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FILED

AUG 14 2015

BUREAU OF REAL ESTATE

By *[Signature]*

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-39940 LA
	)	
MICHAEL GREENWALD,	)	<u>ACCUSATION</u>
	)	
Respondent.	)	
	)	

1.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against MICHAEL GREENWALD ("Respondent"), makes this Accusation in her official capacity and alleges as follows:

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code") as a restricted real estate salesperson, Bureau of Real Estate ("Bureau") license number 01101207.

On or about July 21, 2014, Respondent's restricted real estate salesperson license was suspended indefinitely for violation of Code Section 10177(k).

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 CALBRE ACCUSATION – MICHAEL GREENWALD

1 FIRST CAUSE FOR DISCIPLINE

2 (FAILURE TO COMPLY WITH RESTRICTED LICENSE TERMS)

3 3.

4 On October 1, 2013, in Case No. H-37169 LA, Respondent's real estate
5 salesperson license was revoked in Case No. H-37169 LA, but Respondent was granted the
6 right to a restricted real estate salesperson license, subject to the terms, conditions and
7 restrictions set forth in the Order Modifying Disciplinary Action Pursuant to Stipulated
8 Settlement, effective October 1, 2013. The Order provided that the right to a restricted real
9 estate salesperson license was subject to the provisions of Code Section 10156.6, and certain
10 terms, conditions, and restrictions, including, but not limited to the following requirement that:

11 *Respondent shall notify the Commissioner in writing within 72 hours of any arrest by*
12 *sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office*
13 *Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of*
14 *Respondent's arrest, the crime for which Respondent was arrested and the name and*
15 *address of the arresting law enforcement agency. Respondent's failure to timely file*
16 *written notice shall constitute an independent violation of the terms of the restricted*
17 *license and shall be grounds for the suspension or revocation of the license.*

18 4.

19 Respondent was arrested by the Camarillo Police Department on July 15, 2014.
20 Respondent did not, within 72 hours of his arrest, notify the Commissioner in writing of such
21 arrest. Respondent's failure to satisfy this reporting condition is in violation of the
22 Commissioner's Order of October 1, 2013, and constitutes cause under **Code Section 10177(k)**
23 for the revocation of the license and license rights of Respondent under the Real Estate Law.

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1 THIRD CAUSE FOR DISCIPLINE

2 (FAILURE TO REPORT)

3 7.

4 Respondent did not report in writing to the Bureau the conviction described in
5 Paragraph 5, within 30 days of the conviction date. Respondent's failure to timely report the
6 conviction constitutes cause for discipline under **Code Section 10186.2**¹ of the license and
7 license rights of Respondent under the Real Estate Law.

8 AGGRAVATION

9 (PRIOR CRIMINAL CONVICTION)

10 8.

11 On or about May 6, 2009, in the Superior Court of the State of California,
12 County of Los Angeles, in Case No. 8WA24387, Respondent was convicted of violating Penal
13 Code Section 314.1 (indecent exposure), a misdemeanor. Respondent was sentenced to 36
14 months probation; 30 days CalTrans; ordered to pay fines; ordered to attend and complete one
15 year of sexual addiction counseling; and required to register as a sex offender pursuant to Penal
16 Code Section 290 during the probation period.

17 COSTS

18 9.

19 California Business and Professions Code Section 10106 provides, in pertinent
20 part, that in any order issued in resolution of a disciplinary proceeding before the Bureau, the
21 Commissioner may request the administrative law judge to direct a licensee found to have
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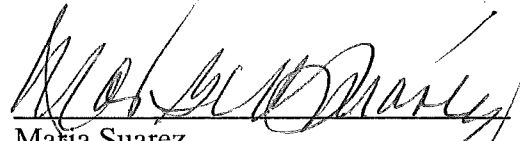
23 ¹ Pursuant to Business and Professions Code 10186.2: (a)(1) A licensee shall report any of the following to the
24 Bureau: (A) The bringing of an indictment or information charging a felony against the licensee. (B) The
25 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or
26 misdemeanor. (c) Any disciplinary action taken by another licensing entity or authority of this state or of another
27 state or an agency of the federal government. (2) The report required by this subdivision shall be made in writing
within 30 days of the date of the bringing of the indictment or the charging of a felony, the conviction, or the
disciplinary action. (b) Failure to make a report required by this section shall constitute a cause for discipline.

1 committed a violation of this part to pay a sum not to exceed the reasonable costs of
2 investigation and enforcement of the case.

3 WHEREFORE, Complainant prays that a hearing be conducted on the
4 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
5 disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of
6 Division 4 of the California Business and Professions Code) of Respondent MICHAEL
7 GREENWALD, for the cost of investigation and enforcement as permitted by law, and for such
8 other and further relief as may be proper under applicable provisions of law.

9 Dated at Los Angeles, California

10 this 12th day of August, 2015.

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16 Maria Suarez
17 Deputy Real Estate Commissioner

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19 cc: MICHAEL GREENWALD
20 Maria Suarez
21 Sacto.
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