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DEPT. OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation against) No. H-41626 LA
)
JOHN OLAF HALVORSON,)
) FIRST AMENDED ACCUSATION
)
Respondent.)
)

This First Amended Accusation amends the Accusation filed on March 4, 2020.
The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of
California, for cause of Accusation against JOHN OLAF HALVORSON ("Respondent"), is
informed and alleges as follows:

1.

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

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 real
estate broker, Department of Real Estate ("Department") license ID 01172187. Respondent's
license will expire on December 26, 2021, unless renewed.

FIRST AMENDED ACCUSATION

1 3.

2 Respondent is presently the designated officer of Commercial Income Advisors,
3 Inc, a corporate real estate broker, Department license ID 01978338. As designated officer,
4 Respondent is responsible for the supervision of the activities conducted on behalf of
5 Commercial Income Advisors, Inc by its officers, agents, real estate licensees, and employees
6 pursuant to Section 10159.2 of the Code.

7 (LICENSE DISCIPLINE BY ANOTHER AGENCY)

8 4.

9 On or about August 5, 2015, the Real Estate Agency for the State of Oregon, in
10 Agency Case No. 2013-90, issued a Final Order adopting the Proposed Order revoking
11 Respondent's principal real estate broker license, effective the date of the Order. As more fully
12 set forth in the Proposed Order issued by an Administrative Law Judge with the Office of
13 Administrative Hearings ("OAH") on June 25, 2015, in OAH Case No. 1403962, Respondent
14 violated Oregon Revised Statutes ("ORS") 696.301, in that Respondent intentionally interfered
15 with contractual relations of others concerning real estate or professional real estate activity
16 (ORS 696.301(6)), intentionally interfered with the exclusive representation or exclusive
17 brokerage relationship of another licensee (ORS 696.301(7)), and engaged in acts of fraud and
18 dishonest conduct substantially related to his fitness to conduct real estate activity (ORS
19 696.301(14)). Respondent appealed the Real Estate Agency's Final Order.

20 5.

21 On or about March 14, 2018, the Oregon Court of Appeals, in *Harlvorson v.*
22 *Real Estate Agency*, 290 Or App 756 (2018), reversed and remanded the Agency's August 5,
23 2015, Final Order. On May 7, 2018, the Court of Appeals issued its Appellate Judgment
24 reversing and remanding the case to the Real Estate Agency for the State of Oregon.

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27 FIRST AMENDED ACCUSATION

6.

On or about April 16, 2019, the Real Estate Agency for the State of Oregon, in Agency Case No. 2013-90, issued a Final Order adopting the Amended Proposed Order on Remand dated March 20, 2019, revoking Respondent's principal broker license. As more fully set forth in the Amended Proposed Order on Remand issued by OAH on March 20, 2019, in OAH Case No. 2018-ABC-02052, Respondent was found to have engaged in acts of fraud and dishonest conduct substantially related to his fitness to conduct real estate activity (ORS 696.301(14) (2011)).

7.

The prior license action against Respondent, as alleged in Paragraphs 4 through 6 above, constitutes cause for the suspension or revocation of the license or license rights of Respondent under Business and Professions Code section 10177(f).

(INVESTIGATION AND ENFORCEMENT COSTS)

8.

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

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FIRST AMENDED ACCUSATION

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 the licenses and license rights of Respondent JOHN OLAF
4 HALVORSON under the Real Estate Law (Part 1 of Division 4 of the Business and Professions
5 Code) for the cost of investigation and enforcement as permitted by law, and for such other and
6 further relief as may be proper under other applicable provisions of law.

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8 Dated at San Diego, California this 23 day of October, 2020.

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12 Veronica Kilpatrick
13 Supervising Special Investigator
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25 cc: JOHN OLAF HALVORSON
26 Veronica Kilpatrick
27 Sacto.

FIRST AMENDED ACCUSATION