

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187000
3 Sacramento, CA 95818-7000
4 Telephone: (916) 227-0789

FILED
APR 19 2000

DEPARTMENT OF REAL ESTATE

By Laurie G. Zin

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) DRE No. H-7771 SF
12 ROSENTHAL ENTERPRISES, INC.,)
13 MICHAEL J. AMAYA, and) OAH No. 1999120294
14 RANDALL LOWELL HANCOCK,) STIPULATION AND AGREEMENT
15 Respondents.)

16 It is hereby stipulated by and between Respondents
17 ROSENTHAL ENTERPRISES, INC., (hereinafter "ROSENTHAL"), MICHAEL
18 J. AMAYA (hereinafter "AMAYA"), and RANDALL LOWELL HANCOCK
19 (hereinafter "HANCOCK"), individually and by and through Theodore
20 R. Chavez, Esq., attorney of record herein for Respondents, and
21 the Complainant, acting by and through James L. Beaver, Counsel
22 for the Department of Real Estate, as follows for the purpose of
23 settling and disposing of the Accusation filed on November 17,
24 1999 in this matter, as amended by the First Amended Accusation
25 filed February 11, 2000 (hereinafter "the Accusation"):

26 ///

27 DRE No. H-7771 SF

ROSENTHAL ENTERPRISES, INC., et al.

1 1. All issues which were to be contested and all
2 evidence which was to be presented by Complainant and Respondents
3 at a formal hearing on the Accusation, which hearing was to be
4 held in accordance with the provisions of the Administrative
5 Procedure Act (APA), shall instead and in place thereof be
6 submitted solely on the basis of the provisions of this
7 Stipulation and Agreement.

8 2. Respondents have received, read and understand the
9 Statement to Respondent, the Discovery Provisions of the APA and
10 the Accusation filed by the Department of Real Estate in this
11 proceeding.

12 3. On December 6, 1999, Respondents each filed a
13 Notice of Defense pursuant to Section 11505 of the Government
14 Code for the purpose of requesting a hearing on the allegations
15 in the Accusation. Respondents each hereby freely and
16 voluntarily withdraw said Notice of Defense. Respondents
17 acknowledge that Respondents understand that by withdrawing said
18 Notice of Defense Respondents will thereby waive Respondents'
19 right to require the Commissioner to prove the allegations in the
20 Accusation at a contested hearing held in accordance with the
21 provisions of the APA and that Respondents will waive other
22 rights afforded to Respondents in connection with the hearing
23 such as the right to present evidence in defense of the
24 allegations in the Accusation and the right to cross-examine
25 witnesses.

26 ///

1 4. Respondents, pursuant to the limitations set forth
2 below, hereby admit that the factual allegations in the
3 Accusation are true and correct and stipulate and agree that the
4 Real Estate Commissioner shall not be required to provide further
5 evidence of such allegations.

6 5. It is understood by the parties that the Real
7 Estate Commissioner may adopt the Stipulation and Agreement as
8 his decision in this matter, thereby imposing the penalty and
9 sanctions on Respondents' real estate license and license rights
10 as set forth in the "Order" below. In the event that the
11 Commissioner in his discretion does not adopt the Stipulation and
12 Agreement, it shall be void and of no effect, and Respondents
13 shall retain the right to a hearing and proceeding on the
14 Accusation under all the provisions of the APA and shall not be
15 bound by any admission or waiver made herein.

16 6. This Stipulation and Agreement shall not
17 constitute an estoppel, merger or bar to any further
18 administrative or civil proceedings by the Department of Real
19 Estate with respect to any matters which were not specifically
20 alleged to be causes for accusation in this proceeding.

21 DETERMINATION OF ISSUES

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

26 ///

I

1
2 The acts and omissions of Respondents as described in
3 the Accusation are grounds for the suspension or revocation of the
4 licenses and license rights of Respondents under the following
5 provisions of the California Business and Professions Code
6 (hereinafter "the Code") and/or Chapter 6, Title 10, California
7 Code of Regulations (hereinafter "the Regulations"):

8 (a) As to Respondent ROSENTHAL under Section 10137 the
9 Code in conjunction with Section 10177(d) of the Code;

10 (b) As to Respondent HANCOCK under Section 10130 the
11 Code in conjunction with Section 10177(d) of the Code; and

12 (c) As to Respondent AMAYA under Section 10177(h) of
13 the Code.

14 ORDER

15 I

16 All licenses and licensing rights of Respondent
17 ROSENTHAL ENTERPRISES, INC., under the Real Estate Law are
18 suspended for a period of ten (10) days from the effective date of
19 this Decision; provided however, that if Respondent petitions, said
20 suspension (or a portion thereof) shall be stayed upon condition
21 that:

22 1. Respondent pays a monetary penalty pursuant to
23 Section 10175.2 of the Code at the rate of \$200.00 for each day of
24 the suspension for a total monetary penalty of \$2,000.00.

25 2. Said payment shall be in the form of a cashier's
26 check or certified check made payable to the Recovery Account of

1 the Real Estate Fund. Said check must be received by the Department
2 prior to the effective date of the Decision in this matter.

3 3. No further cause for disciplinary action against
4 the real estate license of Respondent occurs within one year from
5 the effective date of the Decision in this matter.

6 4. If Respondent fails to pay the monetary penalty in
7 accordance with the terms and conditions of the Decision, the
8 Commissioner may, without a hearing, order the immediate execution
9 of all or any part of the stayed suspension in which event the
10 Respondent shall not be entitled to any repayment nor credit,
11 prorated or otherwise, for money paid to the Department under the
12 terms of the Decision.

13 5. If Respondent pays the monetary penalty and if no
14 further cause for disciplinary action against the real estate
15 license of Respondent occurs within one year from the effective
16 date of the Decision, the stay hereby granted shall become
17 permanent.

18 II

19 All licenses and licensing rights of Respondent MICHAEL
20 J. AMAYA under the Real Estate Law are suspended for a period of
21 ten (10) days from the effective date of this Decision; provided
22 however, that if Respondent petitions, said suspension (or a
23 portion thereof) shall be stayed upon condition that:

24 1. Respondent pays a monetary penalty pursuant to
25 Section 10175.2 of the Code at the rate of \$200.00 for each day of
26 the suspension for a total monetary penalty of \$2,000.00.

1 2. Said payment shall be in the form of a cashier's
2 check or certified check made payable to the Recovery Account of
3 the Real Estate Fund. Said check must be received by the Department
4 prior to the effective date of the Decision in this matter.

5 3. No further cause for disciplinary action against
6 the real estate license of Respondent occurs within one year from
7 the effective date of the Decision in this matter.

8 4. If Respondent fails to pay the monetary penalty in
9 accordance with the terms and conditions of the Decision, the
10 Commissioner may, without a hearing, order the immediate execution
11 of all or any part of the stayed suspension in which event the
12 Respondent shall not be entitled to any repayment nor credit,
13 prorated or otherwise, for money paid to the Department under the
14 terms of the Decision.

15 5. If Respondent pays the monetary penalty and if no
16 further cause for disciplinary action against the real estate
17 license of Respondent occurs within one year from the effective
18 date of the Decision, the stay hereby granted shall become
19 permanent.

20 III

21 All licenses and licensing rights of Respondent RANDALL
22 LOWELL HANCOCK under the Real Estate Law are suspended for a period
23 of ten (10) days from the effective date of this Decision; provided
24 however, that if Respondent petitions, said suspension (or a
25 portion thereof) shall be stayed upon condition that:

26 1. Respondent pays a monetary penalty pursuant to
27 Section 10175.2 of the Code at the rate of \$200.00 for each day of
DRE No. H-7771 SF ROSENTHAL ENTERPRISES, INC., et al.

1 the suspension for a total monetary penalty of \$2,000.00.

2 2. Said payment shall be in the form of a cashier's
3 check or certified check made payable to the Recovery Account of
4 the Real Estate Fund. Said check must be received by the Department
5 prior to the effective date of the Decision in this matter.

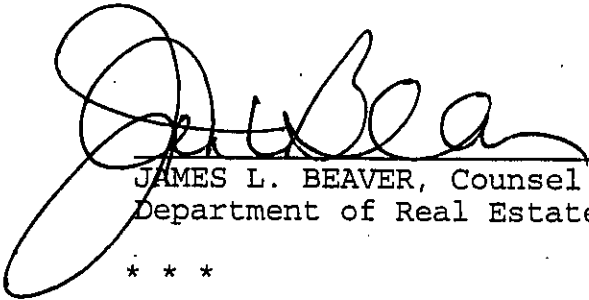
6 3. No further cause for disciplinary action against
7 the real estate license of Respondent occurs within one year from
8 the effective date of the Decision in this matter.

9 4. If Respondent fails to pay the monetary penalty in
10 accordance with the terms and conditions of the Decision, the
11 Commissioner may, without a hearing, order the immediate execution
12 of all or any part of the stayed suspension in which event the
13 Respondent shall not be entitled to any repayment nor credit,
14 prorated or otherwise, for money paid to the Department under the
15 terms of the Decision.

16 5. If Respondent pays the monetary penalty and if no
17 further cause for disciplinary action against the real estate
18 license of Respondent occurs within one year from the effective
19 date of the Decision, the stay hereby granted shall become
20 permanent.

21 3-9-2000

22 DATED

23 
24 JAMES L. BEAVER, Counsel
25 Department of Real Estate

26 * * *

27 I have read the Stipulation and Agreement and have
discussed its terms with my attorney and its terms are understood
by me and are agreeable and acceptable to me. I understand that I

1 am waiving rights given to me by the California Administrative
2 Procedure Act (including but not limited to Sections 11506,
3 11508, 11509, and 11513 of the Government Code), and I willingly,
4 intelligently, and voluntarily waive those rights, including the
5 right of requiring the Commissioner to prove the allegations in
6 the Accusation at a hearing at which I would have the right to
7 cross-examine witnesses against me and to present evidence in
8 defense and mitigation of the charges.

9 3-9-2000

10 DATED

ROSENTHAL ENTERPRISES, INC.
Respondent

11 By Michael J. Amaya
12 MICHAEL J. AMAYA
Designated Officer - Broker

13 3-9-2000

14 DATED

Michael J. Amaya
15 MICHAEL J. AMAYA
Respondent

16 3/9/2000

17 DATED

Randall Lowell Hancock
18 RANDALL LOWELL HANCOCK
Respondent

19 * * *

20 I have reviewed the Stipulation and Agreement as to
21 form and content and have advised my clients accordingly.

22 3/9/00

DATED

Theodore R. Chavez
23 THEODORE R. CHAVEZ
Attorney for Respondents

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DRE No. H-7771 SF

ROSENTHAL ENTERPRISES, INC., et al.

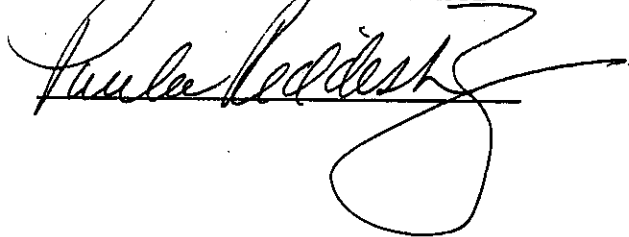
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The foregoing Stipulation and Agreement is hereby
adopted by as my Decision in this matter and shall become
effective at 12 o'clock noon on May 10, 2000.

IT IS SO ORDERED April 10, 2000.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



1 JAMES L. BEAVER, Counsel (SBN 60543)
2 Department of Real Estate
3 P. O. Box 187000
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789
6 -or- (916) 227-0788 (Direct)
7

FILED
FEB 11 2000

DEPARTMENT OF REAL ESTATE

Laurie A. Zisi

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 ROSENTHAL ENTERPRISES, INC.,) No. H-7771 SF
13 MICHAEL J. AMAYA, and) FIRST AMENDED
14 RANDALL LOWELL HANCOCK,) ACCUSATION
15 Respondents.)

16 The Complainant, Les R. Bettencourt, a Deputy Real
17 Estate Commissioner of the State of California, as and for a
18 First Amended Accusation herein against ROSENTHAL ENTERPRISES,
19 INC., a corporation, MICHAEL J. AMAYA and RANDALL LOWELL HANCOCK
20 (hereinafter "Respondents"), is informed and alleges as follows:

21 I

22 Respondents are presently licensed and/or have license
23 rights under the Real Estate Law, Part 1 of Division 4 of the
24 Business and Professions Code (hereinafter "Code").

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1 II

2 The Complainant, Les R. Bettencourt, a Deputy Real
3 Estate Commissioner of the State of California, makes this
4 Accusation against Respondents in his official capacity.

5 III

6 At all times herein mentioned, Respondent ROSENTHAL
7 ENTERPRISES, INC., (hereinafter "ROSENTHAL") was and now is
8 licensed by the Department of Real Estate of the State of
9 California (hereinafter "the Department") by and through
10 MICHAEL J. AMAYA (hereinafter "AMAYA") as designated officer-
11 broker of Respondent ROSENTHAL to qualify said corporation and to
12 act for said corporation as a real estate broker.

13 IV

14 At all times herein mentioned, Respondent AMAYA was and
15 now is licensed by the Department as designated officer-broker of
16 Respondent ROSENTHAL. As said designated officer-broker,
17 Respondent AMAYA was and now is responsible pursuant to Section
18 10159.2 of the Code for the supervision of the activities of the
19 officers, agents, real estate licensees and employees of
20 Respondent ROSENTHAL for which a license is required.

21 V

22 On May 25, 1998, the real estate salesperson license of
23 Respondent RANDALL LOWELL HANCOCK (hereinafter "HANCOCK") expired
24 and was not renewed until on and after January 29, 1999. At no
25 time mentioned herein from May 25, 1998 through January 29, 1999
26 was Respondent HANCOCK licensed by the Department as either a
27 real estate broker or as a real estate salesperson. At all times

1 herein mentioned from and after January 29, 1999, Respondent
2 HANCOCK was and now is licensed by the Department as a real
3 estate salesperson.

4 VI

5 Whenever reference is made in an allegation in this
6 Accusation to an act or omission of Respondent ROSENTHAL, such
7 allegation shall be deemed to mean that the officers, directors,
8 employees, agents and real estate licensees employed by or
9 associated with Respondent ROSENTHAL committed such act or
10 omission while engaged in the furtherance of the business or
11 operations of such corporate Respondent and while acting within
12 the course and scope of their corporate authority and employment.

13 VII

14 At all times herein mentioned, Respondents engaged in
15 the business of, acted in the capacity of, advertised and assumed
16 to act as real estate brokers in the State of California within
17 the meaning of Section 10131(a) of the Code, including the
18 operation and conduct of a real estate resale brokerage with the
19 public wherein, on behalf of others, for compensation or in
20 expectation of compensation, Respondents sold and offered to
21 sell, bought and offered to buy, solicited prospective sellers
22 and purchases of, solicited and obtained listings of, and
23 negotiated the purchase and sale of real property.

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VIII

At all times mentioned herein from May 25, 1998 through January 29, 1999, Respondent ROSENTHAL employed and compensated Respondent HANCOCK to perform the acts and conduct the activities described in Paragraph VII, above.

IX

Between May 25, 1998 and January 29, 1999, in the course of the activities and employment described in Paragraphs VII and VIII, above, Respondent HANCOCK negotiated the purchase and sale:

- (a) From Jeff and Leslie Schar as sellers to Rudolph and Ernestine Leon as buyers of real property at 6556 Ashton Court, Granite Bay, Placer County, California; and
- (b) From Rudolph and Ernestine Leon as sellers to Kuo-Rueih Pan and Hsiao-Fang Chen as buyers of real property at 20322 Silverado Avenue, Cupertino, California.

X

In acting as described above, Respondent HANCOCK violated Section 10130 of the Code.

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1 XI

2 At all times mentioned herein, Respondent AMAYA failed
3 to exercise reasonable supervision over the acts of Respondent
4 ROSENTHAL and its agents and employees in such a manner as to
5 allow the acts and omissions on the part of Respondent ROSENTHAL,
6 described above, to occur.

7 XII

8 The facts alleged above are grounds for the suspension
9 or revocation of the licenses and license rights of Respondents
10 under the following provisions of the Code:

11 (a) As to Respondent ROSENTHAL under Section 10137 the
12 Code in conjunction with Section 10177(d) of the Code;

13 (b) As to Respondent HANCOCK under Section 10130 the
14 Code in conjunction with Section 10177(d) of the Code; and

15 (c) As to Respondent AMAYA under Section 10177(g)
16 and/or Section 10177(h) of the Code and Section 10159.2 of the
17 Code in conjunction with Section 10177(d) of the Code.

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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 provisions of law.


LES R. BETTENCOURT
Deputy Real Estate Commissioner

Dated at Oakland, California,
this 9th day of February, 2000.

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
FEB - 8 2000

DEPARTMENT OF REAL ESTATE

Laurie G. Jain

In the Matter of the Accusation of

ROSENTHAL ENTERPRISES, INC.,
MICHAEL J. AMAYA, and
RANDALL LOWELL HANCOCK,

Case No. H-7771 SF

OAH No. N-1999120294

Respondent

FIRST AMENDED
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 the
Office of Administrative Hearings, 1515 Clay Street, Suite 206,
Oakland, CA 94612

on Thursday, March 9, 2000, at the hour of 9:00 AM,
or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: February 8, 2000

DEPARTMENT OF REAL ESTATE

James L. Beaver
By JAMES L. BEAVER

Counsel

FILED
JAN - 3 2000

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

Laurie A. Zain

In the Matter of the Accusation of

ROSENTHAL ENTERPRISES, INC.,
MICHAEL J. AMAYA, and
RANDALL LOWELL HANCOCK,

}

Case No. H-7771 SF
OAH No. N-1999120294

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You are hereby notified that a hearing will be held before the Department of Real Estate at the
Office of Administrative Hearings, 1515 Clay Street, Suite 206,
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on Thursday, February 3, 2000, at the hour of 9:00 AM,
or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of
hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten
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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
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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 and pay his or her costs. The
interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

James L. Beaver
By JAMES L. BEAVER Counsel

Dated: January 3, 2000

1 JAMES L. BEAVER, Counsel (SBN 60543)
2 Department of Real Estate
3 P. O. Box 187000
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789
6 -or- (916) 227-0788 (Direct)

FILED
NOV 17 1999

DEPARTMENT OF REAL ESTATE

By *Laurie A. Zani*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-7771 SF
12 ROSENTHAL ENTERPRISES, INC.,) ACCUSATION
13 MICHAEL J. AMAYA, and)
14 RANDALL LOWELL HANCOCK,)
15 Respondents.)

16 The Complainant, Les R. Bettencourt, a Deputy Real
17 Estate Commissioner of the State of California, for cause of
18 Accusation against ROSENTHAL ENTERPRISES, INC., a corporation,
19 MICHAEL J. AMAYA and RANDALL LOWELL HANCOCK (hereinafter
20 "Respondents"), is informed and alleges as follows:

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22 Respondents are presently licensed and/or have license
23 rights under the Real Estate Law, Part 1 of Division 4 of the
24 Business and Professions Code (hereinafter "Code").

25 ///

26 ///

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2 The Complainant, Les R. Bettencourt, a Deputy Real
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5 III

6 At all times herein mentioned, Respondent ROSENTHAL
7 ENTERPRISES, INC., (hereinafter "ROSENTHAL") was and now is
8 licensed by the Department of Real Estate of the State of
9 California (hereinafter "the Department") by and through
10 MICHAEL J. AMAYA (hereinafter "AMAYA") as designated officer-
11 broker of Respondent ROSENTHAL to qualify said corporation and to
12 act for said corporation as a real estate broker.

13 IV

14 At all times herein mentioned, Respondent AMAYA was and
15 now is licensed by the Department as designated officer-broker of
16 Respondent ROSENTHAL. As said designated officer-broker,
17 Respondent AMAYA was and now is responsible pursuant to Section
18 10159.2 of the Code for the supervision of the activities of the
19 officers, agents, real estate licensees and employees of
20 Respondent ROSENTHAL for which a license is required.

21 V

22 On May 25, 1998, the real estate salesperson license of
23 Respondent RANDALL LOWELL HANCOCK (hereinafter "HANCOCK") expired
24 and was not renewed until on and after January 29, 1999. At no
25 time mentioned herein from May 25, 1998 through January 29, 1999
26 was Respondent HANCOCK licensed by the Department as either a
27 real estate broker or as a real estate salesperson. At all times

1 herein mentioned from and after January 29, 1999, Respondent
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4 VI

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8 employees, agents and real estate licensees employed by or
9 associated with Respondent ROSENTHAL committed such act or
10 omission while engaged in the furtherance of the business or
11 operations of such corporate Respondent and while acting within
12 the course and scope of their corporate authority and employment.

13 VII

14 At all times herein mentioned, Respondents engaged in
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16 to act as real estate brokers in the State of California within
17 the meaning of Section 10131(a) of the Code, including the
18 operation and conduct of a real estate resale brokerage with the
19 public wherein, on behalf of others, for compensation or in
20 expectation of compensation, Respondents sold and offered to
21 sell, bought and offered to buy, solicited prospective sellers
22 and purchases of, solicited and obtained listings of, and
23 negotiated the purchase and sale of real property.

24 ///

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1 VIII

2 At all times mentioned herein from May 25, 1998 through
3 January 29, 1999, Respondent ROSENTHAL employed and compensated
4 Respondent HANCOCK to perform the acts and conduct the activities
5 described in Paragraph VII, above.

6 IX

7
8 Between May 25, 1998 and January 29, 1999, in the
9 course of the activities and employment described in Paragraphs
10 VII and VIII, above, Respondent HANCOCK negotiated the purchase
11 and sale from Jeff and Leslie Schar as sellers to Rudolph and
12 Ernestine Leon as buyers of real property at 6556 Ashton Court,
13 Granite Bay, Placer County, California.

14 X

15 In acting as described above, Respondent HANCOCK
16 violated Section 10130 of the Code.

17 XI

18 At all times mentioned herein, Respondent AMAYA failed
19 to exercise reasonable supervision over the acts of Respondent
20 ROSENTHAL and its agents and employees in such a manner as to
21 allow the acts and omissions on the part of Respondent ROSENTHAL,
22 described above, to occur.

23 XII

24 The facts alleged above are grounds for the suspension
25 or revocation of the licenses and license rights of Respondents
26 under the following provisions of the Code:


27 ///

1 (a) As to Respondent ROSENTHAL under Section 10137 the
2 Code in conjunction with Section 10177(d) of the Code;

3 (b) As to Respondent HANCOCK under Section 10130 the
4 Code in conjunction with Section 10177(d) of the Code; and

5 (c) As to Respondent AMAYA under Section 10177(g)
6 and/or Section 101077(h) of the Code and Section 10159.2 of the
7 Code in conjunction with Section 10177(d) of the Code.

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

15
16 
17 LES R. BETTENCOURT
18 Deputy Real Estate Commissioner

19 Dated at Oakland, California,
20 this 4th day of November, 1999.