

File

FILED

JAN 11 2010

DEPARTMENT OF REAL ESTATE

By L. Host

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of
AEGIR PROPERTIES, INC.,
Respondent.

No. H-1148 SA

ORDER DENYING REINSTATEMENT OF LICENSE

On August 25, 1992, a Decision was rendered in Case No. H-1148 SA revoking the corporate real estate broker license of Respondent effective September 16, 1992, but granting Respondent the right to the issuance of a restricted corporate real estate broker license. On May 2, 1995, a restricted corporate real estate broker license was issued to Respondent, and Respondent has operated as restricted licensee since that time.

On September 23, 2008, Respondent petitioned for reinstatement of said corporate real estate broker license, and the Attorney General of the State of California has been given notice of the filing of said petition.

I have considered the petition of Respondent and the evidence submitted in support thereof. Respondent has failed to demonstrate to my satisfaction that Respondent has undergone sufficient rehabilitation to warrant the reinstatement of Respondent's corporate real estate broker license at this time.

1 The burden of proving rehabilitation rests with the petitioner (*Feinstein v. State*
2 *Bar* (1952) 39 Cal. 2d 541). A petitioner is required to show greater proof of honesty and
3 integrity than an applicant for first time licensure. The proof must be sufficient to overcome the
4 prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

5 The Department has developed criteria in Section 2911 of Title 10, California
6 Code of Regulations (Regulations) to assist in evaluating the rehabilitation of an applicant for
7 reinstatement of a license. Among the criteria relevant in this proceeding are:

8 Regulation 2911(k) Correction of business practices resulting in injury to others or
9 with the potential to cause such injury.

10 Respondent's license was revoked in Case No. H-1148 SA pursuant to the
11 provisions of Sections 10145 and 10177(d) of the Business and Professions Code on the grounds
12 that in the course of Respondent's property management and trust fund handling activities,
13 Respondent violated Sections 2831, 2831.1, 2831.2 and 2832.1 of the Regulations. Respondent
14 was granted a restricted license on the condition, among others, that Respondent submit quarterly
15 Trust Fund Position Statements ("TFPS"). Respondent failed to file a TFPS for the second
16 quarter of 2007. The TFPS for the first, third and fourth quarters of 2007 disclosed that some
17 trust funds were not deposited within the three day period specified in Section 2832(a) of the
18 Regulations. The TFPS for the first, third and fourth quarters of 2008 disclosed trust fund
19 shortages of \$1,741.74, \$800 and \$3,837.50, respectively, in violation of Section 2832.1 of the
20 Regulations.

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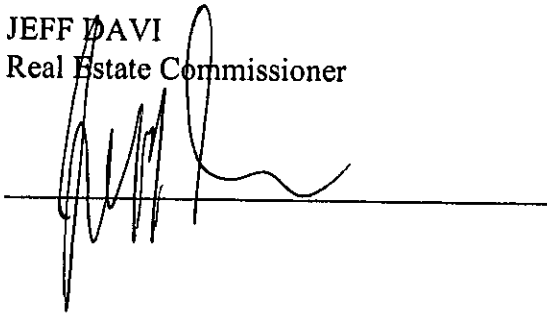
Given the violations found and the fact that Respondent has not established that Respondent has satisfied Regulation 2911(k), I am not satisfied that Respondent is sufficiently rehabilitated to receive an unrestricted corporate real estate broker license.

NOW, THEREFORE, IT IS ORDERED that Respondent's petition for reinstatement of Respondent's corporate real estate broker license is denied.

This Order shall become effective at 12 o'clock noon on FEB 01 2010

IT IS SO ORDERED 11-30-09

JEFF DAVI
Real Estate Commissioner



FILED

AUG 27 1992

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

BY C. Coy

* * * * *

In the Matter of the Accusation of)	No. H-1148 SA
)	
BRETT MORIUS KLYVER,)	
individually and as)	
designated officer of)	
Aegir Properties, Inc.,)	
)	
Respondent.)	

DECISION

The Proposed Decision dated August 13, 1992, of Randolph Brendia, Regional Manager, Department of Real Estate, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock noon on September 16, 1992.

IT IS SO ORDERED August 25, 1992

CLARK WALLACE
Real Estate Commissioner

John R. Liberator
by: JOHN R. LIBERATOR
Chief Deputy Commissioner

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of) Case No. H-1148 SA
)
BRETT MORIUS KLYVER,)
individually and as)
designated officer of Aegir)
Properties Inc.,)
)
Respondent.)
)

PROPOSED DECISION

This matter was presided over by Randolph Brenda, Regional Manager, Department of Real Estate, as the designee of the Real Estate Commissioner, in Los Angeles, California, on August 13, 1992.

James L. Beaver, Counsel, represented the Complainant.

No personal appearance was made by or on behalf of Respondent BRETT MORIUS KLYVER. On proof of compliance with Government Code Section 11505, the matter proceeded as a default pursuant to Government Code Section 11520.

The following decision is proposed, certified and recommended for adoption.

FINDINGS OF FACT

1.

Respondent BRETT MORIUS KLYVER (herein "KLYVER" or "Respondent")) is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code (hereinafter "the Code").

2

The Complainant, THOMAS McCRADY, a Deputy Real Estate Commissioner of the State of California, made the Accusation against Respondent in his official capacity.

3.

At all times mentioned herein until on or about March 28, 1990, AEGIR PROPERTIES, INC. (herein "AEGIR") was licensed by the Department of Real Estate of the State of California (herein

"the Department") as a corporate real estate broker by and through KLYVER as its designated officer broker.

4.

At all times mentioned herein, Respondent KLYVER was licensed by the Department individually as a real estate broker, and, until on or about March 28, 1990, as an officer of AEGIR.

5.

All further references herein to "Respondent" include KLYVER, and also include the employees, agents and real estate licensees employed by KLYVER or AEGIR and who at all times herein mentioned were engaged in the furtherance of the business or operations of KLYVER and who were acting within the course and scope of their authority and employment.

6.

At all times herein mentioned, Respondent engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of Sections 10131(a) and 10131(b) of the Code, including the operation and conduct of a real estate sales brokerage with the public wherein Respondent solicited prospective sellers and purchasers and negotiated the purchase and sale of real property, for and in expectation of compensation; and the operation and conduct of a property management business wherein, for others, for or in expectation of compensation, Respondent offered to lease or rent, solicited for prospective tenants of, or collected rents from real property.

7.

At all times mentioned herein, in connection with the activities described in Finding 6, above, Respondent accepted or received funds in trust (herein "trust funds") from or on behalf of actual and prospective buyers and sellers and landlords and tenants and thereafter made disbursement of such funds. From time to time mentioned herein these trust funds were maintained by Respondent in bank accounts, including but not necessarily limited to bank account number 621436997 (hereinafter "said account") maintained by Respondent at Union Bank in the City of Newport Beach, California.

8.

On or about February 28, 1990, the Department completed an examination of Respondent's books and records pertaining to Respondent's activities, as described in Finding VI, for the thirteen-month period ending January 31, 1990, which revealed violations of the Code and Chapter 6, Title 10, California Code of Regulations (herein "the Regulations"), as set forth in the

following Findings.

9.

In connection with the trust funds described in Finding VII, Respondent:

(a) Disbursed or caused or allowed the disbursement of trust funds from said account, where the disbursement of said funds reduced the funds in the said account to approximately \$29,420.71 less than the existing aggregate trust fund liability to all owners of said funds, without first obtaining the prior written consent of every principal who was an owner of said funds.

(b) Failed to maintain a record of uncashed checks entrusted to Respondent, and Respondent failed to maintain a formal trust fund receipts journal or a formal trust fund disbursements journal or other records of the receipt and disposition of all trust funds received by Respondent, as required by Section 2831 of the Regulations.

(c) Failed to maintain a separate record for each beneficiary or transaction, accounting therein for all said trust funds received, deposited and disbursed, as required by Section 2831.1 of the Regulations.

(d) Failed to perform a monthly reconciliation of the receipt and disposition of all trust funds received by Respondent, and the balance of all separate beneficiary or transaction records, as required by Section 2831.2 of the Regulations.

DETERMINATION OF ISSUES

The acts and omissions of Respondent described in Finding 9, above, violated the Code and the Regulations as set forth below:

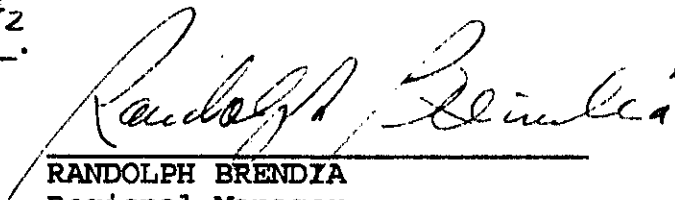
<u>FINDING</u>	<u>PROVISIONS VIOLATED</u>
9 (a)	Sec. <u>10145</u> of the Code, and Sec. <u>2832.1</u> of the Regulations;
9 (b)	Sec. <u>2831</u> of the Regulations;
9 (c)	Sec. <u>2831.1</u> of the Regulations;
9 (d)	Sec. <u>2831.2</u> of the Regulations.

Each of the foregoing violations separately constitutes cause for the suspension or revocation of all licenses and license rights of Respondent under the provisions of Section 10177 (d) of the Code.

ORDER

The license and license rights of Respondent BRETT MORIUS KLYVER under the provisions of Part 1 of Division 4 of the Business and Professions Code are revoked.

DATED 13 August 92.



RANDOLPH BRENDIA
Regional Manager
Department of Real Estate

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Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California, 90012

Telephone: (213) 897-3937

FILED

AUG 27 1992

DEPARTMENT OF REAL ESTATE
BY C. Bury

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	Case No. H-1148 SA
)	
AEGIR PROPERTIES, INC., a)	
Corporation,)	
)	
Respondent.)	
)	

STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER

I

STIPULATION

It is hereby stipulated by and between Respondent AEGIR PROPERTIES, INC (herein "Respondent"), a corporation, by and through Morius L. Klyver, president of Respondent corporation, and the Complainant acting by and through James L. Beaver, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on April 5, 1991, in this matter (hereinafter "the Accusation"):

A. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent

1
2 at a formal hearing on the Accusation, which hearing was to be
3 held in accordance with the provisions of the Administrative
4 Procedure Act (APA), shall instead and in place thereof be
5 submitted solely on the basis of the provisions of this
6 Stipulation.

7 B. Respondent has received, read and understands the
8 Statement to Respondent, the Discovery Provisions of the APA and
9 the Accusation, filed by the Department of Real Estate in this
10 proceeding.

11 C. On April 19, 1991, Respondent filed a Notice of
12 Defense pursuant to Section 11505 of the Government Code for the
13 purpose of requesting a hearing on the allegations in the
14 Accusation. Respondent hereby freely and voluntarily withdraws
15 said Notice of Defense. Respondent acknowledges that Respondent
16 understands that by withdrawing said Notice of Defense, Respondent
17 will thereby waive Respondent's right to require the Commissioner
18 to prove the allegations in the Accusation at a contested hearing
19 held in accordance with the provisions of the APA and that
20 Respondent will waive other rights afforded to Respondent in
21 connection with the hearing such as the right to present evidence
22 in defense of the allegations in the Accusation and the right to
23 cross-examine witnesses.

24 D. Respondent admits the factual allegations in
25 Paragraphs I through IX, inclusive, of the Accusation and
26 stipulates, subject to the limitations set forth below, that the
27 Real Estate Commissioner shall not be required to provide further
evidence of such allegations.

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E. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation And Agreement In Settlement and Order as his decision in this matter, thereby imposing the penalty and sanctions on Respondent's real estate licenses and license rights as set forth in the "Order" below. In the event that the Commissioner in his discretion does not adopt the Stipulation And Agreement In Settlement and Order, the Stipulation And Agreement In Settlement and Order shall be void and of no effect, and Respondent shall retain the right to a hearing and proceeding on the Accusation under all the provisions of the APA and shall not be bound by any admission or waiver made herein.

F. The Order or any subsequent Order of the Real Estate Commissioner made pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or civil proceedings by the Department of Real Estate with respect to any matters which were not specifically alleged to be causes for accusation in this proceeding.

II

DETERMINATION OF ISSUES

By reason of the foregoing stipulations, admissions and waivers and solely for the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that the following determination of Issues shall be made:

The acts and omissions of Respondent AEGIR PROPERTIES, INC., described in Paragraph IX of the Accusation violated the Code and the Regulations as set forth below:

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<u>FINDING</u>	<u>PROVISIONS VIOLATED</u>	
9 (a)	Sec. <u>2832.1</u>	of the Regulations;
9 (b)	Sec. <u>2831</u>	of the Regulations;
9 (c)	Sec. <u>2831.1</u>	of the Regulations;
9 (d)	Sec. <u>2831.2</u>	of the Regulations.

Each of the foregoing violations separately constitutes cause for the suspension or revocation of all licenses and license rights of Respondent under the provisions of Section 10177 (d) of the Code.

III

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

C. AEGIR PROPERTIES, INC.

1. The license and license rights of Respondent AEGIR PROPERTIES, INC. under the provisions of Part 1 of Division 4 of the Business and Professions Code are hereby revoked;

2. A restricted real estate broker license shall be issued to Respondent AEGIR PROPERTIES, INC. if, within 90 days after the effective date of the Decision entered herein, said Respondent makes application for said license and pays to the Department of Real Estate the appropriate fee for said license.

3. The restricted license issued to Respondent AEGIR PROPERTIES, INC. shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of the Code:

(a) For so long as said restricted license shall remain in effect, Respondent shall submit to the Department of Real Estate a Quarterly Trust Funds Position Statement as of the last day of each March, June, September and December. The Position Statement shall cover all trust funds subject to the provisions of Section 10145 of the Code held by Respondent as

1 agent or as trustee. The Position Statement shall be
2 submitted to the District Manager of the Department's Santa
3 Ana office not later than 60 days following the last day of
each such calendar quarter.

4 (b) The restricted license may be suspended, prior to a hearing
5 by Order of the Real Estate commissioner, in the event of
6 Respondent's conviction or plea of nolo contendere to a crime
7 which bears a substantial relation to Respondent's fitness or
8 capacity as a real estate licensee, or upon receipt of
9 evidence satisfactory to the Real Estate Commissioner that
10 Respondent has violated provisions of the Real Estate Law of
11 the State of California, the Subdivided Lands Act, the Real
12 Estate Regulations of the State of California, or any of the
13 conditions attached to the restricted license.

14 (c) Respondent shall not be eligible to apply for the issuance of
15 an unrestricted real estate license nor the removal of any of
16 the restrictions, conditions or limitations set forth herein
17 until one (1) year has elapsed from the date of issuance of
18 the restricted license to Respondent.

19 D. QUARTERLY TRUST FUND REPORTS

20 Each Trust Fund Position Statement referred to in this
21 Order shall include the information and documents specified herein
22 and be verified as true and accurate by the reporting Respondent
23 or the designated officer of a corporate Respondent under penalty
24 of perjury. If such Respondent has no trust fund liability as of
25 the last day of the calendar quarter, the Position Statement shall
26 so state.

27 1. The Position Statement shall consist of the
following information covering the calendar quarter for each trust
fund bank account:

(a) A statement identifying the account number and the name and
address of each trust fund depository.

(b) A schedule of trust fund accountability as of the last day of
the calendar quarter which names each trust fund beneficiary
or principal, states the trust fund liability to each such
beneficiary or principal, and states the aggregate trust fund
liability as of that day.

(c) A statement explaining any discrepancy as of the last day of
the calendar quarter between the aggregate trust fund
liability and the balance of the trust fund bank account
adjusted for any uncleared checks drawn on the account.

2. The position statement shall be accompanied by the
following supporting documentation covering the calendar quarter
for each trust fund bank account:

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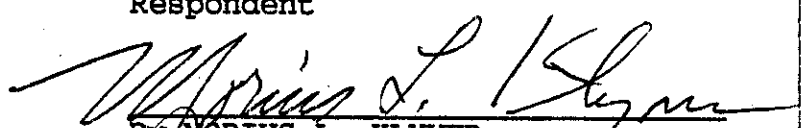
- (a) A copy of the bank statement covering the last day of the calendar quarter, a schedule of uncleared checks drawn on the account as of that day.
- (b) For each trust fund bank account, a copy of the columnar record in chronological sequence maintained by Respondent in compliance with the provisions of Section 2831 of the Regulations, a copy of the separate beneficiary or transactions records maintained in compliance with Section 2831.1 of the Regulations, and a copy of the records of reconciliations produced in compliance with Section 2831.2 of the Regulations.

IV

EXECUTION OF STIPULATION

I have read the Stipulation And Agreement In Settlement and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

DATED: AUG 12, 1992 AEGIR PROPERTIES, INC.
Respondent


By MORIUS L. KLYVER
President

DATED: Aug 17, 1992
JAMES L. BEAVER, Counsel
Department of Real Estate

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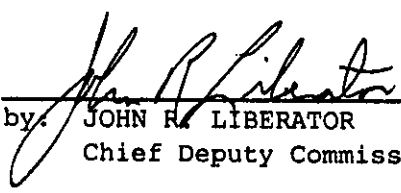
V
DECISION

The foregoing Stipulation And Agreement In Settlement and Order is hereby adopted as the Decision and Order of the Real Estate Commissioner in the above entitled matter with respect to Respondent AEGIR PROPERTIES, INC.

This Decision shall become effective at 12 o'clock noon
on September 16 , 1992.

IT IS SO ORDERED: August 25, 1992

CLARK WALLACE
Real Estate Commissioner


by: JOHN R. LIBERATOR
Chief Deputy Commissioner

Save

FILED

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

MAR 26 1992

DEPARTMENT OF REAL ESTATE
BY C. Berg

In the Matter of the Accusation of

AEGIR PROPERTIES, INC., et al.,

Case No. H-1148 SA

OAH No. L-55451

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 314 W. First Street, Los Angeles, CA 90012

on Monday, August 24, 1992, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

DEPARTMENT OF REAL ESTATE

By

James L. Beaver
JAMES L. BEAVER, Counsel

Dated: March 26, 1992

cc: Aegir Properties, Inc.
E. Llewellyn Overholt, Jr., Esq.
Sacto.
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RE 501 (1/92)

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SACTO
FLAG

1 James L. Beaver, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, California, 90012

(213) 620-4790

SEP-5 1991

DEPARTMENT OF REAL ESTATE
Sylvia Weems

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11	In the Matter of the Accusation of)	H- 1148 SA
12	AEGIR PROPERTIES, INC., a)	<u>A C C U S A T I O N</u>
13	corporation, and BRETT MORIUS)	
14	KLYVER, individually and as)	
15	designated officer of Aegir)	
16	Properties Inc.,)	
	Respondents.)	

17 The Complainant, THOMAS MCCRADY, a Deputy Real Estate
18 Commissioner of the State of California, for cause of Accusation
19 against AEGIR PROPERTIES (herein AEGIR), a California Corporation,
20 and BRETT MORIUS KLYVER (herein "KLYVER", individually and as
21 designated officer of AEGIR (herein "Respondents"), is informed
22 and alleges as follows:

23 I

24 Respondents are presently licensed and/or have license
25 rights under the Real Estate Law, Part 1 of Division 4 of the
26 Business and Professions Code (hereinafter "the Code") as
27 individual or corporate real estate brokers.

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II

The Complainant, THOMAS McCRADY, a Deputy Real Estate Commissioner of the State of California, makes this Accusation against Respondents in his official capacity.

III

From on or about December 15, 1980, through on or about March 28, 1990, Respondent AEGIR was licensed by the Department of Real Estate of the State of California (herein "the Department") as a corporate real estate broker by and through KLYVER as its designated officer broker.

IV

At all times mentioned herein, Respondent KLYVER was and now is licensed by the Department individually as a real estate broker, and from on or about December 15, 1980, through on or about March 28, 1990, as an officer of AEGIR.

V

All further references herein to "Respondents" include the parties identified in Paragraphs III and IV above, and also include the officers, directors, employees, agents and real estate licensees employed by or associated with said parties and who at all times herein mentioned were engaged in the furtherance of the business or operations of said parties and who were acting within the course and scope of their authority and employment.

VI

At all times herein mentioned, Respondents engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within

1 the meaning of Sections 10131(a) and 10131(b) of the Code,
2 including the operation and conduct of a real estate sales
3 brokerage with the public wherein Respondents solicited
4 prospective sellers and purchasers and negotiated the purchase and
5 sale of real property, for and in expectation of compensation; and
6 the operation and conduct of a property management business
7 wherein, for others, for or in expectation of compensation,
8 Respondents offered to lease or rent, solicited for prospective
9 tenants of, or collected rents from real property.

10
11 VII

12 At all times mentioned herein, in connection with the
13 activities described in Paragraph 6, above, Respondents accepted
14 or received funds in trust (herein "trust funds") from or on
15 behalf of actual and prospective buyers and sellers and landlords
16 and tenants and thereafter made disbursement of such funds. From
17 time to time mentioned herein these trust funds were maintained by
18 Respondents in bank accounts, including but not necessarily
19 limited to bank account number 621436997 (hereinafter "said
20 account") maintained by Respondents at Union Bank in the City of
21 Newport Beach, California.

22 VIII

23 On or about February 28, 1990, the Department completed
24 an examination of Respondents' books and records pertaining to
25 Respondent's activities, as described in Paragraph VI, for the
26 thirteen-month period ending January 31, 1990, which revealed
27 violations of the Code and Chapter 6, Title 10, California Code of

1 Regulations (herein "the Regulations"), as set forth in the
2 following paragraphs.
3

4 IX

5 In connection with the trust funds described in
6 Paragraph VII, Respondents:

7 (a) Disbursed or caused or allowed the disbursement of
8 trust funds from said account, where the disbursement of said
9 funds reduced the funds in the said account to approximately
10 \$29,420.71 less than the existing aggregate trust fund liability
11 to all owners of said funds, without first obtaining the prior
12 written consent of every principal who was an owner of said funds.

13 (b) Failed to maintain a record of uncashed checks
14 entrusted to Respondents, and Respondents failed to maintain a
15 formal trust fund receipts journal or a formal trust fund
16 disbursements journal or other records of the receipt and
17 disposition of all trust funds received by Respondents, as
18 required by Section 2831 of the Regulations.

19 (c) Failed to maintain a separate record for each
20 beneficiary or transaction, accounting therein for all said trust
21 funds received, deposited and disbursed, as required by Section
22 2831.1 of the Regulations.

23 (d) Failed to perform a monthly reconciliation of the
24 receipt and disposition of all trust funds received by
25 Respondents, and the balance of all separate beneficiary or
26 transaction records, as required by Section 2831.2 of the
27 Regulations.

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X

The acts and omissions of respondents described in Paragraph IX, above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>	
IX(a)	Sec. 10145	of the Code, and
	Sec. 2832.1	of the Regulations;
IX(b)	Sec. 2831	of the Regulations;
IX(c)	Sec. 2831.1	of the Regulations;
IX(d)	Sec. 2831.2	of the Regulations.

Each of the foregoing violations separately constitutes cause for the suspension or revocation of all licenses and license rights of Respondents under the provisions of Section 10177(d) of the Code.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof a decision be rendered imposing disciplinary action against all licenses and license rights of Respondents under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Santa Ana, California
this 5th day of April , 1991.

THOMAS McCRADY
THOMAS McCRADY
Deputy Real Estate Commissioner