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FILED

MAY 05 2021

DEPT. OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-41892 LA
)	
MICHAEL WAYNE JACOBS,)	<u>ACCUSATION</u>
)	
Respondent.)	
)	

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for cause of Accusation against MICHAEL WAYNE JACOBS, aka "Michael W. Jacobs" ("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 presently 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 (License No. 01220852). Respondent's license is set to expire on June 30, 2021, pursuant to Governor

1 Newsom's Executive Order No, N-83-20, unless renewed.

2 (DISCIPLINARY ACTION)

3 3.

4 On or about January 11, 2019, the Certified Residential Appraiser License (License No.
5 029338) issued to Respondent was suspended by the Bureau of Real Estate Appraisers of the
6 State of California. Said suspension was due to Respondent submitting payment of his
7 appraisal license renewal fee with a non-sufficient funds check and failing to respond to
8 notifications thereabout from the Bureau of Real Estate Appraisers. Respondent's appraisal
9 license remained suspended from January 11, 2019 through July 30, 2019. On July 30, 2019,
10 Respondent submitted payment for renewal, the suspension was lifted, and his appraisal license
11 was made active.

12 On or about July 11, 2020, before the Bureau of Real Estate Appraisers of the State of
13 California ("BREA"), the Certified Residential Appraisal License of Respondent was revoked.
14 Respondent was subject to disciplinary action for the following violations:

- 15 (a) Misrepresenting active license status, in violation of Code sections 11320 and
16 11321(a) and California Code of Regulations ("Regulations") section 3721(a)(7);
17 (b) Act involving fraud or dishonesty, in violation of Regulations sections 3721(a)(2),
18 3722(a)(1), 3722(a)(2), and 3722(a)(8);
19 (c) Failure to demonstrate honesty, candor, integrity and trustworthiness, in violation of
20 Regulations sections 3702(a)(1), 3702(a)(3), and 3721(a)(7);
21 (d) Failure to provide work files to BREA, in violation of Regulations section
22 3721(a)(7) and the requirements of Code section 11328; and
23 (e) Failure to maintain current address, in violation of Regulations sections 3527(a) and
24 3721(a)(7).

25 Respondent violated Code sections 11320 and 11321(a) and Regulations section
26 3721(a)(7), in that between January 21, 2019 and July 25, 2019, Respondent created the
27 impression that he was licensed within California in seven residential appraisal reports he

1 submitted. Respondent did so by representing in the seven appraisal reports that he was a
2 Certified Residential appraiser, listing his suspended state appraisal license number,
3 representing that his license would expire on July 29, 2020, and attaching a copy of his
4 appraisal license. However, at the time Respondent completed and submitted the seven
5 appraisal reports between January 21, 2019 and July 25, 2019, Respondent's license was not
6 valid, due to the suspension which had taken effect on January 11, 2019 for non-payment of
7 license renewal fees, as described above.

8 Respondent violated Regulations sections 3721(a)(2), 3722(a)(1), 3722(a)(2), and
9 3722(a)(8), in that from January 21, 2019 to June 4, 2019, Respondent committed an act
10 involving dishonesty, fraud, or deceit with the intent to benefit himself by submitting appraisal
11 reports to several Appraisal Management Companies ("AMC's") which depicted him as an
12 actively licensed appraiser, and collected payments from the AMC's totaling \$1,775 for those
13 reports.

14 Respondent violated Regulations section 3721(a)(7), in that from October 7, 2019 to
15 May 8, 2020, Respondent has continuously violated Regulation section 3702(a)(1) and section
16 3702(a)(3) by failing to demonstrate by his conduct that he possessed the qualifications of
17 honesty, candor, integrity, and trustworthiness.

18 Respondent violated Regulations section 3721(a)(7), in that from September 2019 to
19 May 8, 2020, Respondent continuously violated Code section 11328 by failing to submit copies
20 of the seven appraisal reports and work files requested by BREa.

21 Respondent violated Regulations section 3721(a)(7), in that from at least September 27,
22 2019 until May 8, 2020, Respondent had been in violation of Regulations section 3527(a) by
23 failing to submit written notice to BREa of any change in his mailing address on the Form
24 REA 3011 within ten (10) days of the change.

25 4.

26 The allegations set forth in Paragraph 3 above constitute cause under Code sections
27 10177(c), 10177(f), 10177(g), and 10177(j) for the denial of license to Respondent.

1 (FAILURE TO REPORT DISCIPLINE)

2 5.

3 Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "any
4 disciplinary action taken by another licensing entity or authority of this state or of another state
5 or an agency of the federal government" to the Department of Real Estate ("Department")
6 within thirty (30) days of the disciplinary action. Respondent failed to report in writing to the
7 Department the disciplinary action described in Paragraph 3, within thirty (30) days of the
8 disciplinary action.

9 6.

10 Respondent's failure to timely report the disciplinary action described in
11 Paragraph 3 above constitutes cause under Section 10186.2 of the Code for the suspension or
12 revocation of the license and license rights of Respondent under the Real Estate Law.

13 7.

14 These proceedings are brought under the provisions of § 10100, Division 4 of
15 the Business and Professions Code of the State of California and §§ 11500 through 11528 of
16 the California Government Code.

17 WHEREFORE, Complainant prays that a hearing be conducted on the
18 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
19 disciplinary action against all the licenses and license rights of MICHAEL WAYNE JACOBS
20 under the Real Estate Law, for the costs of investigation and enforcement as permitted by law,
21 and for such other and further relief as may be proper under other applicable provisions of law.

22
23 Dated at Los Angeles, California

24 this 14th day of April, 2021.

25
26 Maria Suarez
Maria Suarez (Apr 14, 2021 06:04 PDT)

27 Maria Suarez
Supervising Special Investigator

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cc: MICHAEL WAYNE JACOBS
Maria Suarez
Sacto.