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D. J. Jones

FILED

SEP 18 2012

DEPARTMENT OF REAL ESTATE
BY: A. Mederholt

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	NO. H-37540 LA
)	
SOLUTION ONE FINANCIAL INC.;)	
JEFF BARTON, individually and)	
as former designated officer)	
of Solution One Financial Inc.;)	
and <u>JERRY ALLEN JONES</u> ,)	
)	
Respondents.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On September 20, 2011, an Accusation was filed in this matter against, among others, Respondent JERRY ALLEN JONES.

On August 1, 2012, Respondent petitioned the Commissioner to voluntarily surrender his restricted real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

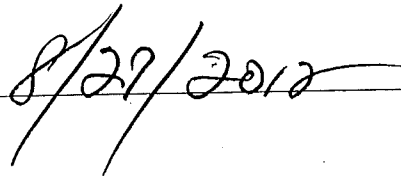
IT IS HEREBY ORDERED that Respondent JERRY ALLEN JONES' petition for voluntary surrender of his restricted real estate salesperson license is accepted as of the effective date of this

1 Order as set forth below, based upon the understanding and
2 agreement expressed in Respondent's Declaration dated August 1,
3 2012, (attached as Exhibit "A" hereto). Respondent's license
4 certificate and pocket card shall be sent to the below listed
5 address so that they reach the Department on or before the
6 effective date of this Order:

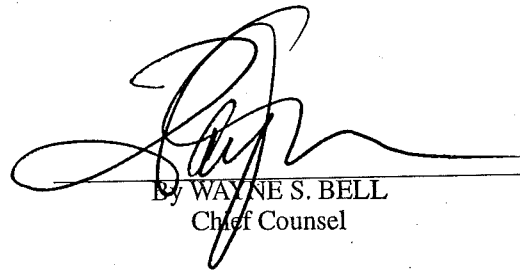
7 Department of Real Estate
8 Attn: Licensing Flag Section
9 P.O. Box 187000
10 Sacramento, CA 95818-7000

11 This Order shall become effective at 12 o'clock noon
12 on October 8, 2012.

13 IT IS SO ORDERED

14  8/27/2012

15 Real Estate Commissioner

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17 By WAYNE S. BELL
18 Chief Counsel
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-37540 LA
SOLUTION ONE FINANCIAL INC.;)	
JEFF BARTON, individually and)	
as former designated officer)	
of Solution One Financial Inc.;)	
and <u>JERRY ALLEN JONES</u> ,)	
Respondents.)	

DECLARATION

My name is JERRY ALLEN JONES, and I am currently licensed as a restricted real estate salesperson and/or have license rights with respect to said license. I am represented by attorney Daniel A. Woodford of CENTURY LAW GROUP LLC.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to voluntarily surrender my real estate license issued by the

1 Department of Real Estate ("Department"), pursuant to Business
2 and Professions Code Section 10100.2.

3 I understand that by so voluntarily surrendering my
4 license, I may be relicensed as a broker or as a salesperson
5 only by petitioning for reinstatement pursuant to Section 11522
6 of the Government Code. I also understand that by so
7 voluntarily surrendering my license, I agree to the following:

8 1. The filing of this Declaration shall be deemed as
9 my petition for voluntary surrender.

10 2. It shall also be deemed to be an understanding and
11 agreement by me that I waive all rights I have to require the
12 Commissioner to prove the allegations contained in the
13 Accusation filed in this matter at a hearing held in accordance
14 with the provisions of the Administrative Procedure Act
15 (Government Code Sections 11400 et seq.), and that I also waive
16 other rights afforded to me in connection with the hearing such
17 as the right to discovery, the right to present evidence in
18 defense of the allegations in the Accusation and the right to
19 cross-examine witnesses.

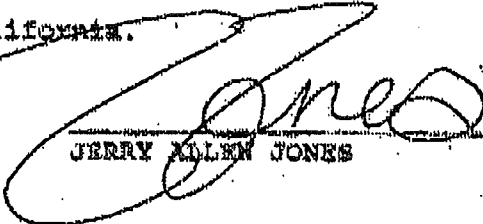
20 3. I further agree that upon acceptance by the
21 Commissioner, as evidenced by an appropriate order, all
22 affidavits and all relevant evidence obtained by the Department
23 in this matter prior to the Commissioner's acceptance, and all
24 allegations contained in the Accusation filed in the Department
25 Case No. H-37540 LA, may be considered by the Department to be
26 true and correct for the purpose of deciding whether to grant
27 relicensure or reinstatement pursuant to Government Code

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Section 11822.

1. I freely and voluntarily surrender all my licenses and license rights under the Real Estate Law.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed on 8/1, 2012, at Valencia, California.


JERRY ALLEN JONES

1 Section 11522.

2 4. I freely and voluntarily surrender all my licenses
3 and license rights under the Real Estate Law.

4 I declare under penalty of perjury under the laws of
5 the State of California that the above is true and correct and
6 that this declaration was executed on _____, 2012,
7 at _____, California.

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JERRY ALLEN JONES

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Handwritten initials/signature

FILED

SEP 18 2012

1 Department of Real Estate
320 W. 4TH Street, Suite 350
2 Los Angeles, CA 90013-1105
3 Telephone: (213) 576-6982

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)	No. H-37540 LA
12	SOLUTION ONE FINANCIAL INC.;)	
13	JEFF BARTON, individually and)	<u>STIPULATION</u>
14	as former designated officer)	<u>AND</u>
15	of Solution One Financial Inc.;)	<u>AGREEMENT</u>
16	and JERRY ALLEN JONES,)	
	Respondents.)	

17 It is hereby stipulated by and between Respondent
18 JEFF BARTON, (sometimes referred to as "Respondent"), and his
19 attorney of record, Frank M. Buda, of LAW OFFICES OF FRANK M.
20 BUDA and the Complainant, acting by and through Amelia V.
21 Vetrone, Counsel for the Department of Real Estate, as follows
22 for the purpose of settling and disposing of the Accusation filed
23 on September 20, 2011, 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 at a formal hearing on the Accusation, which hearing was to be
- 27 held in accordance with the provisions of the Administrative

1 Procedure Act ("APA"), shall instead and in place thereof be
2 submitted solely on the basis of the provisions of this
3 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. Respondent filed a Notice of Defense pursuant to
9 Section 11506 of the Government Code for the purpose of
10 requesting a hearing on the allegations in the Accusation.
11 Respondent hereby freely and voluntarily withdraws said Notice of
12 Defense. Respondent acknowledges that he understands that by
13 withdrawing said Notice of Defense he thereby waives his right to
14 require the Commissioner to prove the allegations in the
15 Accusation at a contested hearing held in accordance with the
16 provisions of the APA and that he will waive other rights
17 afforded to him in connection with the hearing such as the right
18 to present evidence in his defense, and the right to cross-
19 examine witnesses.

20 4. This Stipulation is based on the factual
21 allegations contained in the Accusation. In the interest of
22 expedience and economy Respondent chooses not to contest these
23 allegations but to remain silent and understands that, as a
24 result thereof, these factual allegations, without being admitted
25 or denied, will serve as a prima facie basis for the disciplinary
26 action stipulated to herein. The Real Estate Commissioner shall
27 not be required to provide further evidence to prove said factual

1 allegations.

2 5. This Stipulation is made for the purpose of
3 reaching an agreed disposition of this proceeding and is
4 expressly limited to this proceeding and any other proceeding or
5 case in which the Department of Real Estate ("Department"), or
6 another licensing agency of this state, another state, or the
7 federal government is involved, and otherwise shall not be
8 admissible in any other criminal or civil proceeding.

9 6. It is understood by the parties that the Real
10 Estate Commissioner may adopt this Stipulation as his Decision in
11 this matter thereby imposing the penalty and sanctions on
12 Respondent's real estate licenses and license rights as set forth
13 in the below "Order". In the event that the Commissioner in his
14 discretion does not adopt the Stipulation, the Stipulation shall
15 be void and of no effect and Respondent shall retain the right to
16 a hearing and proceeding on the Accusation under the provisions
17 of the APA and shall not be bound by any stipulation or waiver
18 made herein.

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

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DETERMINATION OF ISSUES

By reason of the foregoing, it is stipulated and agreed that the following determination of issues shall be made:

I.

The conduct, acts or omissions of JEFF BARTON, as described in Paragraph 4, above, are in violation of Section 10177(h) of the Business and Professions Code ("Code") and Section 2725 of Title 10, Chapter 6 of the California Code of Regulations ("Regulations") and are a basis for discipline of Respondent's license and license rights as a violation of the Real Estate Law pursuant to Code Section 10177(h).

II.

The conduct, acts and omissions of JEFF BARTON, as described in Paragraph 4, above, constitute a failure to ensure that his brokerage was in compliance with the Real Estate Law and is a basis for the suspension or revocation of Respondent's license pursuant to Code Section 10177(h).

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

All licenses and licensed rights of Respondent JEFF BARTON under the Real Estate Law are suspended for a period of thirty (30) days from the effective date of this Decision; provided, however, that said thirty (30) days suspension shall be stayed for two years upon the following terms and conditions:

- a. Respondent JEFF BARTON shall obey all laws, rules and regulations governing the rights, duties and

1 responsibilities of a real estate licensee in the State of
2 California; and

3 b. That no final subsequent determination be made
4 after hearing or upon stipulation, that cause for disciplinary
5 action occurred within two (2) years from the effective date of
6 this Decision. Should such a determination be made, the
7 Commissioner may, in his discretion, vacate and set aside the
8 stay order and reimpose all or a portion of the stayed
9 suspension. Should no such determination be made under this
10 section, the stay imposed herein shall become permanent.

11 II.

12 Respondent shall, within nine (9) months from the
13 effective date of this Decision, present evidence satisfactory to
14 the Real Estate Commissioner that Respondent has, since the most
15 recent issuance of an original or renewal real estate license,
16 taken and successfully completed the continuing education
17 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
18 for renewal of a real estate license. If Respondent fails to
19 satisfy this condition, the Commissioner may, in his discretion,
20 vacate and set aside the stay order and reimpose all or a portion
21 of the stayed suspension until Respondent presents such evidence.
22 The Commissioner shall afford Respondent the opportunity for a
23 hearing pursuant to the Administrative Procedure Act to present
24 such evidence.

25 III.

26 Respondent shall, within six (6) months after the
27 effective date of this Decision, take and pass the Professional

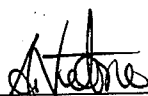
1 Responsibility Examination administered by the Department
2 including the payment of the appropriate examination fee. If
3 Respondent fails to satisfy this condition, the Commissioner may
4 order suspension of the restricted license until respondent
5 passes the examination.

6 IV.

7 All licenses and licensing rights of Respondent JEFF
8 BARTON are indefinitely suspended unless or until Respondent
9 provides proof satisfactory to the Commissioner that restitution
10 of advance fees paid by borrower Amy C. (\$2,995), as described in
11 the Accusation has been made full. The Department has confirmed
12 that \$750 of this amount has previously been paid to said
13 borrower. Respondent shall deliver a cashier's check for \$2,245
14 made payable to said borrower to Real Estate Counsel Amelia V.
15 Vetrone who will then forward the check to the consumer.

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DATED: 8-1-12


Amelia V. Vetrone, Counsel for
the Department of Real Estate

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07/31/2012 TUE 17:59 FAX --- Frank Buda

007/008

* * *

EXECUTION OF THE STIPULATION

I have read the stipulation and Agreement. 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), and 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.

Respondent shall (1) mail the original signed signature page of the stipulation herein to Amelia V. Vetrone: Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105. Additionally, Respondent shall also (2) facsimile a copy of the signed signature page, to the Department at the following fax number: (213) 576-6917, Attention: Amelia V. Vetrone.

DATED:

8/1/2012

Jeff Barton
JEFF BARTON,
Respondent

DATED:

8-1-2012

Frank M. Buda
Frank M. Buda
Counsel for Respondent
Approved as to Form

1 * * *

2 EXECUTION OF THE STIPULATION

3 I have read the Stipulation and Agreement. Its terms
4 are understood by me and are agreeable and acceptable to me. I
5 understand that I am waiving rights given to me by the California
6 Administrative Procedure Act (including but not limited to
7 Sections 11506, 11508, 11509 and 11513 of the Government Code),
8 and I willingly, intelligently and voluntarily waive those
9 rights, including the right of requiring the Commissioner to
10 prove the allegations in the Accusation at a hearing at which I
11 would have the right to cross-examine witnesses against me and to
12 present evidence in defense and mitigation of the charges.

13 Respondent shall (1) mail the original signed signature
14 page of the stipulation herein to Amelia V. Vetrone: Attention:
15 Legal Section, Department of Real Estate, 320 W. Fourth St.,
16 Suite 350, Los Angeles, California 90013-1105. Additionally,
17 Respondent shall also (2) facsimile a copy of the signed
18 signature page, to the Department at the following fax number:
19 (213) 576-6917, Attention: Amelia V. Vetrone.

20
21 DATED: _____

JEFF BARTON,
Respondent

22
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24
25 DATED: _____

Frank M. Buda
Counsel for Respondent
Approved as to Form

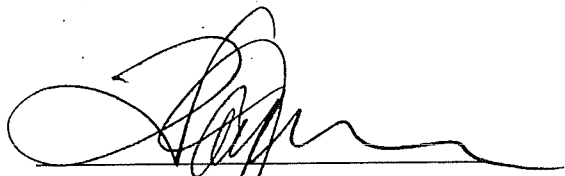
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The foregoing Stipulation and Agreement is hereby
adopted as my Decision as to Respondent JEFF BARTON and shall
become effective at 12 o'clock noon on October 8, 2012

IT IS SO ORDERED August 27, 2012.

Real Estate Commissioner



By WAYNE S. BELL
Chief Counsel