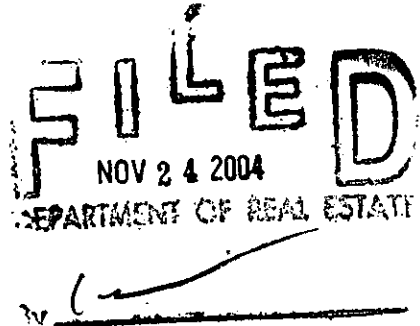


1 Department of Real Estate
2 320 West Fourth Street, Suite 350
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982
5 -or- (213) 576-6910 (Direct)



6
7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 MASTERS REALTY SERVICES, INC., a) DRE No. H-30663 LA
13 corporation and doing business) OAH No. L-2004020107
14 as Century 21 Masters and)
15 Premier Services;) STIPULATION AND AGREEMENT
16 NEIL MARTIN SCHWARTZ,)
17 individually and as designated)
18 officer of Masters Realty)
19 Services, Inc.; and)
20 GUIDO A. RODRIGUEZ,)
21 Respondents.)

22 It is hereby stipulated by and between MASTERS REALTY
23 SERVICES, INC., a corporation and doing business as Century 21
24 Masters and Premier Services (hereinafter "MASTERS") and NEIL
25 MARTIN SCHWARTZ, individually and as designated officer of
26 Masters Realty Services, Inc. (hereinafter "SCHWARTZ")
27 (hereinafter sometimes both referred to as "Respondents"),
represented by Steven A. Sokol, Esq., and the Complainant, acting
by and through Chris Leong, Counsel for the Department of Real

1 Estate, as follows for the purpose of settling and disposing of
2 the Accusation filed on January 22, 2004. The matter as to
3 GUIDO A. RODRIGUEZ will be handled separately.

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

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

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

1 4. This Stipulation is based on the factual
2 allegations contained in the Accusation filed in this proceeding.
3 In the interest of expedience and economy, Respondents choose not
4 to contest these factual allegations, but to remain silent and
5 understand that, as a result thereof, these factual statements,
6 will serve as a prima facie basis for the disciplinary action
7 stipulated to herein. The Real Estate Commissioner shall not be
8 required to provide further evidence to prove such allegations.

9 5. This Stipulation and Respondents' decision not to
10 contest the Accusation are made for the purpose of reaching an
11 agreed disposition of this proceeding and are expressly limited
12 to this proceeding and any other proceeding or case in which the
13 Department of Real Estate, or another licensing agency of this
14 state, another state or if the federal government is involved,
15 and otherwise shall not be admissible in any other criminal or
16 civil proceedings.

17 6. It is understood by the parties that the Real
18 Estate Commissioner may adopt the Stipulation as his decision
19 in this matter thereby imposing the penalty and sanctions on
20 Respondents real estate licenses and license rights as set forth
21 in the below "Order". In the event that the Commissioner in his
22 discretion does not adopt the Stipulation, the Stipulation shall
23 be void and of no effect, and Respondents shall retain the right
24 to a hearing on the Accusation under all the provisions of the
25 APA and shall not be bound by any stipulation or waiver made
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27

1 herein.

2 7. The Order or any subsequent Order of the Real
3 Estate Commissioner made pursuant to this Stipulation shall not
4 constitute an estoppel, merger or bar to any further
5 administrative or civil proceedings by the Department of Real
6 Estate with respect to any conduct which was not specifically
7 alleged to be causes for accusation in this proceeding.

8 DETERMINATION OF ISSUES

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

13 The acts and omissions of Respondents, described in
14 Paragraphs 1 through 16 of the Accusation, is a violation of
15 Regulation 2832.1 and is cause for the suspension or revocation
16 of all real estate licenses and license rights of Respondents
17 under the provisions of Section 10177(d) of the Business and
18 Professions Code.

19 ORDER

20 WHEREFORE, THE FOLLOWING ORDER is hereby made:

21 1. All licenses and licensing rights of Respondents
22 MASTERS REALTY SERVICES, INC., a corporation and doing business
23 as Century 21 Masters and Premier Services and NEIL MARTIN
24 SCHWARTZ, individually and as designated officer of Masters
25 Realty Services, Inc., under the Real Estate Law shall be
26 suspended for a period of ninety (90) days from the effective
27 date of this Decision; provided, however, that the last sixty

1 (60) days of the ninety (90) day suspension shall be stayed for
2 two (2) years upon the following terms and conditions:

3 (a) Respondents shall obey all laws, rules and
4 regulations governing the rights, duties and responsibilities
5 of a real estate licensee in the State of California; and

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

14 2. If Respondents petition, the initial thirty (30)
15 days of said suspension or a portion thereof shall be stayed
16 upon condition that:

17 (a) Pursuant to Code Section 10175.2, each
18 Respondent pays a monetary penalty at the rate of One Hundred
19 Dollars (\$100.00) per day for a total monetary penalty of Three
20 Thousand Dollars (\$3,000.00).

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

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

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

11 (e) If Respondents pay the monetary penalty and if no
12 further cause for disciplinary action against the real estate
13 licenses of Respondents occurs within two (2) years from the
14 effective date of this Decision, the stay hereby granted shall
15 become permanent.

16 3. Pursuant to Section 10148 of the Business and
17 Professions Code, Respondents shall pay the Commissioner's
18 reasonable cost for: a) the audit which led to this disciplinary
19 action and, b) a subsequent audit to determine if Respondents
20 have corrected the trust fund violations found in the
21 Determination of Issues. The cost of the audit which led to this
22 disciplinary action is \$2,651.22. In calculating the amount of
23 the Commissioner's reasonable cost, the Commissioner may use the
24 estimated average hourly salary for all persons performing audits
25 of real estate brokers, and shall include an allocation for
26 travel time to and from the auditor's place of work. Said amount
27 for the subsequent audit shall not exceed \$3,540.00. Respondents

1 shall pay such cost within 60 days of receiving an invoice from
2 the Commissioner detailing the activities performed during the
3 audit and the amount of time spent performing those activities.
4 The Commissioner may suspend the restricted license issued to
5 Respondents pending a hearing held in accordance with Section
6 11500, et seq., of the Government Code, if payment is not timely
7 made as provided for herein, or as provided for in a subsequent
8 agreement between the Respondents and the Commissioner. The
9 suspension shall remain in effect until payment is made in full,
10 or until Respondents enter into an agreement satisfactory to the
11 Commissioner to provide for payment, or until a decision
12 providing otherwise is adopted following a hearing held pursuant
13 to this condition.

14 If Respondents comply with the terms above and
15 chargeable audits and if no further cause for disciplinary action
16 against the real estate licenses of Respondents occurs within two
17 (2) years of the effective date of this Decision, the stay hereby
18 granted shall become permanent.

19
20 DATED:

10/21/04

Chris Leong
CHRIS LEONG, ESQ.
Counsel for Complainant


21
22 * * *

23 We have read the Stipulation and Agreement have
24 discussed it with our counsel and its terms are understood by us
25 and are agreeable and acceptable to us. We understand that we
26 am waiving rights given to us by the California Administrative
27 Procedure Act (including but not limited to Sections 11506,

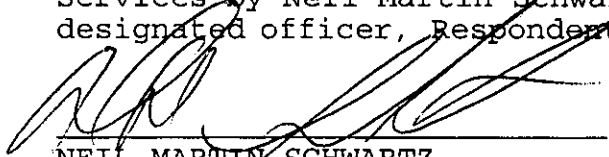
1 11508, 11509 and 11513 of the Government Code), and we
2 willingly, intelligently and voluntarily waive those rights,
3 including the right of requiring the Commissioner to prove the
4 allegations in the Accusation at a hearing at which we would
5 have the right to cross-examine witnesses against us and to
6 present evidence in defense and mitigation of the charges.

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

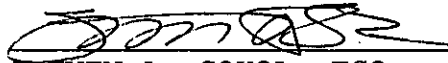
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18 DATED: 10-18-2004


MASTERS REALTY SERVICES, INC., a
corporation and doing business as
Century 21 Masters and Premier
Services by Neil Martin Schwartz,
designated officer, Respondent

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21
22 DATED: 10-18-2004


NEIL MARTIN SCHWARTZ,
individually and as designated
officer of Masters Realty
Services, Inc., Respondent

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24
25 DATED: 10-19-2004


STEVEN A. SOKOL, ESQ.
Counsel for Respondent
(Approved as to content)

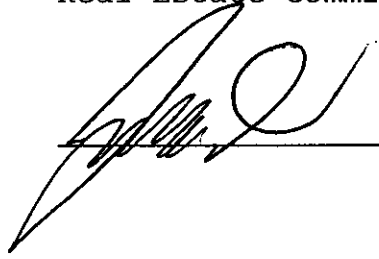
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* * *

The foregoing Stipulation and Agreement is hereby
adopted as my Decision in this matter and shall become effective
at 12 o'clock noon on December 14, 2004.

IT IS SO ORDERED November 16, 2004, 2004.

JEFF DAVI
Real Estate Commissioner



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FILED
NOV 19 2004
DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-30663 LA
MASTERS REALTY SERVICES, INC., a)	L-2004020107
corporation and doing business as)	
Century 21 Masters and Premier)	
Services; NEIL MARTIN SCHWARTZ,)	
individually and as designated)	
officer of Masters Realty Services,)	
Inc.; and <u>GUIDO A. RODRIGUEZ</u> ,)	
)	
)	
)	
)	
<u>Respondents.</u>)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On January 22, 2004, an Accusation was filed in this matter against Respondent GUIDO A. RODRIGUEZ.

On September 20, 2004, Respondent, GUIDO A. RODRIGUEZ, petitioned the Commissioner to voluntarily surrender his real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent GUIDO A. RODRIGUEZ' petition for voluntary surrender of his real estate

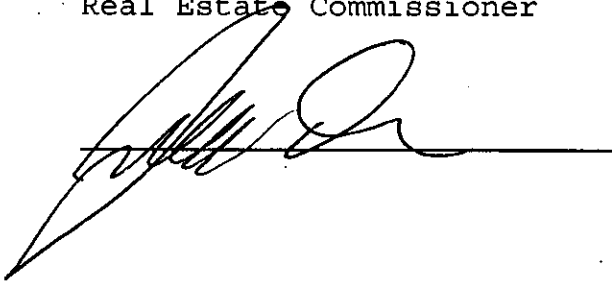
1 salesperson license is accepted as of the effective date of this
2 Order as set forth below, based upon the understanding and
3 agreement expressed in Respondent's Declaration dated
4 September 20, 2004 (attached as Exhibit "A" hereto).
5 Respondent's license certificate and pocket card shall be sent to
6 the below listed address so that they reach the Department on or
7 before the effective date of this Order:

8 Department of Real Estate
9 Atten: Licensing Flag Section
10 P.O. Box 187000
11 Sacramento, CA 95818-7000

12 This Order shall become effective at 12 o'clock noon
13 on December 9, 2004.

14 DATED: November 16, 2004

15 JEFF DAVI
16 Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H-30663 LA
)	
MASTERS REALTY SERVICES, INC.,)	L-2004020107
a corporation and doing business)	
as Century 21 Masters and)	
Premier Services; NEIL MARTIN)	
SCHWARTZ, individually and as)	
designated officer of)	
Masters Realty Services, Inc.;)	
and <u>GUIDO A. RODRIGUEZ,</u>)	
)	
Respondents.)	
)	

My name is GUIDO A. RODRIGUEZ and I am currently licensed as a real estate salesperson and/or have license rights with respect to said license. I am representing myself in this matter. In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code) I wish to voluntarily surrender my real estate license issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

1 I understand that by so voluntarily surrendering my
2 license, that it can only be reinstated in accordance with the
3 provisions of Section 11522 of the Government Code. I also
4 understand that by so voluntarily surrendering my license,
5 I agree to the following:

6 The filing of this Declaration shall be deemed as my
7 petition for voluntary surrender. It shall also be deemed to be
8 an understanding and agreement by me that, I waive all rights I
9 have to require the Commissioner to prove the allegations
10 contained in the Accusation filed in this matter at a hearing
11 held in accordance with the provisions of the Administrative
12 Procedure Act (Government Code Sections 11400 et seq.), and that
13 I also waive other rights afforded to me in connection with the
14 hearing such as the right to discovery, the right to present
15 evidence in defense of the allegations in the Accusation and the
16 right to cross-examine witnesses. I further agree that upon
17 acceptance by the Commissioner, as evidenced by an appropriate
18 order, all affidavits and all relevant evidence obtained by the
19 Department in this matter prior to the Commissioner's acceptance,
20 and all allegations contained in the Accusation filed in the
21 Department Case No. H-30663 LA, may be considered by the
22 Department to be true and correct for the purpose of deciding
23 whether or not to grant reinstatement of my license pursuant to
24 Government Code Section 11522.

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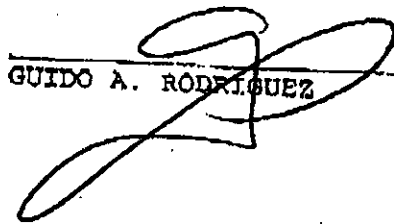
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Respondent can signify acceptance and approval of the terms and conditions of this Declaration by faxing a copy of its signature page, as actually signed by Respondent, to the Department at fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Declaration, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Declaration.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that I freely and voluntarily surrender my license and all license rights attached thereto.

Sept/20 - 2004
Date and Place
West Covina, Calif


GUIDO A. RODRIGUEZ

1 Respondent can signify acceptance and approval of the
2 terms and conditions of this Declaration by faxing a copy of its
3 signature page, as actually signed by Respondent, to the
4 Department at fax number (213) 576-6917. Respondent agrees,
5 acknowledges and understands that by electronically sending to
6 the Department a fax copy of his actual signature as it appears
7 on the Declaration, that receipt of the faxed copy by the
8 Department shall be as binding on Respondent as if the Department
9 had received the original signed Declaration.

10 I declare under penalty of perjury under the laws of
11 the State of California that the above is true and correct and
12 that I freely and voluntarily surrender my license and all
13 license rights attached thereto.

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Date and Place

GUIDO A. RODRIGUEZ

SAC

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
MASTERS REALTY SERVICES, INC.,)
a corporation and doing business)
as Century 21 Masters and)
Premier Services; NEIL MARTIN)
SCHWARTZ, individually and as)
designated officer of)
Masters Realty Services, Inc.;)
and GUIDO A. RODRIGUEZ,)

Case No. H-30663 LA

OAH No. L-2004020107

FILED
MAR 23 2004
DEPARTMENT OF REAL ESTATE

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 TUESDAY and WEDNESDAY, SEPTEMBER 21 and 22, 2004, 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: March 23, 2004

By CHRIS LEONG
CHRIS LEONG, Counsel

cc: Masters Realty Services, Inc.
Neil Martin Schwartz
Guido A. Rodriguez
Steven A. Sokol, Esq.
Sacto.
OAH
Kitlin Chan, L.A. Audits

1 CHRIS LEONG, Counsel (SBN 141079)
Department of Real Estate
2 320 West Fourth Street, Suite 350
Los Angeles, CA 90013-1105

3 Telephone: (213) 576-6982
4 -or- (213) 576-6910 (Direct)

FILED
JAN 22 2004
DEPARTMENT OF REAL ESTATE

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7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12) No. H-30663 LA
13 MASTERS REALTY SERVICES, INC., a)
corporation and doing business) A C C U S A T I O N
14 as Century 21 Masters and)
Premier Services;)
15 NEIL MARTIN SCHWARTZ,)
individually and as designated)
officer of Masters Realty)
Services, Inc.; and)
16 GUIDO A. RODRIGUEZ,)
17)
Respondents.)

18
19 The Complainant, Maria Suarez, a Deputy Real Estate
20 Commissioner of the State of California, for cause of
21 Accusation against MASTERS REALTY SERVICES, INC., a corporation
22 and doing business as Century 21 Masters and Premier Services
23 ("MRS"); NEIL MARTIN SCHWARTZ, individually and as designated
24 officer of Masters Realty Services, Inc. ("SCHWARTZ"); and
25 GUIDO A. RODRIGUEZ ("RODRIGUEZ") (hereafter sometimes
26 collectively referred to as Respondents), is informed and
27 alleges in her official capacity as follows:

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1.

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

2.

At all times material herein, Respondent MRS was and still is licensed by the Department of Real Estate of the State of California ("Department") as a corporation.

3.

At all times material herein, SCHWARTZ was licensed by the Department as a real estate broker, individually and as responsible designated officer of Masters Realty Services, Inc. pursuant to Code Section 10159.2.

4.

At all times material herein, RODRIGUEZ was licensed by the Department as a real estate salesperson and was employed by Respondents MRS and SCHWARTZ.

5.

At all times material herein, Respondents engaged in the business of, acted in the capacity of, advertised or assumed to act as real estate brokers for others in the State of California, within the meaning of Code Section 10131(a) and (d), including the operation and conduct of a real estate sales, loan and loan servicing business with the public wherein Respondents purchased and sold real property on behalf of owners of real property and/or solicited borrowers for loans

1 secured by interest in real property and/or serviced loans
2 secured by interest in real property in expectation of
3 compensation. In connection with the above-described real
4 estate business, Respondents, engaged in the business of, acted
5 in the capacity of, advertised, or assumed to act as escrow
6 holder, servicer and/or agent, and thereby acted or assumed to
7 act under the exemption from the provisions of the Escrow Law
8 as provided by Section 17006(a)(4) of the Financial Code.

9 6.

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

18 PRIOR DISCIPLINE

19 7.

20 On July 27, 2000, the Department filed an Accusation in
21 Case No. H-28664 LA against MRS and SCHWARTZ. On February 9,
22 2001, this Accusation was settled by Stipulation and Agreement.
23 Respondents Stipulated to violations of Title 10, Chapter 6,
24 California Code of Regulations ("Regulations") 2831.2, 2832.1 and
25 2834 and Code Sections 10145(a), 10176(e), 10177(d) and 10177(g)
26 and Section 17403.4 of the Financial Code.

27 ///

1 (a) As of August 31, 2002, TA#1 and TA#2 had a
2 combined shortage of \$4,133.41, in violation of Code Section
3 10145 and Section 2832.1 of the Regulations;

4 (b) failed to maintain salesperson licenses and
5 failed to provide the licenses for examination including Manuel
6 LaFosse, Juan Francisco Ponce, and Annoinette Margaret
7 Stratton, in violation of Code Section 10160 and Section 2753
8 of the Regulations;

9 (c) failed to notify the Department of the
10 employment of four salespersons including Angela Falla, Kristy
11 A. Little, Rosa Lai-Ling Scalio and Marie Mindy York, in
12 violation of Code Section 10161.8 and Section 2752 of the
13 Regulations;

14 (d) engaged in an earnings credit relationship with
15 US Bank that resulted in undisclosed compensation, in violation
16 of Code Section 10176(g).

17 11.

18 The conduct, acts and omissions of Respondents MRS
19 and SCHWARTZ, as described in Paragraphs 1 through 10, violated
20 the Code and the Regulations as set forth above and constitutes
21 cause for the suspension or revocation of all real estate
22 licenses and license rights of Respondents under the provisions
23 of Code Sections 10177(d) and/or 10177(g).

24 CALCUTTA ST. TRANSACTION

25 12.

26 On or about May 8, 2000, Marcos and Martina Orozco
27 ("Orozcos") entered into a contract to purchase real property

1 located at 17613 Calcutta St., La Puente, CA. RODRIGUEZ was
2 employed by MRS and they were the agents for the Orozcos. The
3 contract provides that \$4,000.00 from the seller's proceeds was
4 to go towards improvements and repairs to the property.

5 13.

6 On or about June 27, 2000, RODRIGUEZ faxed a bill in
7 the amount of \$4,000.00, from California Construction Co.,
8 directing escrow to pay the sum to Marlene Camacho. RODRIGUEZ
9 stated that the money was for repairs to the property. In
10 fact, the repairs were never done.

11 14.

12 On or about August 10, 2001, the Orozcos obtained a
13 Small Claim Judgment in the amount of \$4,000.00 plus costs of
14 \$110.00, against RODRIGUEZ. Prior to the court proceedings,
15 RODRIGUEZ made partial payment to the Orozcos in the amount of
16 \$300.00, and made promises for further payments, which were
17 never fulfilled. MRS was dismissed from the Judgment.

18 15.

19 The conduct, acts and omissions of Respondent
20 RODRIGUEZ, as described in Paragraphs 1 through 14, violated
21 the Code and the Regulations as set forth above and constitutes
22 cause for the suspension or revocation of all real estate
23 licenses and license rights of Respondent RODRIGUEZ under the
24 provisions of Code Sections 10177(j), 10177(g) and/or 10176(i).

25 ///

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27

FAILURE TO SUPERVISE

16.

Respondent SCHWARTZ, as the employer officer designated by MRS as the person responsible for the supervision and control of the activities conducted on behalf of the corporation by its officers and employees as necessary to secure full compliance with Real Estate Law as set forth in Sections 10159.2 of the Code failed in said duties as set forth herein above. This is further cause to discipline the license and license rights of Respondents MRS and SCHWARTZ pursuant to Code Sections 10177(g) and/or 10177(h).

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2 WHEREFORE, Complainant prays that a hearing be
3 conducted on the allegations of this Accusation and that upon
4 proof thereof, a decision be rendered imposing disciplinary
5 action against all licenses and/or license rights of
6 Respondents, MASTERS REALTY SERVICES, INC., a corporation and
7 doing business as Century 21 Masters and Premier Services;
8 NEIL MARTIN SCHWARTZ, individually and as designated officer of
9 Masters Realty Services, Inc.; and GUIDO A. RODRIGUEZ, under
10 the Real Estate Law (Part 1 of Division 4 of the Business and
11 Professions Code), and for such other and further relief as may
12 be proper under other applicable provisions of law.

13 Dated at Los Angeles, California

14 this 20th day of January, 2004.

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17 Deputy Real Estate Commissioner
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23 cc: Masters Realty Services, Inc.
24 Neil Martin Schwartz
25 Guido A. Rodriguez
26 Sacto.
27 LA Audit/Chan
CW