

FILED

NOV 20 2014

BUREAU OF REAL ESTATE

By

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of	)	No. H-39658 LA
	)	
LOGOS REALTY, INC.; and JAMESS	)	
HUTSON GERBER, individually and as	)	<u>ACCUSATION</u>
designated officer of Logos Realty, Inc.,	)	
	)	
	)	
Respondents.	)	

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California for cause of Accusation against Respondents LOGOS REALTY, INC. ("LRI") and JAMESS HUTSON GERBER ("GERBER"), individually and as designated officer of Logos Realty, Inc. is informed and alleges as follows:

1.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

2.

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 unless otherwise specified.

1 3.

2 A. LOGOS REALTY, INC.: From or about November 22, 2011 through
3 the present, Respondent LRI was licensed or had license rights under the Real Estate Law (Part
4 1 of Division 4 of the California Business and Professions Code) as a real estate corporation.
5 At all times, Respondent LRI was authorized to act by and through Respondent GERBER as its
6 designated broker and officer who is responsible for ensuring compliance with the Real Estate
7 Law pursuant to Code sections 10159.2 and 10211.

8 B. JAMESS HUTSON GERBER: From or about August 22, 2011 through
9 the present, Respondent GERBER was and still is licensed and/or has license rights under the
10 Real Estate Law as a real estate broker. From or about February 10, 2005 to February 9, 2009
11 and from or about December 7, 2009 to August 11, 2011, Respondent was licensed and/or had
12 license rights under the Real Estate Law as a real estate salesperson.

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14 FIRST CAUSE OF ACCUSATION
15 (SUSPENSION OF CORPORATE RIGHTS)

16 4.

17 On or about March 1, 2014, a Statement of Information for Respondent LRI was
18 filed with the Secretary of State of the State of California. The Statement of Information named
19 Respondent GERBER as the chief executive officer, chief financial officer, and director of LRI.

20 5.

21 On or about March 3, 2014, the California Franchise Tax board suspended
22 Respondent LRI's powers, rights, and privileges pursuant to the provisions of the California
23 Revenue and Taxation Code.

24 6.

25 The suspension of corporate powers, rights, and privileges of Respondent LRI,
26 as alleged above, are in violation of Regulation section 2742(c), and subjects its real estate
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1 license and license rights to suspension or revocation pursuant to Code sections 10177(d),
2 10177(f), and/or 10177(g).

3
4 SECOND CAUSE OF ACCUSATION

5 (Failure to Supervise)

6 7.

7 The conduct, acts, and/or omissions of Respondent GERBER, in allowing
8 Respondent LRI to violate the Real Estate Law, as set forth above, constitutes a failure by
9 Respondent GERBER, as the officer designated by the corporate broker licensee, to exercise the
10 supervision and control of the activities conducted on behalf of Respondent LRI by its offices
11 and employees as required by Code section 10159.2 and Regulation 2725, and is cause to
12 suspend or revoke the real estate license and license rights of Respondent GERBER pursuant to
13 Code sections 10177(d) and/or 10177(g) and 10177(h).

14 Code section 10106 provides, in pertinent part, that in any order issued in
15 resolution of a disciplinary proceeding before the bureau, the Commissioner may request the
16 administrative law judge to direct a licensee found to have committed a violation of this part to
17 pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.

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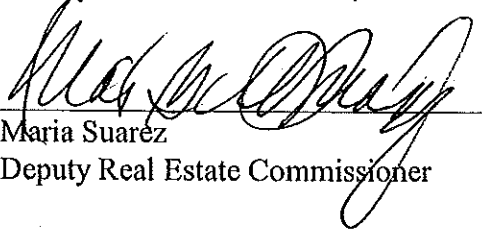
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1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of
4 Division 4 of the California Business and Professions Code) of Respondents LOGOS
5 REALTY, INC. and JAMESS HUTSON GERBER, individually and as designated officer of
6 Logos Realty, Inc. for the cost of investigation and enforcement as permitted by law, and for
7 such other and further relief as may be proper under applicable provisions of law.

8 Dated at Los Angeles, California: 9 October, 2014.

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11 Maria Suarez
12 Deputy Real Estate Commissioner
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25 cc: Logos Realty, Inc.
26 Jamess Hutson Gerber
27 Maria Suarez
Sacto.