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Flag Facts

DIANE LEE, Counsel (SBN 247222)
Bureau of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013

Telephone: (213) 576-6982
(Direct) (213) 576-6907

FILED

AUG 27 2015

BUREAU OF REAL ESTATE

By *Angela Minner*

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-39950 LA
	)	
DALE DONERKIEL,	)	<u>A C C U S A T I O N</u>
	)	
Respondent.	)	
	)	

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California for cause of Accusation against DALE DONERKIEL ("Respondent") alleges as follows:

1.

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, makes this Accusation in her official capacity.

2.

Respondent is the designated officer of D M D Properties, Inc. (license number 00659099). From December 29, 1981 to December 28, 1985, Respondent was licensed under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code as a real estate broker.

1 (PRIOR LICENSE DISCIPLINE: REAL ESTATE APPRAISERS)

2 3.

3 On or about October 27, 2014, the Bureau Chief of the California Bureau of
4 Real Estate Appraisers ("BREA"), case no. 110513-05 and OAH case no. 2013040574, adopted
5 the Stipulated Settlement and Disciplinary Order as the Decision and Order effective November
6 27, 2014. As a result, Respondent's real estate appraiser license was revoked, with revocation
7 stayed, and Respondent was placed on probation for two (2) years pursuant to certain terms and
8 conditions, including, but not limited to, actual suspension for thirty (30) days from January 1,
9 2015 through January 30, 2015, completing a minimum of twelve (12) appraisals per year,
10 reimburse \$10,000 to BREA for its costs of investigation and prosecution, take and pass 15
11 hours of BREA approved education courses, and pay a \$10,000 fine.

12 4.

13 As more fully set forth in the Decision and Order, Respondent's license was
14 subject to the above discipline pursuant to California Business and Professions Code sections
15 11313 and 11319 and Title 10, California Code of Regulations ("Regulations"), section 3701.
16 The underlying facts are related to the real estate appraisal report that Respondent completed on
17 or about October 25, 2007 for the improved commercial units in a strip center commonly
18 known as 711 Foothill Blvd., United B, C, D, and E, La Canada, California ("Foothill Blvd.
19 Property"). As more fully set forth in the Decision and Order described above in paragraph 3,
20 Respondent completed a misleading and inaccurate appraisal report, falsely signed under oath
21 on or about November 4, 2007 that he had "nothing to disclose" regarding the parties to an
22 arbitration when he had a professional relationship with a party, provided false testimony and
23 making misleading statements regarding his appraisal report while testifying under oath in a
24 deposition, failed to include sufficient information in a May 1, 2008 appraisal report, and failed
25 to include a signed certification in his May 1, 2008 appraisal report.

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5 5.

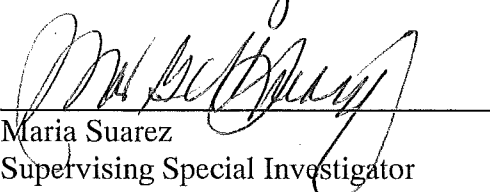
6 The prior license action against Respondent as alleged in Paragraphs 3 through
7 4, above, constitutes cause for suspension or revocation of Respondent's real estate license
8 under California Business and Professions Code section 10177(f).

9 6.

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

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

21 Dated at Los Angeles, California: 17 August, 2015.

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25 
26 Maria Suarez
27 Supervising Special Investigator

cc: DALE DONERKIEL
Maria Suarez
Sacto.