 and the exhibits and
12	workpapers attached to said audit report.
13	10.
14	TRUST ACCOUNT
15	RESIDENTIAL RESALES AUDIT
16	At all times mentioned, in connection with the
17	activities described in Paragraph 4, above, SCI accepted or
19	received funds including funds in trust (hereinafter "trust
20	funds") from or on behalf of actual or prospective parties to
21	transactions handled by SCI including buyers and sellers and
22	thereafter made deposits and or disbursements of such funds,
23	During the audit period SCI did not maintain a trust account for
24	the residential resale activity.
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VIOLATIONS CITED BY THE

RESIDENTIAL SALES AUDIT

11.

In the course of activities described in Paragraphs 4 and 10, above, and during the examination period described in Paragraph 9, Respondents SCI and MONTECASTRO, as indicated, acted in violation of the Code and the Regulations in that they:

8 (a) Engaged in a price inflation scheme using inflated 9 appraisals and additional compensation besides the realtor 10 commissions in the form of "concessions". The mortgage loan was 11 made by lenders on the contract sales price. This price was 12 higher than the seller net price. SCI and MONTECASTRO received 13 as a concession the difference between the contract sales price 14 based on the inflated property appraisals and the seller net 15 price. Both the realtor commissions and the concessions were 16 disclosed to the buyers and sellers. Concessions ranging from 17 \$74,000 to \$115,000 were obtained from buyers DeGuzman, Canett 18 and Reiss, Cabrales and Lanuzo, for a total of ten properties 19 totaling \$969,158, in violation of Code Sections 10176(i) and 20 10177(g). 21

(b) Misrepresented to sellers that Respondents held
earnest money deposits at the time the offer to purchase was made
for buyers DeGuzman (Honeysuckle property), Canett (Cherrybranch
property) and Reiss (Cloverleaf property). No earnest money

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deposits were held for the sellers, in violation of Code Sections 10176(a) and/or 10177(g).

(c) Failed to maintain a control record in the form of
a columnar record in chronological order of all "Trust Funds
Received, Not Placed Broker's Trust Account", in violation of
Code Section 10145 and Regulations 2831.

7 (d) Failed to maintain a separate record for each
 8 beneficiary or transaction, thereby failing to account for all
 9 trust funds received, as required by Code Section 10145 and
 10 Regulation 2831.1.

(e) Failed to perform a monthly reconciliation of the balance of all separate beneficiary or transaction records maintained pursuant to Regulation 2831.1 with the record of all trust funds received and disbursed the property management trust account, as required by Code Section 10145 and Regulation 2831.2; and

(f) Failed to place trust funds, including a \$500 18 appraisal fee to be paid to Advance Real Estate Appraisal on 19 behalf of borrower DeGuzman's (Jameson property), accepted on 20 behalf of another into the hands of the owner of the funds, a 21 neutral depository or into a trust fund account in the name of 22 23 the trustee at a bank or other financial institution not later 24 than three business days following receipt of the funds by the 25 broker or by the broker's salesperson, as required by Code 26 Section 10145 and Regulation 2832(d).

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	VIOLATIONS OF THE REAL ESTATE LAW			
1	RESIDENTIA	RESIDENTIAL SALES AUDIT		
2 3		12.		
4	The conduct of Respon	dents SCI and MONTECASTRO,		
*	described in Paragraph 11, above, violated the Code and the			
6	Regulations as set forth below:			
-				
7		ROVISIONS VIOLATED		
8	11 (a) Co	ode Section 10176(i) and 10177(g)		
9				
10	11 (b) Co	ode Section 10176(a) and 10177(g)		
11				
12	11(c) Co	ode Section 10145 and Regulation		
13	2	331		
14	, ,			
15	11 (d) Co	ode Section 10145 and Regulation		
16		_		
17		331.1		
18	11(e) Co	ode Section 10145 and Regulation		
19	21	331.2		
20				
21	11(f) Co	ode Section 10145 and Regulation		
22		-		
23		332 (d)		
24		ites cause for the suspension or		
25	revocation of the real estate license and license rights of SCI			
26	and MONTECASTRO, under the provi	sions of Code Sections 10176(a),		
27	10176(1), $10177(d)$ and/or $10177(g)$.			

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THIRD CAUSE OF ACTION

PROPERTY MANAGEMENT AUDIT

13.

On May 22, 2007, the Department completed an audit 4 examination of the books and records of SCI pertaining to the 5 broker-controlled escrow activities described in Paragraph 4, б 7 that require a real estate license. The audit examination covered a period of time beginning on June 1, 2006 to January 31, 8 9 2007. The audit examination revealed violations of the Code and 10 the Regulations as set forth in the following paragraphs, and 11 more fully discussed in Audit Report SD 060037 and the exhibits 12 and workpapers attached to said audit report. 13 TRUST ACCOUNT 14 PROPERTY MANAGEMENT AUDIT 15 14. 16 At all times mentioned, in connection with the 17 activities described in Paragraph 4, above, SCI accepted or 18 received funds including funds in trust (hereinafter "trust 19 funds") from or on behalf of actual or prospective parties to 20 transactions handled by SCI including property owners and 21 tenants. Thereafter SCI made deposits and or disbursements of 22 23 such funds. SCI maintained the following trust account into 24 which it deposited certain of these funds: 25 111 26 111 27

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"Hendrix Moreno Montecastro Stonewood Consulting Inc. 1 Real Estate Broker Trust Account No. 2141840767" 2 Bank of America Wildomar, California (property management trust account) Э VIOLATIONS CITED BY Δ PROPERTY MANAGEMENT AUDIT 5 15. 6 7 In the course of activities described in Paragraphe 4 8 and 14, above, and during the examination period described in 9 Paragraph 13, Respondents SCI and MONTECASTRO, as indicated, 10 acted in violation of the Code and the Regulations in that they: 11 (a) Permitted, allowed or caused the disbursement of 12 trust funds from the escrow trust account where the disbursement 13 of funds reduced the total of aggregate funds in the property 14 management trust account, to an amount which, on December 31, 15 2006, was \$5,516.23 less than the existing aggregate trust fund 16 liability of SCI to every principal who was an owner of said 17 funds, without first obtaining the prior written consent of the 18 owners of said funds, as required by Code Section 10145 and 19 Regulation 2832.1. The shortage has not been restored. 20 (b) Failed to maintain an adequate control record in 21 the form of a columnar record in chronological order of trust 22 23 funds received for the property management trust account, as 24 required by Code Section 10145 and Regulation 2831. 25 (c) Failed to maintain a separate record for each 26 beneficiary or transaction, thereby failing to account for all 27

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trust funds received, as required by Code Section 10145 and Regulation 2831.1.

(d) Failed to perform a monthly reconciliation of the
balance of all separate beneficiary or transaction records
maintained pursuant to Regulation 2831.1 with the record of all
trust funds received and disbursed the property management trust
account; as required by Code Section 10145 and Regulation 2831.2.

(e) The property management trust account was not in
 the name of the broker as trustee at a bank or other financial
 institution, nor designated as a trust account, in violation of
 Code Section 10145 of the Code and Regulation 2832(a).

(f) Permitted employees JoEtta Zimmer and Bridgett Holbrook, unlicensed and unbonded persons, to be authorized signatories on the trust account, in violation of Code Section 10145 and Regulation 2834.

(g) Failed to disburse from the property management trust account broker's management fees totaling \$20,000 within twenty-five days of deposit, in violation of Code Section 10145 and Regulation 2835.

21 VIOLATIONS OF THE REAL ESTATE LAW
22 PROPERTY MANAGEMENT AUDIT
23 16.
24 The conduct of Respondents SCI and MONTECASTRO,
25 described in Paragraph 15, above, violated the Code and the
26 Regulations as set forth below:

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1	PARAGRAPH	PROVISIONS VIOLATED
2	15(a)	Code Section 10145 and Regulation
3 4		2832.1
5	15(b)	Code Section 10145 and Regulation
6 7		2831
8	15(c)	Code Section 10145 and Regulation
10		2831,1
11 12	15 (d)	Code Section 10145 and Regulation
13		2831.2
14 15	15(e)	Code Section 10145 and Regulation
16		2832(a)
17 18	15(f)	Code Section 10145 and Regulation
19 20		2834
21	15 (g)	Code Section 10145 and Regulation
22 23		2835
24		itutes cause for the suspension or
25 26		license and license rights of SCI ovisions of Code Sections 10177(d)
27	and/or 10177(g).	

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NEGLIGENCE

17.

2 The overall conduct of Respondents SCI and MONTECASTRO 3 constitutes negligence or incompetence. This conduct and 4 violation are cause for the suspension or revocation of the real 5 estate license and license rights of said Respondents pursuant to 6 Code Section 10177(g). 7 8 SUPERVISION AND COMPLIANCE 9 18. 10 The overall conduct of Respondent MONTECASTRO 11 constitutes a failure on his part, as officer designated by a 12 corporate broker licensee, to exercise the reasonable supervision 13 and control over the licensed activities of SCI as required by 14 Code Section 10159.2, and to keep SCI in compliance with the Real 15 Estate Law, and is cause for the suspension or revocation of the 16 real estate license and license rights of MONTECASTRO pursuant to 17 the provisions of Code Sections 10177(d), 10177(g) and 10177(h). 18 111 19 111 20 /// 21 22 /// 23 111 24 111 25 111 26 111 27 - 15 -

WHEREFORE, Complainant prays that a hearing be 1 conducted on the allegations of this Accusation and that upon 2 proof thereof, a decision be rendered imposing disciplinary а action against the license and license rights of Respondents 4 STONEWOOD CONSULTING INC.. and HENDRIX MORENO MONTECASTRO, 5 individually and as designated officer of Stonewood Consulting 6 Inc. under the Real Estate Law (Part 1 of Division 4 of the 7 Business and Professions Code) and for such other and further 8 9 relief as may be proper under other applicable provisions of law. 10 Dated at Los Angeles, California 11 ndy 2007 this 12 Real Estate Commissioner Depu 13 14 15 16 17 18 19 20 21 22 23 Stonewood Consulting Inc. cc: 24 c/o Hendrix Moreno Montecastro D.O. Janice Waddell 25 Sacto Audits - Jennifer Borremeo 26 27 - 16 -