

File - Facts

FILED

SEP 28 2017

BUREAU OF REAL ESTATE

By Agnes Penner

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

MICHAEL ANTHONY SCHALLER,

Respondent.

) CalBRE No. H-40479 LA
)
)

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On December 05, 2016, an Accusation was filed in this matter against Respondent
MICHAEL ANTHONY SCHALLER ("Respondent").

On September 5, 2017, Respondent petitioned the Commissioner to voluntarily
surrender his real estate broker license pursuant to Section 10100.2 of the Business and Professions
Code.

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1 IT IS HEREBY ORDERED that Respondent MICHAEL ANTHONY
2 SCHALLER's petition for voluntary surrender of his real estate broker license is accepted as of the
3 effective date of this Order as set forth below, based upon the understanding and agreement
4 expressed in Respondent's Declaration dated September 5, 2017, (attached as Exhibit "A" hereto).
5 Respondent's license certificate and pocket card shall be sent to the below-listed address so that
6 they reach the Bureau on or before the effective date of this Order:

7 BUREAU OF REAL ESTATE
8 Attention: Licensing Flag Section
9 P. O. Box 137013
Sacramento, CA 95813-7013

10 This Order shall become effective at 12 o'clock noon on OCT 19 2017.

11 DATED: 9/21/17

12 WAYNE S. BELL
13 REAL ESTATE COMMISSIONER

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15 By: 
16 DANIEL J. SANDRI
17 Chief Deputy Commissioner
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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

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In the Matter of the Accusation of) CalBRE No.H-40479 LA
MICHAEL ANTHONY SCHALLER,)
Respondent.)

DECLARATION

My name is MICHAEL ANTHONY SCHALLER, and I am currently licensed as a
real estate broker and/or have license rights with respect to said license. I am representing myself
in this matter.

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(s) issued by the Bureau of Real Estate ("Bureau"),
pursuant to Business and Professions Code Section 10100.2.

I understand that by so voluntarily surrendering my license(s), I may be relicensed
as a broker or a salesperson, or issued a new mortgage loan originator endorsement, only by
petitioning for reinstatement pursuant to Section 11522 of the Government Code. I also understand
that by so voluntarily surrendering my license(s), I agree to the following:

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

3 2. It shall also be deemed to be an understanding and agreement by me that I
4 waive all rights I have to require the Commissioner to prove the allegations contained in the
5 Accusation filed in this matter at a hearing held in accordance with the provisions of the
6 Administrative Procedure Act (Government Code Sections 11400 et seq.), and that I also waive
7 other rights afforded to me in connection with the hearing such as the right to discovery, the right to
8 present evidence in defense of the allegations in the Accusation and the right to cross-examine
9 witnesses.

10 3. I further agree that upon acceptance by the Commissioner, as evidenced by
11 an appropriate order, all affidavits and all relevant evidence obtained by the Bureau in this matter
12 prior to the Commissioner's acceptance, and all allegations contained in the Accusation filed in the
13 Bureau Case No. H-40479 LA, may be considered by the Bureau to be true and correct for the
14 purpose of deciding whether to grant relicensure or reinstatement pursuant to Government Code
15 Section 11522.

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

18 5. I further agree to pay the Commissioner's reasonable cost for the
19 investigation and enforcement costs in this action. I am aware that if I petition for reinstatement in
20 the future, that payment of the Bureau's investigation and enforcement costs in this matter, which
21 total \$3,756.85, will be a condition of reinstatement.

22 6. I further agree to pay the Commissioner's reasonable cost for the audit
23 (Audit LA 140112) which led to this action. I am aware that if I petition for reinstatement in the
24 future, that payment of the audit costs in this matter, which total \$3,250.83, will be a condition of
25 reinstatement. In calculating the amount of the Commissioner's reasonable cost, the Commissioner
26 may use the estimated average hourly salary for all persons performing audits of real estate brokers,
27 and shall include an allocation for travel time to and from the auditor's place of work. I will pay

1 the audit costs within sixty (60) days of receiving an invoice from the Commissioner detailing the
2 activities performed during the audit and the amount of time spent performing those activities.

3 I declare under penalty of perjury under the laws of the State of California that the
4 above is true and correct and that this declaration was executed September 5, 2017, at
5 Los Angeles, California.

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9 MICHAEL ANTHONY SCHALLER
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