

Patton July

FILED
JUL 16 2007
DEPARTMENT OF REAL ESTATE

R. M. Mendenhall

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-29422 LA
)
AGGIE PATTON,)
)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On May 13, 2003, a Decision was rendered herein
revoking the real estate salesperson license of Respondent,
but granting Respondent the right to apply for and be issued
a restricted real estate salesperson license. A restricted
real estate salesperson license was issued to Respondent on
June 5, 2003, and Respondent has operated as a restricted
licensee without cause for disciplinary action against
Respondent since that time.

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1 On October 20, 2005, Respondent petitioned for
2 reinstatement of said real estate salesperson license and
3 the Attorney General of the State of California has been
4 given notice of the filing of said petition.
5

6 I have considered the petition of Respondent and
7 the evidence and arguments in support thereof. Respondent
8 has demonstrated to my satisfaction that Respondent meets
9 the requirements of law for the issuance to Respondent of an
10 unrestricted real estate salesperson license and that it would
11 not be against the public interest to issue said license to
12 Respondent.
13

14 NOW, THEREFORE, IT IS ORDERED that Respondent's
15 petition for reinstatement is granted and that a real estate
16 salesperson license be issued to Respondent, if Respondent
17 satisfies the following conditions within nine (9) months
18 from the date of this Order:

19 Submittal of a completed application and payment of
20 the fee for a real estate salesperson license.
21

22 This Order shall be effective immediately.

23 Dated: 7-9-07 .

24 JEFF DAVI
25 Real Estate Commissioner

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FILED
APR 22 2004
DEPARTMENT OF REAL ESTATE

By 

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-29422 LA
AGGIE PATTON,)
Respondent.)

ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE

To: AGGIE PATTON

On June 5, 2003, a restricted real estate salesperson license was issued by the Department of Real Estate to Respondent on the terms, conditions and restrictions set forth in the Real Estate Commissioner's Decision of May 13, 2003, in Case No. H-29422 LA, effective June 5, 2003. This Decision granted Respondent the right to the issuance of a restricted real estate salesperson license subject to the provisions of Section 10156.7 of the Business and Professions Code and to enumerated additional terms, conditions and restrictions imposed under authority of Section 10156.6 of said Code. Among those terms, conditions and restrictions, Respondent was required to successfully complete

1 the continuing education requirements within nine (9) months from
2 June 5, 2003. The Commissioner has determined that as of
3 March 5, 2004, Respondent has failed to satisfy this condition
4 and, as such, is in violation of Section 10177(k) of the Business
5 and Professions Code. Respondent has no right to renew the
6 restricted license if this condition is not satisfied by the date
7 of its expiration (Section 10156.7 of the Business and
8 Professions Code).

9
10 NOW, THEREFORE, IT IS ORDERED under authority of
11 Section 10156.7 of the Business and Professions Code of the State
12 of California that the restricted real estate salesperson license
13 heretofore issued to Respondent and the exercise of any
14 privileges thereunder is hereby suspended until such time as
15 Respondent provides proof satisfactory to the Department of
16 compliance with the continuing education requirements referred to
17 above or pending final determination made after hearing (see
18 "Hearing Rights" set forth below).

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1 IT IS FURTHER ORDERED that all license certificates and
2 identification cards issued by the Department of Real Estate
3 which are in the possession of Respondent be immediately
4 surrendered by personal delivery or by mailing in the enclosed
5 self-addressed envelope to:


6 DEPARTMENT OF REAL ESTATE
7 Attention: Flag Section
8 Post Office Box 187000
9 Sacramento, CA 95818-7000

9 HEARING RIGHTS: Pursuant to the provisions of Section
10 10156.7 of the Business and Professions Code, you have the right
11 to a hearing to contest the Commissioner's determination that you
12 are in violation of Section 10177(k). If you desire a hearing,
13 you must submit a written request. The request may be in any form
14 as long as it is in writing and indicates that you want a
15 hearing. Unless a written request for a hearing, signed by or on
16 behalf of you, is delivered or mailed to the Department at 320
17 West Fourth Street, Suite 350, Los Angeles, California 90013,
18 within 20 days after the date that this Order was mailed to or
19 served on you, the Department will not be obligated or required
20 to provide you with a hearing.

21 This Order shall be effective immediately.

22 DATED: April 20, 2004.

23 JOHN R. LIBERATOR
24 Acting Real Estate Commissioner

25 
26 _____
27

1 Department of Real Estate
2 320 West Fourth Street, #350
3 Los Angeles, California 90013

4 (213) 576-6982
5 (213) 576-6914

FILED
JUL 22 2003
DEPARTMENT OF REAL ESTATE

By James B. Olin

6
7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

12)
13 BGC CORPORATION, dba Coldwell)
14 Banker 1st Class Realty; ELSIE)
15 ROMERO CAMBRONE, individually)
16 and as designated)
17 broker-officer of BGC)
18 Corporation; AGGIE PATTON;)
19 and LAUREEN C. JONES,)

DRE No. H-29422 LA
OAH No. L-2002040166

STIPULATION AND AGREEMENT

20 Respondents.)
21)
22)
23)
24)
25)
26)
27)

28 It is hereby stipulated by and between BGC
29 CORPORATION, dba Coldwell Banker 1st Class Realty and ELSIE
30 ROMERO CAMBRONE, in her individual capacity and in her capacity
31 as designated broker-officer of BGC CORPORATION (sometimes
32 referred to herein as "Respondents"); both acting by and
33 through Alexis Galindo, Esq., and the Complainant, acting by
34 and through Martha J. Rosett, Counsel for the Department of
35 Real Estate, as follows for the purpose of settling and
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1 disposing of the Accusation filed on March 14, 2002 in this
2 matter:

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

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

14 3. On March 28, 2002, Respondents filed Notices of
15 Defense pursuant to Section 11506 of the Government Code for
16 the purpose of requesting a hearing on the allegations in the
17 Accusation. In order to effectuate this settlement,
18 Respondents hereby freely and voluntarily withdraw said Notices
19 of Defense. Respondents acknowledge that they each understand
20 that by withdrawing said Notices of Defense, they will thereby
21 waive their right to require the Commissioner to prove the
22 allegations in the Accusation at a contested hearing held in
23 accordance with the provisions of the APA and that they will
24 waive other rights afforded to them in connection with the
25 hearing such as the right to present evidence in defense of the
26 allegations in the Accusation and the right to cross-examine
27 witnesses.

1 4. Respondents, pursuant to the limitations set
2 forth below, although not admitting or denying the truth of the
3 allegations, will not contest the factual allegations contained
4 in the Accusation filed in this proceeding and the Real Estate
5 Commissioner shall not be required to provide further evidence
6 of such allegations.

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

18 6. The Order or any subsequent Order of the Real
19 Estate Commissioner made pursuant to this Stipulation and
20 Agreement shall not constitute an estoppel, merger or bar to
21 any further administrative proceedings by the Department of
22 Real Estate with respect to any matters which were not
23 specifically alleged to be causes for accusation in this
24 proceeding.

25 7. The Stipulation is entered into by each party
26 with the express understanding and agreement that it is to be
27 used for the purposes of settling these proceedings only and

1 that this stipulation shall not be deemed, used, or accepted as
2 an acknowledgment or stipulation in any other civil or
3 administrative proceeding to which this Department is not a
4 party. Said stipulation is expressly limited to these
5 proceedings and to any further proceeding initiated by or
6 brought before the Department of Real Estate, and shall have no
7 collateral estoppel or res judicata effect in any proceeding
8 other than a proceeding brought by the Department of Real
9 Estate.

10 8. Respondents understand that by agreeing to this
11 Stipulation and Agreement, Respondents agree jointly and
12 severally, to pay, pursuant to Section 10148 of the Business
13 and Professions Code, the cost of the audit which led to this
14 disciplinary action. The amount of said cost is \$2,565.29.

15 9. Respondents have each received, read and
16 understand the "Notice Concerning Costs of Subsequent Audit".
17 Respondents further understand that by agreeing to this
18 Stipulation and Agreement, the findings set forth below in the
19 Determination of Issues become final, and that the Commissioner
20 may charge Respondents, jointly and severally, for the costs of
21 any subsequent audit conducted pursuant to Section 10148 of the
22 Business and Professions Code to determine if the violations
23 have been corrected. The maximum cost of said audit will not
24 exceed \$2,565.29.

25 DETERMINATION OF ISSUES

26 By reason of the foregoing stipulations and waivers
27 and solely for the purpose of settlement of the pending

1 Accusation without a hearing, it is stipulated and agreed that
2 the following Determination of Issues shall be made:

3 I.

4 The conduct, acts or omissions of Respondent BGC
5 CORPORATION ("BGC"), as set forth in the Accusation, constitute
6 cause to suspend or revoke the real estate license and license
7 rights of Respondent BGC under the provisions of Business and
8 Professions Code ("Code") Sections 10177(d) and 10177(g) for
9 violation of Code Section 10145 and Sections 2832.1, 2832,
10 2834, 2715, and 2950(h) of Title 10, Chapter 6, California Code
11 of Regulations ("Regulations").

12 II.

13 The conduct, acts or omissions of Respondent ELSIE
14 ROMERO CAMBRONE ("CAMBRONE"), as set forth in the Accusation,
15 constitute cause to suspend or revoke the real estate license
16 and license rights of Respondent CAMBRONE under the provisions
17 of Code Sections 10177(d), 10177(g) and 10177(h) for violation
18 of Code Sections 10145 and 10159.2, and Sections 2832.1, 2832,
19 2834, 2715, and 2950(h) of the Regulations.

20 ORDER

21 WHEREFORE, THE FOLLOWING ORDER is hereby made:

22 I. All licenses and licensing rights of Respondent
23 BGC are suspended for a period of ninety (90) days from the
24 effective date of this Decision; provided, however, that sixty
25 (60) days of said suspension shall be stayed for two (2) years
26 upon the following terms and conditions:

1 A. Respondent shall obey all laws, rules and
2 regulations governing the rights, duties and responsibilities
3 of a real estate licensee in the State of California.

4 B. That no final subsequent determination be made,
5 after hearing or upon stipulation, that cause for disciplinary
6 action occurred within two (2) years of the effective date of
7 this Decision. Should such a determination be made, the
8 Commissioner may, in her discretion, vacate and set aside the
9 stay order and reimpose all or a portion of the stayed
10 suspension. Should no such determination be made, the stay
11 imposed herein shall become permanent.

12 C. As to the remaining thirty (30) days of said
13 ninety (90) day suspension, all licenses and licensing rights
14 of Respondent BGC are suspended for a period of thirty (30)
15 days from the effective date of this Decision; provided,
16 however, that if Respondent petitions, the remaining thirty
17 (30) days of said ninety (90) day suspension shall be stayed
18 upon condition that:

19 1. Respondent pays a monetary penalty pursuant to
20 Section 10175.2 of the Business and Professions Code at the
21 rate of \$75 for each day of the suspension for a total monetary
22 penalty of \$2,250.

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

1 3. No further cause for disciplinary action against
2 the real estate license of Respondent occurs within two (2)
3 years from the effective date of the Decision in this matter.

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

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

16 II. All licenses and licensing rights of Respondent
17 CAMBRONE, under the Real Estate Law are suspended for a period
18 of ninety (90) days from the effective date of this Decision;
19 provided however, that sixty (60) days of said suspension shall
20 be stayed for two (2) years upon the following terms and
21 conditions:

22 A. Respondent shall obey all laws, rules and
23 regulations governing the rights, duties and responsibilities
24 of a real estate licensee in the State of California.

25 B. That no final subsequent determination be made,
26 after hearing or upon stipulation, that cause for disciplinary
27 action occurred within two (2) years of the effective date of

1 this Decision. Should such a determination be made, the
2 Commissioner may, in her discretion, vacate and set aside the
3 stay order and reimpose all or a portion of the stayed
4 suspension. Should no such determination be made, the stay
5 imposed herein shall become permanent.

6 C. As to the remaining thirty (30) days of said
7 ninety (90) day suspension, all licenses and licensing rights
8 of Respondent CAMBRONE are suspended for a period of thirty
9 (30) days from the effective date of this Decision; provided,
10 however, that if Respondent petitions, the remaining thirty
11 (30) days of said sixty (60) day suspension shall be stayed
12 upon condition that:

13 1. Respondent's license shall be indefinitely
14 suspended unless or until Respondent provides proof
15 satisfactory to the Commissioner of having taken and completed
16 within thirty (30) days prior to the date of this Order or any
17 time after said date, the trust fund accounting and handling
18 course specified in paragraph (3), subdivision (a) of Section
19 10170.5 of the Business and Professions Code. Upon
20 satisfaction of this condition, the indefinite suspension
21 provided herein shall be stayed.

22 2. Respondent pays a monetary penalty pursuant to
23 Section 10175.2 of the Business and Professions Code at the
24 rate of \$75 for each day of the suspension for a total monetary
25 penalty of \$2,250.

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

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

4 4. No further cause for disciplinary action against
5 the real estate license of Respondent occurs within two (2)
6 years from the effective date of the Decision in this matter.

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

14 6. If Respondent pays the monetary penalty and if no
15 further cause for disciplinary action against the real estate
16 license of Respondent occurs within two (2) years from the
17 effective date of the Decision, the stay hereby granted shall
18 become permanent.

19 III. Pursuant to Section 10148 of the Business and
20 Professions Code, Respondent BGC and Respondent CAMBRONE shall,
21 jointly and severally, pay the Commissioner's reasonable cost
22 for: a) the audit which led to this disciplinary action and, b)
23 a subsequent audit to determine if Respondents have corrected
24 the trust fund violations found in the Determination of Issues.
25 In calculating the amount of the Commissioner's reasonable
26 cost, the Commissioner may use the estimated average hourly
27 salary for all persons performing audits of real estate

1 brokers, and shall include an allocation for travel time to and
2 from the auditor's place of work. Respondents shall pay such
3 cost within 60 days of receiving an invoice from the
4 Commissioner detailing the activities performed during the
5 audit and the amount of time spent performing those activities.
6 The Commissioner may suspend the licenses issued to Respondents
7 pending a hearing held in accordance with Section 11500, et
8 seq., of the Government Code, if payment is not timely made as
9 provided for herein, or as provided for in a subsequent
10 agreement between the Respondents and the Commissioner.

11 The suspension shall remain in effect until payment
12 is made in full or until Respondents enter into an agreement
13 satisfactory to the Commissioner to provide for payment, or
14 until a decision providing otherwise is adopted following a
15 hearing held pursuant to this condition.

16
17 DATED:

5/30/03



MARTHA J. ROSETT
Counsel for Complainant

18
19 * * *

20 We have read the Stipulation and Agreement, have
21 discussed it with our counsel, and its terms are understood by
22 us and are agreeable and acceptable to us. We understand that
23 we are waiving rights given to us by the California
24 Administrative Procedure Act (including but not limited to
25 Sections 11506, 11508, 11509 and 11513 of the Government Code),
26 and we willingly, intelligently and voluntarily waive those
27

1 rights, including the right of requiring the Commissioner to
2 prove the allegations in the Accusation at a hearing at which
3 we would have the right to cross-examine witnesses against us
4 and to present evidence in defense and mitigation of the
5 charges.

6 Respondents can signify acceptance and approval of the
7 terms and conditions of this Stipulation and Agreement by faxing
8 a copy of its signature page, as actually signed by Respondents,
9 to the Department at the following fax number (213) 576-6917.
10 Respondents agree, acknowledge and understand that by
11 electronically sending to the Department a fax copy of their
12 actual signatures as they appear on the Stipulation, that receipt
13 of the faxed copy by the Department shall be as binding on
14 Respondents as if the Department had received the original signed
15 Stipulation and Agreement.

16 DATED: 5-28-03

Elis R. Cambrone Secretary
BGC CORPORATION
by ELSIE ROMERO CAMBRONE
Respondent

19 DATED: 5-28-03

Elis R. Cambrone
ELSIE ROMERO CAMBRONE
Respondent

22 DATED: 5-29-03

Alexis Galindo
ALEXIS GALINDO, ESQ.
Counsel for Respondents

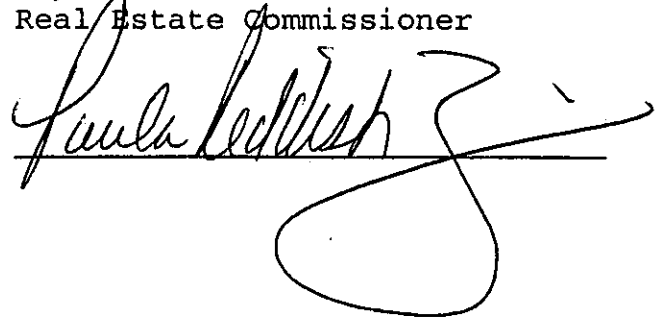
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* * *

The foregoing Stipulation and Agreement is hereby
adopted as my Decision in this matter and shall become
effective at 12 o'clock noon on August 11, 2003.

IT IS SO ORDERED July 16, 2003.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



1 Department of Real Estate
320 West Fourth Street, #350
2 Los Angeles, California 90013

3 (213) 576-6982
4 (213) 576-6914

FILED
MAY 16 2003
DEPARTMENT OF REAL ESTATE

Jana B. Dorn

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	
12 BGC CORPORATION, dba Coldwell)	DRE No. H-29422 LA
13 Banker 1 st Class Realty; ELSIE)	OAH No. L-2002040166
14 ROMERO CAMBRONE, individually)	<u>STIPULATION AND AGREEMENT</u>
15 and as designated)	
16 broker-officer of BGC)	
17 Corporation; <u>AGGIE PATTON</u> ;)	
18 and LAUREEN C. JONES,)	
19 Respondents.)	

18 It is hereby stipulated by and between AGGIE PATTON
19 (sometimes referred to herein as "Respondent PATTON"), acting
20 by and through Frank M. Buda, Esq., and the Complainant, acting
21 by and through Martha J. Rosett, Counsel for the Department of
22 Real Estate, as follows for the purpose of settling and
23 disposing of the Accusation filed on March 14, 2002 in this
24 matter:

- 25 1. All issues which were to be contested and all
- 26 evidence which was to be presented by Complainant and
- 27

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

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

10 3. On March 28, 2002, Respondent filed a Notice of
11 Defense pursuant to Section 11506 of the Government Code for
12 the purpose of requesting a hearing on the allegations in the
13 Accusation. In order to effectuate this settlement, Respondent
14 hereby freely and voluntarily withdraws said Notice of Defense.
15 Respondent acknowledges that he understands that by withdrawing
16 said Notice of Defense, he will thereby waive his right to
17 require the Commissioner to prove the allegations in the
18 Accusation at a contested hearing held in accordance with the
19 provisions of the APA and that he will waive other rights
20 afforded to him in connection with the hearing such as the
21 right to present evidence in defense of the allegations in the
22 Accusation and the right to cross-examine witnesses.

23 4. Respondent, pursuant to the limitations set forth
24 below, although not admitting or denying the truth of the
25 allegations, will not contest the factual allegations contained
26 in the Accusation filed in this proceeding and the Real Estate
27

1 Commissioner shall not be required to provide further evidence
2 of such allegations.

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

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

21 7. The Stipulation is entered into by each party
22 with the express understanding and agreement that it is to be
23 used for the purposes of settling these proceedings only and
24 that this stipulation shall not be deemed, used, or accepted as
25 an acknowledgment or stipulation in any other civil or
26 administrative proceeding to which this Department is not a
27 party. Said stipulation is expressly limited to these

1 proceedings and to any further proceeding initiated by or
2 brought before the Department of Real Estate, and shall have no
3 collateral estoppel or res judicata effect in any proceeding
4 other than a proceeding brought by the Department of Real
5 Estate.

6 DETERMINATION OF ISSUES

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

11 The conduct, acts or omissions of Respondent PATTON
12 as set forth in the Accusation, constitute cause to suspend or
13 revoke the real estate license and license rights of Respondent
14 under the provisions of Business and Professions Code ("Code")
15 Sections 10176(a) and 10177(d) for violation of Code Section
16 10145(c).

17 ORDER

18 WHEREFORE, THE FOLLOWING ORDER is hereby made:

19 All licenses and licensing rights of Respondent AGGIE
20 PATTON under the Real Estate Law are revoked; provided,
21 however, a restricted real estate salesperson license shall be
22 issued to Respondent pursuant to Section 10156.5 of the
23 Business and Professions Code if Respondent makes application
24 therefor and pays to the Department of Real Estate the
25 appropriate fee for the restricted license within 90 days from
26 the effective date of this Decision. The restricted license
27 issued to Respondent shall be subject to all of the provisions

1 of Section 10156.7 of the Business and Professions Code and to
2 the following limitations, conditions and restrictions imposed
3 under authority of Section 10156.6 of that Code:

4 1. The restricted license issued to Respondent may
5 be suspended prior to hearing by Order of the Real Estate
6 Commissioner in the event of Respondent's conviction or plea of
7 nolo contendere to a crime which is substantially related to
8 Respondent's fitness or capacity as a real estate licensee.

9 2. The restricted license issued to Respondent may
10 be suspended prior to hearing by Order of the Commissioner on
11 evidence satisfactory to the Commissioner that Respondent has
12 violated provisions of the California Real Estate Law, the
13 Subdivided Lands Law, Regulations of the Real Estate
14 Commissioner or conditions attaching to the restricted license.

15 3. Respondent shall not be eligible to apply for the
16 issuance of an unrestricted real estate license nor for the
17 removal of any of the conditions, limitations or restrictions
18 of a restricted license until two (2) years have elapsed from
19 the effective date of this Decision.

20 4. Respondent shall submit with any application for
21 license under an employing broker, or any application for
22 transfer to a new employing broker, a statement signed by the
23 prospective employing real estate broker on a form approved by
24 the Department of Real Estate which shall certify:

25 (a) That the employing broker has read the Decision of
26 the Commissioner which granted the right to a restricted
27 license; and

1 (b) That the employing broker will exercise close
2 supervision over the performance by the restricted
3 licensee relating to the activities for which a real
4 estate license is required.

5 5. Respondent shall, within nine months from the
6 effective date of this Decision, present evidence satisfactory
7 to the Real Estate Commissioner that Respondent has, since the
8 most recent issuance of an original or renewal real estate
9 license, taken and successfully completed the continuing
10 education requirements of Article 2.5 of Chapter 3 of the Real
11 Estate Law for renewal of a real estate license. If Respondent
12 fails to satisfy this condition, the Commissioner may order the
13 suspension of the restricted license until the Respondent
14 presents such evidence. The Commissioner shall afford
15 Respondent the opportunity for a hearing pursuant to the
16 Administrative Procedure Act to present such evidence.

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1 6. Respondent shall, within six months from the
2 effective date of this Decision, take and pass the Professional
3 Responsibility Examination administered by the Department
4 including the payment of the appropriate examination fee. If
5 Respondent fails to satisfy this condition, the Commissioner
6 may order suspension of Respondent's license until Respondent
7 passes the examination.

8
9 DATED: _____

5/7/02



MARTHA J. ROSETT
Counsel for Complainant

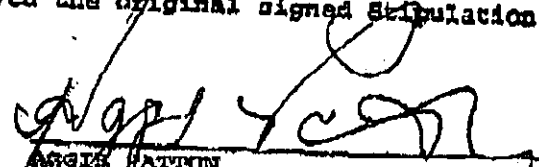
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11 * * *

12 I have read the Stipulation and Agreement, have
13 discussed it with my counsel, and its terms are understood by
14 me and are agreeable and acceptable to me. I understand that I
15 am waiving rights given to me by the California Administrative
16 Procedure Act (including but not limited to Sections 11506,
17 11508, 11509 and 11513 of the Government Code), and I
18 willingly, intelligently and voluntarily waive those rights,
19 including the right of requiring the Commissioner to prove the
20 allegations in the Accusation at a hearing at which I would
21 have the right to cross-examine witnesses against me and to
22 present evidence in defense and mitigation of the charges.

23 Respondent can signify acceptance and approval of the
24 terms and conditions of this Stipulation and Agreement by faxing
25 a copy of its signature page, as actually signed by Respondent,
26 to the Department at the following fax number (213) 576-6917.
27


1 Respondent agrees, acknowledges and understands that by
 2 electronically sending to the Department a fax copy of his actual
 3 signature as it appears on the Stipulation, that receipt of the
 4 faxed copy by the Department shall be as binding on Respondent as
 5 if the Department had received the original signed Stipulation
 6 and Agreement.

7 DATED: 5-7-03



 AGENT ATTORNEY
 Respondent

10 DATED: 5-7-03



 FRANK M. BUDA, ESQ.
 Counsel for Respondent

11 * * *

12 The foregoing Stipulation and Agreement is hereby
 13 adopted as my Decision in this matter and shall become
 14 effective at 12 o'clock noon on _____

15 IT IS SO ORDERED _____

16
 17
 18 PAULA REDDISH ZINNEBERRY
 19 Real Estate Commissioner
 20
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1 Respondent agrees, acknowledges and understands that by
2 electronically sending to the Department a fax copy of his actual
3 signature as it appears on the Stipulation, that receipt of the
4 faxed copy by the Department shall be as binding on Respondent as
5 if the Department had received the original signed Stipulation
6 and Agreement.

7
8 DATED: _____

AGGIE PATTON
Respondent

9
10 DATED: _____

FRANK M. BUDA, ESQ.
Counsel for Respondent

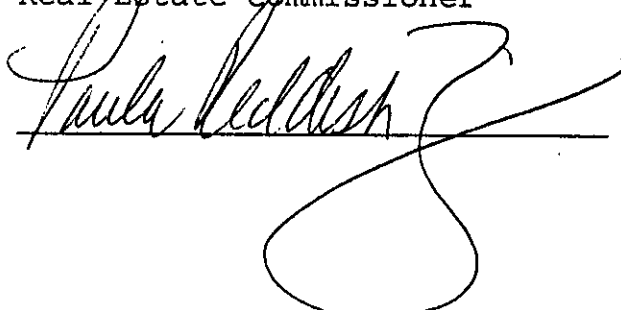
11
12 * * *

13
14 The foregoing Stipulation and Agreement is hereby
15 adopted as my Decision in this matter and shall become
16 effective at 12 o'clock noon on June 5, 2003.

17 IT IS SO ORDERED

May 13, 2003

18 PAULA REDDISH ZINNEMANN
19 Real Estate Commissioner

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Sacto
Slatt

FILE
JAN 10 2003
DEPARTMENT OF REAL EST/

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
BGC CORPORATION, dba Coldwell)
Banker 1st Class Realty; ELSIE)
ROMERO CAMBRONE, individually and)
as designated broker-officer of)
BGC Corporation;)
)
)
)

Case No. H-29422 LA
OAH No. L-2002040166

Laura B. Stone

Respondent(s)

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on JUNE 2 & 3, 2003, at the hour of 9:00 A.M., 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.

DEPARTMENT OF REAL ESTATE

Dated: January 10, 2003

By *Martha J. Rosett*
MARTHA J. ROSETT, Counsel

cc: BGC Corporation
Elsie Romero Cambrone
Alexis Galindo, Esq.
D. Fajardo/Cheng, Audits
Sacto.
OAH

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
BGC CORPORATION, dba Coldwell)
Banker 1st Class Realty; ELSIE)
ROMERO CAMBRONE, individually and)
as designated broker-officer of)
BGC Corporation; AGGIE PATTON;)
and LAUREEN C. JONES,)

Case No. H-29422 LA

OAH No. L-2002040166

FILED
APR 18 2002
DEPARTMENT OF REAL ESTATE

Respondent(s)

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

By [Signature]

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on WEDNESDAY and THURSDAY, JULY 17 and 18, 2002, at the hour of 9:00 A.M., 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.

DEPARTMENT OF REAL ESTATE

Dated: April 18, 2002

By

Martha J. Rosett

MARTHA J. ROSETT, Counsel

cc: BGC Corporation
Elsie Romero Cambrone
Aggie Patton
Laureen C. Jones
Alexis Galindo, Esq.
D. Fajardo/Cheng, Audits
Sacto.
OAH

copy

1 Department of Real Estate
320 West Fourth Street, #350
2 Los Angeles, California 90013
3 (213) 576-6982
4 (213) 576-6914

FILED
JUN 2 2003
DEPARTMENT OF REAL ESTATE
Laura B. Jim

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of)
13 BGC CORPORATION, dba Coldwell) DRE No. H-29422 LA
Banker 1st Class Realty; ELSIE) OAH No. L-2002040166
14 ROMERO CAMBRONE, individually) STIPULATION AND AGREEMENT
and as designated)
15 broker-officer of BGC)
Corporation; AGGIE PATTON;)
16 and LAUREEN C. JONES,)
17 Respondents.)

18
19 It is hereby stipulated by and between LAUREEN C.
20 JONES (sometimes referred to herein as "Respondent JONES"),
21 acting by and through Michael A. Lanphere, Esq. of Tredway,
22 Lumsdaine and Doyle, LLP, and the Complainant, acting by and
23 through Martha J. Rosett, Counsel for the Department of Real
24 Estate, as follows for the purpose of settling and disposing of
the Accusation filed on March 14, 2002 in this matter:

- 25 1. All issues which were to be contested and all
26 evidence which was to be presented by Complainant and
27

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

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

10 3. On March 28, 2002, Respondent filed a Notice of
11 Defense pursuant to Section 11506 of the Government Code for
12 the purpose of requesting a hearing on the allegations in the
13 Accusation. In order to effectuate this settlement, Respondent
14 hereby freely and voluntarily withdraws said Notice of Defense.
15 Respondent acknowledges that she understands that by
16 withdrawing said Notice of Defense, she will thereby waive her
17 right to require the Commissioner to prove the allegations in
18 the Accusation at a contested hearing held in accordance with
19 the provisions of the APA and that she will waive other rights
20 afforded to her in connection with the hearing such as the
21 right to present evidence in defense of the allegations in the
22 Accusation and the right to cross-examine witnesses.

23 4. Respondent, pursuant to the limitations set forth
24 below, although not admitting or denying the truth of the
25 allegations, will not contest the factual allegations contained
26 in the Accusation filed in this proceeding and the Real Estate
27

1 Commissioner shall not be required to provide further evidence
2 of such allegations.

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

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

21 7. The Stipulation is entered into by each party
22 with the express understanding and agreement that it is to be
23 used for the purposes of settling these proceedings only and
24 that this stipulation shall not be deemed, used, or accepted as
25 an acknowledgment or stipulation in any other civil or
26 administrative proceeding to which this Department is not a
27 party. Said stipulation is expressly limited to these

1 proceedings and to any further proceeding initiated by or
2 brought before the Department of Real Estate, and shall have no
3 collateral estoppel or res judicata effect in any proceeding
4 other than a proceeding brought by the Department of Real
5 Estate.

6 DETERMINATION OF ISSUES

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

11 The conduct, acts or omissions of Respondent JONES as
12 set forth in the Accusation, constituted negligence and is
13 cause to suspend or revoke the real estate license and license
14 rights of Respondent under the provisions of Business and
15 Professions Code ("Code") Section 10177(g).

16 ORDER

17 WHEREFORE, THE FOLLOWING ORDER is hereby made:

18 All licenses and licensing rights of Respondent
19 LAUREEN C. JONES under the Real Estate Law are suspended for a
20 period of sixty (60) days from the effective date of this
21 Decision; provided, however, that sixty (60) days of said
22 suspension shall be stayed for two (2) years upon the following
23 terms and conditions:

24 1. Respondent shall obey all laws, rules and
25 regulations governing the rights, duties and responsibilities
26 of a real estate licensee in the State of California.
27

1 2. That no final subsequent determination be made,
2 after hearing or upon stipulation, that cause for disciplinary
3 action occurred within two (2) years of the effective date of
4 this Decision. Should such a determination be made, the
5 Commissioner may, in her discretion, vacate and set aside the
6 stay order and reimpose all or a portion of the stayed
7 suspension. Should no such determination be made, the stay
8 imposed herein shall become permanent.

9
10 DATED: 5/21/03

Martha J. Rosett
11 MARTHA J. ROSETT
 Counsel for Complainant

12 * * *

13 I have read the Stipulation and Agreement, have
14 discussed it with my counsel, and its terms are understood by
15 me and are agreeable and acceptable to me. I understand that I
16 am waiving rights given to me by the California Administrative
17 Procedure Act (including but not limited to Sections 11506,
18 11508, 11509 and 11513 of the Government Code), and I am
19 willingly, intelligently and voluntarily waive those rights,
20 including the right of requiring the Commissioner to prove the
21 allegations in the Accusation at a hearing at which I would
22 have the right to cross-examine witnesses against me and to
23 present evidence in defense and mitigation of the charges.

24 Respondent can signify acceptance and approval of the
25 terms and conditions of this Stipulation and Agreement by faxing
26 a copy of its signature page, as actually signed by Respondent,

27

1 to the Department at the following fax number (213) 576-6917.
 2 Respondent agrees, acknowledges and understands that by
 3 electronically sending to the Department a fax copy of her actual
 4 signature as it appears on the Stipulation, that receipt of the
 5 faxed copy by the Department shall be as binding on Respondent as
 6 if the Department had received the original signed Stipulation
 7 and Agreement.

8
 9 DATED: 5-19-03

Laureen C. Jones
 LAUREEN C. JONES
 Respondent

10
 11 DATED: 5-19-03

Michael A. Lanphere
 MICHAEL A. LANPHERE, ESQ.
 Counsel for Respondent

12
 13 * * *

14
 15 The foregoing Stipulation and Agreement is hereby
 16 adopted as my Decision in this matter and shall become
 17 effective at 12 o'clock noon on _____.

18 IT IS SO ORDERED _____

19
 20 PAULA REDDISH ZINNEMANN
 Real Estate Commissioner

1 to the Department at the following fax number (213) 576-6917.
2 Respondent agrees, acknowledges and understands that by
3 electronically sending to the Department a fax copy of her actual
4 signature as it appears on the Stipulation, that receipt of the
5 faxed copy by the Department shall be as binding on Respondent as
6 if the Department had received the original signed Stipulation
7 and Agreement.

8
9 DATED: _____

LAUREEN C. JONES
Respondent

10
11 DATED: _____

MICHAEL A. LANPHERE, ESQ.
Counsel for Respondent

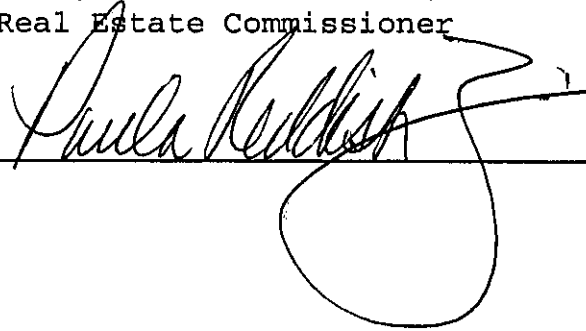
12
13 * * *

14
15 The foregoing Stipulation and Agreement is hereby
16 adopted as my Decision in this matter and shall become
17 effective at 12 o'clock noon on June 23, 2003.

18 IT IS SO ORDERED

July 28, 2003.

19 PAULA REDDISH ZINNEMANN
20 Real Estate Commissioner

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SAC
1 MARTHA J. ROSETT, Counsel (SBN #142072)
2 Department of Real Estate
3 320 West Fourth Street, Suite #350
4 Los Angeles, California 90013-1105

5 (213) 576-6982
6 (213) 576-6914

FILED
MAR 14 2002
DEPARTMENT OF REAL ESTATE

7 By

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 In the Matter of the Accusation of) No. H-29422 LA
11)
12 BGC CORPORATION, dba Coldwell) A C C U S A T I O N
13 Banker 1st Class Realty; ELSIE)
14 ROMERO CAMBRONE, individually and)
15 as designated broker-officer of)
16 BGC Corporation; AGGIE PATTON; and)
17 LAUREEN C. JONES,)
18)
19 Respondents.)

20 The Complainant, Maria Suarez, a Deputy Real Estate
21 Commissioner of the State of California, for cause of Accusation
22 against BGC CORPORATION, dba Coldwell Banker 1st Class Realty;
23 ELSIE ROMERO CAMBRONE, individually and as designated officer of
24 BGC Corporation; AGGIE PATTON; and LAUREEN C. JONES, hereinafter
25 sometimes referred to as "Respondents," is informed and alleges
26 as follows:

27 1.

28 The Complainant, Maria Suarez, a Deputy Real Estate
29 Commissioner of the State of California, makes this Accusation in

1 her official capacity.

2 2.

3 At all times material herein, Respondent BGC
4 CORPORATION, dba "Coldwell Banker 1st Class Realty" (hereinafter
5 "Respondent BGC") was and now is presently licensed and/or has
6 license rights under the Real Estate Law, Part 1 of Division 4 of
7 the California Business and Professions Code (hereinafter
8 "Code"), as a corporate real estate broker. Respondent BGC is
9 authorized to act by and through Respondent ELSIE ROMERO CAMBRONE
10 as the designated officer and broker responsible, pursuant to the
11 provisions of Code Section 10159.2 for the supervision and
12 control of the activities conducted on behalf of BGC by BGC's
13 officers and employees.

14 3.

15 At all times material herein, Respondent ELSIE ROMERO
16 CAMBRONE (hereinafter "Respondent CAMBRONE") was and now is
17 presently licensed by the Department of Real Estate (hereinafter
18 "Department"), individually as a real estate broker and as the
19 designated broker-officer of Respondent BGC. As the designated
20 broker-officer, CAMBRONE was and is responsible for the
21 supervision and control of the activities conducted on behalf of
22 BGC by BGC's officers and employees as necessary to secure full
23 compliance with the Real Estate Law pursuant to Code Section
24 10159.

25 4.

26 At all times relevant herein, Respondent AGGIE PATTON
27 (hereinafter "Respondent PATTON") was and is licensed by the

1 Department as a real estate salesperson. At all times relevant
2 herein, Respondent PATTON was employed by Respondent BGC as a
3 real estate salesperson.

4 5.

5 At all times relevant herein, Respondent LAUREEN C.
6 JONES (hereinafter "Respondent JONES) was and is licensed by the
7 Department as a real estate salesperson. At all times relevant
8 herein, Respondent JONES was employed by Respondent BGC as a real
9 estate salesperson and was also President and 100% owner of the
10 corporation.

11 6.

12 All further references to "Respondents" unless
13 otherwise specified, include the parties identified in Paragraphs
14 2 through 5 above, and also include the officers, directors,
15 employees, agents and real estate licensees employed by or
16 associated with said parties, who at all times material herein
17 were engaged in the furtherance of the business or operations of
18 said parties and who were acting within the course and scope of
19 their authority, agency or employment.

20 7.

21 At all times material herein, Respondents engaged in
22 the business of, acted in the capacity of, advertised or assumed
23 to act as real estate brokers in the State of California, within
24 the meaning of Code Section 10131(a) for another or others, for
25 or in expectation of compensation. Said activity included
26 representation of sellers and buyers of residential property and
27 the performance of related in-house escrow activities.

FIRST CAUSE OF ACCUSATION
AUDIT VIOLATIONS

8.

During the period between January 1, 1999 through January 31, 2000, in connection with the aforesaid real estate brokerage activities, Respondents accepted or received funds, including funds in trust (hereinafter "trust funds") from or on behalf of actual and prospective buyers and thereafter made deposits and/or disbursements of such funds. From time to time herein mentioned, said trust funds were deposited into a trust account maintained by Respondents in Account No. 31-016-991, known as the "1st Class Realty Escrow Division, Escrow Trust Account" (hereinafter "Trust Account") at Imperial Bank located at 9777 Wilshire Boulevard, Beverly Hills, California 90212-9762.

9.

On or about April 24, 2000, the Department completed its examination of Respondent BGC's books and records, pertaining to the residential re-sale and in-house escrow real estate activities described in Paragraphs 7 and 8 above, covering a period from approximately January 1, 1999 through January 31, 2000. The primary purpose of the examination was to determine Respondents' compliance with the Real Estate Laws. The examination, Audit #LA 990315 revealed violations of the Code and of Title 10, Chapter 6, California Code of Regulations (hereinafter "Regulations"), as set forth below and as more specifically set forth in audit reports and exhibits attached thereto.

2 In the course of activities described in Paragraphs 7
3 and 8 above, and during the examination period described in
4 Paragraph 9, Respondents BGC and CAMBRONE acted in violation of
5 the Code and the Regulations in that:

6 a) The Trust Account contained a shortage of \$580.39
7 as of January 31, 2000, in violation of Code Section 10145 and
8 Regulation 2832.1.

9 b) The separate records examined, including those for
10 escrow numbers 99129, 99136, 99305, 20001 and 200004, did not
11 show a running daily balance, in violation of Code Section 10145
12 and Regulation 2831.1.

13 c) Buyers' earnest money deposit checks were not
14 always forwarded to escrow within three business days of the
15 acceptance of offers, in violation of Code Section 10145 and
16 Regulation 2832. Sample files included the Cazalez file, the
17 Strada-Nunez file and the Ismail Garcia file.

18 d) A non-licensee, Jackie Martain, was a signor on the
19 trust account without fidelity bond coverage and the designated
20 broker-officer, Respondent CAMBRONE, was not authorized to sign
21 on the trust account, in violation of Code Section 10145 and
22 Regulation 2834.

23 e) The Department was not notified of BGC's change of
24 its principal place of business within the next business day
25 following the change, in violation of Regulation 2715.

26 f) Respondents BGC and CAMBRONE did not advise all
27 parties in the transactions in writing of their financial

1 interest in the escrow holding agency, including in escrow
2 numbers 99136, 99129, 99165 and 99206, in violation of Regulation
3 2950 (h) .

4 g) Designated officer-broker Respondent CAMBRONE did
5 not exercise supervision and control over the activities of BGC,
6 in violation of Code Section 10159.2.

7 The foregoing violations constitute cause for the
8 suspension or revocation of Respondent BGC and Respondent
9 CAMBRONE's real estate licenses and license rights under the
10 provisions of Code Sections 10177(d), 10177(g) and/or 10177(h) .

11
12 SECOND CAUSE OF ACCUSATION
13 JOHNSON TRANSACTION

14 11.

15 On or about January 6, 2000, Respondent PATTON signed a
16 Residential Purchase Agreement and Deposit for Receipt pertaining
17 to property located at 700 through 700 ¼ West 53rd Street, Los
18 Angeles, California, in which he indicated that he had received
19 from the buyer, Jennifer King Johnson, a deposit of \$1,000 toward
20 the purchase price of \$183,000. In truth of fact, at the time of
21 signing said agreement, Respondent PATTON solicited and received
22 a check in the amount of \$1,200 from Ms. Johnson with the payee
23 blank, and several silver coins of an undetermined value.

24 12.

25 Respondent PATTON did not immediately deliver the trust
26 funds to his broker, to the broker's principal, to a neutral
27 escrow depository, or into a trust account. Rather, the check

1 was made payable to a third party named Johnelle Neal and
2 deposited into her account.

3 13.

4 On or about January 12, 2000, escrow on the transaction
5 referred to in Paragraph 11 above was opened at Coldwell Banker
6 1st Class Realty, Escrow Division, one of Respondent BGC's
7 business names. Respondent JONES served as the escrow officer in
8 the transaction. Respondent PATTON never deposited any funds or
9 the silver coins into the escrow account on behalf of the buyer.
10 On or about March 20, 2000, Respondent JONES, the escrow officer,
11 sent out cancellation instructions. Respondent JONES never
12 received signed cancellation instructions back from either party.
13 Nonetheless, escrow was cancelled but no money or property was
14 returned to the buyer, Ms. Johnson, since none had been deposited
15 into escrow.

16 14.

17 The conduct, acts and/or omissions of Respondent PATTON
18 described in Paragraph 10 above, in signing a Receipt for Deposit
19 indicating that he received \$1,000 from the buyer constitutes a
20 substantial misrepresentation and is cause to discipline
21 Respondent PATTON's license pursuant to Code Section 10176(a).

22 15.

23 The conduct, acts and/or omissions of Respondent PATTON
24 in failing to deliver trust funds to his broker, deposit them
25 into a trust account or escrow, or return them to the buyer
26 constitutes a violation of Code Section 10145(c) and is grounds
27 to discipline Respondent PATTON's license pursuant to Code

1 Section 10177(d).

2 16.

3 The conduct of Respondent JONES in canceling escrow
4 without the written instructions of either or both parties was
5 negligent or dishonest and constitutes grounds to discipline
6 Respondent JONES' license pursuant to Code Sections 10177(g)
7 and/or 10176(i).

8 17.

9 The conduct of Respondent BGC and Respondent CAMBRONE
10 in failing to supervise the activities of the employees of BGC
11 constitutes a violation of Regulation 2725 and constitutes
12 grounds to discipline Respondent BGC and Respondent CAMBRONE's
13 licenses pursuant to Code Section 10177(g) and/or 10177(h).

14 //

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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and license rights of Respondents
5 BGC CORPORATION, dba Coldwell Banker 1st Class Realty; ELSIE
6 ROMERO CAMBRONE, individually and as designated broker-officer
7 of BGC Corporation; AGGIE PATTON; and LAUREEN C. JONES under
8 the Real Estate Law (Part 1 of Division 4 of the Business and
9 Professions Code), and for such other and further relief as may
10 be proper under other applicable provisions of law.

11 Date at Los Angeles, California
12 this 13th day of March, 2002.

13
14 
15 _____
16 Deputy Real Estate Commissioner
17
18
19
20
21
22

23 cc: BGC Corporation, dba Coldwell Banker 1st Class Realty
24 Elsie Romero Cambrone
25 Aggie Patton
26 Lauren C. Jones
27 Maria Suarez
Sacto
JN
Dorcas Cheng/Audits