

FILED

AUG 29 2018

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT¹ OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	DRE No. H-41065 LA
)	
BARRY STEVEN JORGENSEN,)	
)	
Respondent(s).)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on August 3, 2018, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, BARRY STEVEN JORGENSEN ("Respondent"); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate license and/or license rights pursuant to the Real Estate Law, Part I of Division 4, of the Business and Professions Code ("the Code") Section 10177(f).

Pursuant to Government Code Section 11521, the California Department of Real Estate ("the Department") may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

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¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

FINDINGS OF FACT

1.

On May 7, 2018, Maria Suarez made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on June 04, 2018.

2.

On August 3, 2018, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

3.

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 ("the Code") as a real estate broker. Respondent was originally licensed as a real estate broker on October 4, 1978, and that license is due to expire on May 14, 2021.

4.

To date, the Department of Real Estate has incurred costs totaling \$2,353.00.

5.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on June 04, 2018, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

The acts resulting in the foregoing action taken with respect to Respondent's license to practice law, as described in Paragraph 5 of Exhibit A, constitute cause under Code Section 10177(f) for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

2.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

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ORDER

All licenses and licensing rights of Respondent BARRY STEVEN JORGENSEN under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on SEP 18 2018.

DATED: August 21, 2018.

DANIEL J. SANDRI
ACTING REAL ESTATE COMMISSIONER



1 Department of Real Estate
2 320 West Fourth St, Ste 350
3 Los Angeles, CA, 90013
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FILED

AUG 03 2018

DEPARTMENT OF REAL ESTATE

By R. Rosed

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:) DRE NO. *H-41065 LA*
12)
13 BARRY STEVEN JORGENSEN,) DEFAULT ORDER
14 Respondent.)
_____)

15 Respondent BARRY STEVEN JORGENSEN, having failed to file a Notice
16 of Defense within the time required by Section 11506 of the Government Code, is now in
17 default. It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED AUGUST 3, 2018.

19 DANIEL SANDRI
20 ACTING REAL ESTATE COMMISSIONER

21
22 By: *Jo M. Carrillo*
23 JOSEPH M. CARRILLO
24 Managing Deputy Commissioner IV
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FILED

JUN 04 2018

BUREAU OF REAL ESTATE

By AC Delous

1 AMELIA V. VETRONE, Counsel (SBN 134612)
2 Bureau of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6940
7

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-41065 LA
12 BARRY STEVEN JORGENSEN,)
13 Respondent.) ACCUSATION
14)

15 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
16 of California, acting in her official capacity, for cause of Accusation against BARRY STEVEN
17 JORGENSEN ("Respondent") alleges as follows:

18 1.

19 All references to the "Code" are to the California Business and Professions
20 Code, all references to the "Real Estate Law" are to Part 1 of Division 4 of the Code, and all
21 references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

22 2.

23 Respondent is presently licensed and/or has license rights under the Real Estate
24 Law as a real estate broker. Respondent was originally licensed as a real estate broker on
25 October 4, 1978, and that license is due to expire on May 14, 2021.

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3.

On or about October 12, 2016, the Supreme Court of California issued an Order in State Bar Court Case Nos. 13-O-13309, 13-O-13455, 13-O-13662, 13-O-13665, and 13-O-13744 that the license of Respondent to practice law, License No. 79620, be suspended for a period of two years, stayed, with an actual suspension of six months, and two years probation, along with other terms and conditions, including restitution to five clients, based on Respondent's violation of the Business and Professions Code.

4.

On or about June 26, 2017, the Supreme Court of California issued an Order in State Bar Court Case No. 14-O-05703 that the license of Respondent to practice law, License No. 79620, be suspended for a period of two years, stayed, with an actual suspension of nine months, and two years probation, along with other terms and conditions based on Respondent's violation of the Business and Professions Code.

5.

On or about February 5, 2018, the Supreme Court of California issued an Order in State Bar Court Case Nos. 17-N-00911, and 17-O-00967 that the license of Respondent to practice law, License No. 79620, is revoked, that Respondent is disbarred from the practice of law, and that Respondent's name is stricken from the roll of attorneys, all based on Respondent's violation of the Business and Professions Code..

6.

The acts resulting in the foregoing action taken with respect to Respondent's license to practice law, as described above, constitute cause under Code Section 10177(f) for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

7.

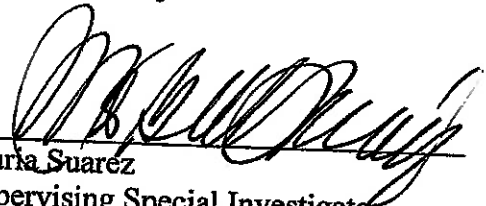
Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the

1 administrative law judge to direct a licensee found to have committed a violation of this part to
2 pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.
3

4 WHEREFORE, Complainant prays that a hearing be conducted on the
5 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
6 disciplinary action against all the licenses and license rights of Respondent, BARRY STEVEN
7 JORGENSEN, under the Real Estate Law, for the costs of investigation and enforcement as
8 provided by law, and for such other and further relief as may be proper under other applicable
9 provisions of law.

10 Dated at Los Angeles, California:

7 May 2018

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15 Maria Suarez
16 Supervising Special Investigator
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25 cc: Barry Steven Jorgensen
26 Maria Suarez
27 Sacto.