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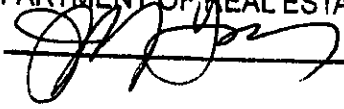
BEFORE THE DEPARTMENT OF REAL ESTATE

JUL - 6 2010

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

* * * *

BY: 

In the Matter of the Accusation of)
)
 WERNER FINANCIAL GROUP INC.,)
 and JEFFREY DOUGLAS WERNER)
 as designated officer of)
 Werner Financial Group Inc.,)
)
 Respondents.)
)

No. H-35990 LA

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on October 6, 2009, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision suspends or revokes one or more real estate licenses on the ground of the violation of the Real Estate Law (commencing with Section 10000 of the Business and Professions Code (Code)) Chapter 1 (commencing with Section 11000 of the Code) of Part 2 or the rules and regulations of the commissioner for the administration and enforcement of the Real Estate Law and Chapter 1 (commencing with Section 11000 of the Code) of Part 2.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

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FINDINGS OF FACT

I

On May 22, 2009, Robin Trujillo made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to the last known mailing address of Respondent WERNER FINANCIAL GROUP INC. ("WERNER FINANCIAL") and JEFFREY DOUGLAS WERNER ("JEFFREY WERNER") on file with the Department on May 26, 2009.

Respondents failed to file a Notice of Defense within the time required by Section 11506 of the Government Code. The default of Respondents WERNER FINANCIAL and JEFFREY WERNER were entered herein.

II

Respondent WERNER FINANCIAL is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Code as a corporate real estate broker. On or about February 2, 2007, the license of Respondent WERNER FINANCIAL was suspended pursuant to entry of the Decision of the Commissioner in Case No. R-4104. The license of Respondent WERNER FINANCIAL was scheduled to expire on February 23, 2008.

III

Respondent JEFFREY WERNER is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Code as the designated officer of Respondent WERNER FINANCIAL. On or about February 2, 2007, the officer license of Respondent JEFFREY WERNER was suspended pursuant to entry of the Decision of the Commissioner in Case No. R-4104.

IV

On or about June 8, 2006, the final judgment of the Superior Court of the State of California, County of Los Angeles, Case No. BC274487, affirmed on appeal, was entered against Respondent WERNER FINANCIAL and Respondent JEFFREY WERNER based on the ground of fraud, misrepresentation, or deceit with reference to a transaction for which a real estate license is required.

V

The evidence established that the fraud judgment alleged in Paragraph IV, above, constitutes cause under Section 10177.5 of the Code to suspend or revoke the licenses of Respondents WERNER FINANCIAL and JEFFREY WERNER.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondents exists pursuant to Code Section 10177.5.

II

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

ORDER

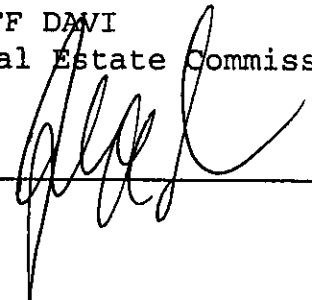
The licenses and license rights of Respondents WERNER FINANCIAL GROUP INC. and JEFFREY DOUGLAS WERNER under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon JUL 26 2010.

DATED: _____

6/28/2010

JEFF DAVI
Real Estate Commissioner



1 Department of Real Estate
320 West Fourth Street, Suite 350
2 Los Angeles, California 90013-1105
3 (213) 576-6982

FILED

OCT - 6 2009

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Accusation of)	
12 WERNER FINANCIAL GROUP INC.,)	NO. H-35990 LA
13 and JEFFEREY DOUGLAS WERNER)	<u>DEFAULT ORDER</u>
14 as designated officer of)	
15 Werner Financial Group Inc.,)	
16 Respondents.)	

16 Respondent, WERNER FINANCIAL GROUP INC. and JEFFEREY
17 DOUGLAS WERNER, having failed to file a Notice of Defense within
18 the time required by Section 11506 of the Government Code, is
19 now in default. It is, therefore, ordered that a default be
20 entered on the record in this matter.

21 IT IS SO ORDERED October 6, 2009.

23 JEFF DAVI
24 Real Estate Commissioner

Dolores Weeks

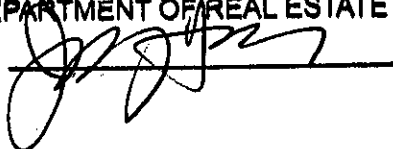
26 By: DOLORES WEEKS
27 Regional Manager

1 CHERYL D. KEILY SBN# 94008
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

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6 (Direct) (213) 576-6905

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MAY 26 2009

DEPARTMENT OF REAL ESTATE
BY: 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11	In the Matter of the Accusation of)	No. H-35990 LA
12)	
13	WERNER FINANCIAL GROUP INC.,)	<u>A C C U S A T I O N</u>
14	and JEFFREY DOUGLAS WERNER)	
15	as designated officer of)	
16	Werner Financial Group Inc.,)	
)	
	Respondents.)	

17 The Complainant, Robin Trujillo, a Deputy Real Estate
18 Commissioner of the State of California, for cause of Accusation
19 against WERNER FINANCIAL GROUP INC. (hereafter "Respondent
20 WERNER FINANCIAL") and JEFFREY DOUGLAS WERNER (hereafter
21 "Respondent JEFFREY WERNER") as designated officer of Respondent
22 WERNER FINANCIAL, is informed and alleges as follows:
23

24 ///
25 ///
26 ///
27 ///

1.

1 The Complainant, Robin Trujillo, a Deputy Real Estate
2 Commissioner of the State of California, makes this Accusation
3 in her official capacity.
4

5 LICENSE HISTORY

6 2.

7 Respondent WERNER FINANCIAL is presently licensed
8 and/or has license rights under the Real Estate Law (Part 1 of
9 Division 4 of the Business and Professions Code, hereinafter
10 "Code"), as a real estate corporation acting by and through
11 Respondent JEFFREY WERNER as its designated broker-officer. The
12 license of Respondent WERNER FINANCIAL was scheduled to expire
13 on February 23, 2008. On or about February 2, 2007, the license
14 of Respondent WERNER FINANCIAL was suspended pursuant to entry
15 of the Decision of the Commissioner in Case No. R-4104, as is
16 alleged more fully in Paragraph 6, below. Pursuant to Code
17 Section 10201 Respondent WERNER FINANCIAL retains renewal
18 rights. Pursuant to Section 10103 the Department retains
19 jurisdiction.
20

21 3.

22 From on or about September 30, 1986, to on or about
23 October 22, 1999, Respondent JEFFREY WERNER was individually
24 licensed under the Code as a real estate broker. On or about
25 October 22, 1999, Respondent JEFFREY WERNER'S individual real
26 estate broker license expired, and has not been renewed. From
27 January 3, 1996, to February 23, 2008, Respondent JEFFREY WERNER

1 was the designated broker-officer of Respondent WERNER
2 FINANCIAL. On or about February 2, 2007, the officer license of
3 Respondent JEFFREY WERNER was suspended pursuant to entry of the
4 Decision of the Commissioner in Case No. R-4104, as is alleged
5 more fully in Paragraph 6, below. Pursuant to Section 10103 the
6 Department retains jurisdiction of the officer license of
7 Respondent JEFFREY WERNER.

8 FRAUD JUDGMENT

9 4.

10 On or about June 8, 2006, the final judgment of the
11 Superior Court of the State of California, County of Los
12 Angeles, Case No. BC274487, affirmed on appeal, was entered
13 against Respondent WERNER FINANCIAL and Respondent JEFFREY
14 WERNER based on the ground of fraud, misrepresentation, or
15 deceit with reference to a transaction for which a real estate
16 license is required.

17 5.

18 The facts set forth in Paragraph 4 constitute cause
19 under Section 10177.5 of the Code for the suspension or
20 revocation of all licenses and license rights of Respondents
21 WERNER FINANCIAL and JEFFREY WERNER under the Real Estate Law.

22 REAL ESTATE RECOVERY ACCOUNT DECISION

23 6.

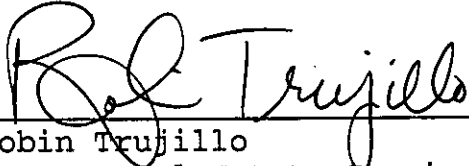
24 On December 14, 2006, the Commissioner, based on the
25 judgment referred to in Paragraph 4, above, issued a decision
26 directing payment from the Recovery Account to the Estate of
27 David Roberts. The decision was based on a determination that

1 this judgment was based on fraud in connection with acts for
2 which the real estate licenses of Respondents were required.

3 WHEREFORE, Complainant prays that a hearing be
4 conducted on the allegations of this Accusation and that upon
5 proof thereof, a decision be rendered imposing disciplinary
6 action against all licenses and/or license rights of RESPONDENT
7 WERNER FINANCIAL GROUP INC. and of the officer license of
8 Respondent JEFFREY DOUGLAS WERNER under the Real Estate Law and
9 for such other and further relief as may be proper under
10 applicable provisions of law.

11 Dated at Los Angeles, California

12 this 22 day of May, 2009.

13
14
15 
16 Robin Trujillo
17 Deputy Real Estate Commissioner
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22
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24
25

26 cc: Werner Financial Group Inc.
27 Jeffrey Douglas Werner
Robin Trujillo
Sacto.