

Sato

1 Department of Real Estate
2 320 West 4th Street, Ste. 350
3 Los Angeles, California 90013-1105
4 Telephone: (213) 576-6982 (office)

FILED

APR 30 2009

DEPARTMENT OF REAL ESTATE
BY: *Spw y*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-34945 LA
)	
EVANS/SIPES INC., doing business)	
as Re/Max Gold Coast Realtors;)	<u>STIPULATION</u>
and MICHAEL GRANT SIPES,)	<u>AND</u>
individually and as designated)	<u>AGREEMENT</u>
officer of Evans/Sipes Inc.,)	
)	
Respondents,)	
)	

16 It is hereby stipulated by and between Respondents
17 EVANS/SIPES INC., and MICHAEL GRANT SIPES, individually and as
18 designated officer of Evans/Sipes Inc. (sometimes collectively
19 referred to as "Respondents"), represented by Frank M. Buda, Esq.
20 and the Complainant, acting by and through Elliott Mac Lennan,
21 Counsel for the Department of Real Estate, as follows for the
22 purpose of settling and disposing of the Accusation
23 ("Accusation") filed on May 19, 2008, in this matter:

- 24 1. All issues which were to be contested and all
25 evidence which was to be presented by Complainant and Respondents
26 at a formal hearing on the Accusation, which hearing was to be
27

1 held in accordance with the provisions of the Administrative
2 Procedure Act ("APA"), shall instead and in place thereof be
3 submitted solely on the basis of the provisions of this
4 Stipulation and Agreement ("Stipulation").

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

9 3. Respondents timely filed a Notice of Defense
10 pursuant to Section 11506 of the Government Code for the purpose
11 of requesting a hearing on the allegations in the Accusation.
12 Respondents hereby freely and voluntarily withdraw said Notice of
13 Defense. Respondents acknowledge that they understand that by
14 withdrawing said Notice of Defense they thereby waive their right
15 to require the Commissioner to prove the allegations in the
16 Accusation at a contested hearing held in accordance with the
17 provisions of the APA and that they will waive other rights
18 afforded to them in connection with the hearing such as the right
19 to present evidence in their defense and the right to cross-
20 examine witnesses.
21

22 4. This Stipulation is based on the factual
23 allegations contained in the Accusation. In the interest of
24 expedience and economy, Respondents choose not to contest these
25 allegations, but to remain silent and understand that, as a
26 result thereof, these factual allegations, without being admitted
27

1 or denied, will serve as a prima facie basis for the disciplinary
2 action stipulated to herein. The Real Estate Commissioner shall
3 not be required to provide further evidence to prove said factual
4 allegations.

5 5. This Stipulation is made for the purpose of
6 reaching an agreed disposition of this proceeding and is
7 expressly limited to this proceeding and any other proceeding or
8 case in which the Department of Real Estate ("Department"), the
9 state or federal government, or any agency of this state, another
10 state or federal government is involved.

11 6. It is understood by the parties that the Real
12 Estate Commissioner may adopt this Stipulation as his Decision in
13 this matter thereby imposing the penalty and sanctions on
14 Respondents' real estate licenses and license rights as set forth
15 in the "Order" herein below. In the event that the Commissioner
16 in his discretion does not adopt the Stipulation, it shall be
17 void and of no effect and Respondents shall retain the right to a
18 hearing and proceeding on the Accusation under the provisions of
19 the APA and shall not be bound by any stipulation or waiver made
20 herein.
21

22 7. The Order or any subsequent Order of the Real
23 Estate Commissioner made pursuant to this Stipulation shall not
24 constitute an estoppel, merger or bar to any further
25 administrative or civil proceedings by the Department of Real
26 Estate with respect to any matters which were not specifically
27

1 alleged to be causes for Accusation in this proceeding but do
2 constitute a bar, estoppel and merger as to any allegations
3 actually contained in the Accusations against Respondent herein.

4 8. Respondents understand that by agreeing to this
5 Stipulation, Respondents agree to pay, pursuant to Business and
6 Professions Code Section 10148, the cost of the audit. The
7 amount of said cost for the audit is \$9,974.69.

8 9. Respondents have received, read, and understand the
9 "Notice Concerning Costs of Subsequent Audit". Respondents
10 further understand that by agreeing to this Stipulation, the
11 findings set forth below in the Determination of Issues become
12 final, and the Commissioner may charge Respondents for the cost
13 of any subsequent audit conducted pursuant to Business and
14 Professions Code Section 10148 to determine if the violations
15 have been corrected. The maximum cost of the subsequent audit
16 will not exceed \$9,974.69.

17
18 DETERMINATION OF ISSUES

19 By reason of the foregoing, it is stipulated and agreed
20 that the following determination of issues shall be made:

21 I.

22 The conduct, acts or omissions of EVANS/SIPES INC. and
23 MICHAEL GRANT SIPES, as described in Paragraph 4, above, are in
24 violation of Section 10145 of the Business and Professions Code
25 ("Code") and Sections 2832(e) and 2950(d) of Title 10, Chapter 6
26 of the California Code of Regulations ("Regulations") and is a
27

1 basis for discipline of Respondents' license and license rights
2 as violation of the Real Estate Law pursuant to Code Sections
3 10177(d) and 10177(g).

4 II.

5 The conduct, acts or omissions of MICHAEL GRANT SIPES,
6 as described in Paragraph 4, above, constitutes a failure to keep
7 EVANS/SIPES INC. in compliance with the Real Estate Law during
8 the time that he was the officer designated by a corporate broker
9 licensee in violation of Section 10159.2 of the Code. This
10 conduct is a basis for the suspension or revocation of
11 Respondent's license pursuant to Code Section 10177(h).

12 ORDER

13 WHEREFORE, THE FOLLOWING ORDER is hereby made:

14 I.

15 A. The license and licensing rights of Respondent
16 EVANS/SIPES INC. under the Real Estate Law, are suspended for a
17 period of sixty (60) days from the effective date of this
18 Decision; provided, however, that thirty (30) days of said
19 suspension shall be stayed for two (2) years upon the following
20 terms and conditions:

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

24 2. That no final subsequent determination be made,
25 after hearing or upon stipulation, that cause for disciplinary
26

1 action occurred within two (2) years of the effective date of
2 this Decision. Should such determination be made, the
3 Commissioner may, in his discretion, vacate and set aside the
4 stay order and reimpose all or a portion of the stayed
5 suspension. Should no such determination be made, the stay
6 imposed herein shall become permanent.

7 B. The remaining thirty (30) day portion of said sixty
8 (60) day suspension shall commence on the effective date of this
9 Decision; provided, however, that if Respondent petitions, said
10 suspension shall be stayed upon condition that:

11 1. Pursuant to Section 10175.2 of the Business and
12 Professions Code, Respondent shall pay a monetary penalty of One
13 Hundred Dollars (\$100.00) per day or Three Thousand Dollars
14 (\$3,000).

15 2. Said payment shall be in the form of a cashier's
16 check or certified check made payable to the Recovery
17 Account of the Real Estate Fund. Said check must be received
18 by the Department prior to the effective date of the Decision.
19

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

23 4. If Respondent fails to pay the monetary penalty in
24 accordance with the terms and conditions of the Decision, the
25 Commissioner may, without a hearing, order the immediate
26 execution of all or any part of the stayed suspension in which
27

1 event Respondents shall not be entitled to any repayment nor
2 credit, prorated or otherwise, for money paid to the Department
3 under the terms of this Decision.

4 5. If Respondent pays the monetary penalty and provide
5 evidence as required, above, and if no further cause for
6 disciplinary action against the real estate licenses of
7 Respondent occurs within two (2) years from the effective date of
8 the Decision, the stay hereby granted shall become permanent.

9 II.

10 A. The license and licensing rights of Respondent
11 MICHAEL GRANT SIPES under the Real Estate Law, are suspended for
12 a period of ninety (90) days from the effective date of this
13 Decision; provided, however, that sixty (60) days of said
14 suspension shall be stayed for two (2) years upon the following
15 terms and conditions:

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

19 2. That no final subsequent determination be made,
20 after hearing or upon stipulation, that cause for disciplinary
21 action occurred within two (2) years of the effective date of
22 this Decision. Should such determination be made, the
23 Commissioner may, in his discretion, vacate and set aside the
24 stay order and reimpose all or a portion of the stayed
25 suspension. Should no such determination be made, the stay
26

1 imposed herein shall become permanent.

2 B. The initial thirty (30) day portion of said sixty
3 (60) day suspension shall commence on the effective date of this
4 Decision; provided, however, that if Respondents petition, said
5 suspension shall be stayed upon condition that:

6 1. Pursuant to Section 10175.2 of the Business and
7 Professions Code, Respondents shall pay a monetary penalty of
8 Sixty Six dollars and Sixty Six cents (\$66.66) per day or Two
9 Thousand Hundred Dollars (\$2,000).

10 2. Said payment shall be in the form of a cashier's
11 check or certified check made payable to the Recovery Account of
12 the Real Estate Fund. Said check must be received by the
13 Department prior to the effective date of the Decision.

14 3. No further cause for disciplinary action against
15 the real estate license of Respondents occur within two (2) years
16 from the effective date of the Decision in this matter.

17 4. If Respondents fail to pay the monetary penalty in
18 accordance with the terms and conditions of the Decision, the
19 Commissioner may, without a hearing, order the immediate
20 execution of all or any part of the stayed suspension in which
21 event Respondents shall not be entitled to any repayment nor
22 credit, prorated or otherwise, for money paid to the Department
23 under the terms of this Decision.

24 5. If Respondents pay the monetary penalty and provides
25 evidence as required, above, and if no further cause for
26
27

1 disciplinary action against the real estate licenses of
2 Respondent occurs within two (2) years from the effective date of
3 the Decision, the stay hereby granted shall become permanent.

4 III.

5 Pursuant to Section 10148 of the Business and
6 Professions Code, Respondents EVANS/SIPES INC. and MICHAEL GRANT
7 SIPES shall pay the Commissioner's reasonable cost for (a) the
8 audit which led to this disciplinary action (b) a subsequent
9 audit to determine if Respondents are now in compliance with the
10 Real Estate Law. The cost of the audit which led to this
11 disciplinary action is \$9,974.69. In calculating the amount of
12 the Commissioner's reasonable cost, the Commissioner may use the
13 estimated average hourly salary for all persons performing audits
14 of real estate brokers, and shall include an allocation for
15 travel time to and from the auditor's place of work. Said amount
16 for the prior and subsequent audits shall not exceed \$19,949.38.

17
18 Respondents shall pay such cost within 60 days of
19 receiving an invoice from the Commissioner detailing the
20 activities performed during the audit and the amount of time
21 spent performing those activities.

22 The Commissioner may suspend the license of Respondents
23 pending a hearing held in accordance with Section 11500, et seq.,
24 of the Government Code, if payment is not timely made as provided
25 for herein, or as provided for in a subsequent agreement between
26 the Respondent and the Commissioner. The suspension shall remain
27

1 in effect until payment is made in full or until Respondents
2 enter into an agreement satisfactory to the Commissioner to
3 provide for payment, or until a decision providing otherwise is
4 adopted following a hearing held pursuant to this condition.

5 IV.

6 All licenses and licensing rights of Respondent MICHAEL
7 GRANT SIPES are indefinitely suspended unless or until Respondent
8 provides proof satisfactory to the Commissioner, of having taken
9 and successfully completed the continuing education course on
10 trust fund accounting and handling specified in paragraph (3) of
11 subdivision (a) of Section 10170.5 of the Business and
12 Professions Code. Proof of satisfaction of this requirement
13 includes evidence that respondent has successfully completed the
14 trust fund account and handling continuing education course
15 within 120 days prior to the effective date of the Decision in
16 this matter.

17
18
19 DATED: 10-6-08

20 672
ELLIOTT MAC LENNAN, Counsel for
the Department of Real Estate

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27

* * *

EXECUTION OF THE STIPULATION

1
2
3 We have read the Stipulation and discussed it with our
4 counsel. Its terms are understood by us and are agreeable and
5 acceptable to us. We understand that we are waiving rights given
6 to us by the California Administrative Procedure Act (including
7 but not limited to Sections 11506, 11508, 11509 and 11513 of the
8 Government Code), and we willingly, intelligently and voluntarily
9 waive those rights, including the right of requiring the
10 Commissioner to prove the allegations in the Accusation at a
11 hearing at which we would have the right to cross-examine
12 witnesses against us and to present evidence in defense and
13 mitigation of the charges.
14

MAILING AND FACSIMILE

15 Respondents (1) shall mail the original signed
16 signature page of the stipulation herein to Elliott Mac Lennan:
17 Attention: Legal Section, Department of Real Estate, 320 W.
18 Fourth St., Suite 350, Los Angeles, California 90013-1105.
19 Additionally, Respondents shall also (2) facsimile a copy of
20 signed signature page, to the Department at the following
21 telephone/fax number: (213) 576-6917, Attention: Elliott Mac
22 Lennan.
23

24 ///

25 ///

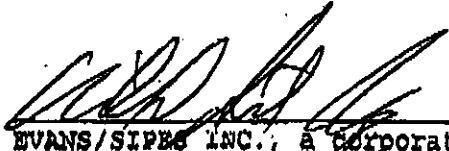
26 ///

27

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

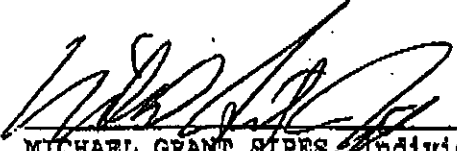
A facsimile constitutes acceptance and approval of the terms and conditions of this stipulation. Respondents agree, acknowledge and understand that by electronically sending to the Department a facsimile copy of Respondents' actual signature as it appears on the stipulation that receipt of the facsimile copy by the Department shall be as binding on Respondents as if the Department had received the original signed stipulation.

DATED: 10-7-08



EVANS/SIPES INC., a corporate real estate broker,
BY: MICHAEL GRANT-SIPES D.O.,
Respondent

DATED: 10-7-08



MICHAEL GRANT SIPES, individually and as designated officer of Evans/Sipes Inc., Respondent

DATED: 10-7-08



FRANK M. BUDA,
Attorney for Respondents
Approved as to form

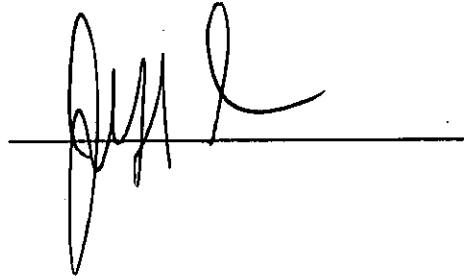
///
///
///
///
///

* * *

1 The foregoing Stipulation and Agreement is hereby
2
3 adopted as my Decision as to Respondents EVANS/SIPES INC. and
4 MICHAEL GRANT SIPES, individually and as designated officer of
5 Evans/Sipes Inc., and shall become effective at
6 12 o'clock noon on _____ May 29 _____, 2009.

7 IT IS SO ORDERED 3/31/09, 2009.

8
9 JEFF DAVI
 Real Estate Commissioner

10
11
12 
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

1 ELLIOTT MAC LENNAN, SBN 66674
2 Department of Real Estate
3 320 West 4th Street, Ste. 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6911 (direct)
6 -or- (213) 576-6982 (office)

FILED

MAY 19 2008

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 EVANS/SIPES INC., doing business)
13 as Re/Max Gold Coast Realtors;)
14 and MICHAEL GRANT SIPES,)
15 individually and as)
16 designated officer of)
17 Evans/Sipes Inc.,)
18 Respondents.)

No. H-34945 LA

A C C U S A T I O N

18 The Complainant, Maria Suarez, a Deputy Real Estate
19 Commissioner of the State of California, for cause of Accusation
20 against EVANS/SIPES INC. dba Re/Max Gold Coast Realtors; and
21 MICHAEL GRANT SIPES, individually and as designated officer Of
22 Evans/Sipes Inc.

23 1.

24 The Complainant, Maria Suarez, acting in her official
25 capacity as a Deputy Real Estate Commissioner of the State of
26

1 California, makes this Accusation against EVANS/SIPES INC. and
2 MICHAEL GRANT SIPES.

3 2.

4 All references to the "Code" are to the California
5 Business and Professions Code and all references to "Regulations"
6 are to Title 10, Chapter 6, California Code of Regulations.

7
8 LICENSE HISTORY

9 3.

10 A. At all times mentioned, EVANS/SIPES INC. ("ESI")
11 was licensed or had license rights issued by the Department of
12 Real Estate ("Department") as a real estate broker. On April 14,
13 1997, ESI was originally licensed as a real estate broker.

14 B. At all times mentioned, MICHAEL GRANT SIPES
15 ("SIPES") was licensed or had license rights issued by the
16 Department as a real estate broker. On October 02, 2000, SIPES
17 was originally licensed as a real estate broker. On January 22,
18 2005, SIPES was licensed as the designated officer of ESI; and,

19 C. At all times material herein, ESI was licensed by
20 the Department of Real Estate of the State of California
21 (hereinafter "Department") as a corporate real estate broker by
22 and through SIPES, as the designated officer and broker
23 responsible, pursuant to Code Section 10159.2 of the Business and
24 Professions Code for supervising the activities requiring a real
25 estate license conducted on behalf ESI of by ESI's officers,
26 agents and employees, including SIPES.

RESIDENTIAL RESALE BROKERAGE

4.

At all times mentioned, in the City and County of Ventura, ESI and SIPES acted as real estate brokers and conducted licensed activities within the meaning of:

A. Code Section 10131(a). ESI operated a residential resale brokerage dba Re/Max Gold Coast Realtors; and

B. In addition, ESI conducted broker-controlled escrows through its escrow division, under the exemption set forth in California Financial Code Section 17006(a)(4) for real estate brokers performing escrows incidental to a real estate transaction where the broker is a party and where the broker is performing acts for which a real estate license is required.

RESIDENTIAL RESALE AND BROKER ESCROW AUDIT

5.

On January 18, 2007, the Department completed an audit examination of the books and records of ESI pertaining to the residential resale and broker escrow activities described in Paragraph 4, that require a real estate license. The audit examination covered a period of time beginning on March 30, 2006 to September 28, 2007. The audit examination revealed violations of the Code and the Regulations as set forth in the following paragraphs, and more fully discussed in Audit Report LA 070114 and LA 070145 and the exhibits and workpapers attached to said audit report.

TRUST ACCOUNTS

6.

At all times mentioned, in connection with the activities described in Paragraph 4, above, ESI accepted or received funds including funds in trust (hereinafter "trust funds") from or on behalf of actual or prospective parties to transactions handled by ESI and thereafter made deposits and or disbursements of such funds. From time to time herein mentioned during the audit period, said trust funds were deposited and/or maintained by ESI in the bank accounts as follows:

"Evans/Sipes Inc. dba Re/Max Gold Coast Realtors Ventura Escrow Division Trust Account
Account No. 901006411"
County Commerce Bank
Ventura, California ("T/A #1")

"Evans/Sipes Inc. dba Re/Max Gold Coast Realtors Escrow Division Trust Account
Account No. 901004978"
County Commerce Bank
Ventura, California ("T/A #2")

"Re/Max Gold Coast Realtors Escrow - Estate of Curtiss Anderson
Account No. 1454721222"
Bank of Ventura (now First Bank & Trust)
Ventura, California ("T/A #3")

"Evans/Sipes Inc. dba Re/Max Gold Coast Realtors -
Susan & Robert Bayer
Account No. Certificate No. 8213"
County Commerce Bank
Ventura, California ("T/A #4")

VIOLATIONS OF THE REAL ESTATE LAW

RESIDENTIAL RESALE and BROKER ESCROW AUDIT

7.

In the course of activities described in Paragraph 4 and 6, above, and during the examination period described in Paragraph 5, Respondents ESI and SIPES, acted in violation of the Code and the Regulations in that Respondents:

(a) (1) Failed to maintain an accurate or complete control record in the form of a columnar record in chronological order of trust funds received for T/A #1 through T/A #4, as required by Code Section 10145 and Regulations 2831, 2950(d) and 2951; and

(a) (2) Maintained interest-bearing accounts in a savings account for the Estate of Curtis Anderson, T/A #2, and a certificate of deposit for Robert Bayer, T/A #4, in violation of Code Section 10145(d) (5).

(b) Permitted Glen Sipes, a revoked licensee, Phyllis Yanagihara, an unlicensed person not employed by ESI, and David Bryson, a real estate broker not employed by ESI to be authorized signatories on the T/A #3; permitted Diane Allen, an unlicensed person and Greg Ricci, a real estate salesperson not employed by ESI, to be authorized signatories on the T/A #4; and additionally, ESI's fidelity bond in the amount of \$100,000, was insufficient and, did not cover ESI's employees, as required by Code Section 10145 and Regulations 2834, 2950(d) and 2951.

1 (c) While acting in the capacity of an escrow holder in
2 two purchase and sale transactions, to wit, Tristano Solari and
3 Anthony Furino, failed to place trust funds, including earnest
4 money deposits, accepted on behalf of another into the hands of
5 the owner of the funds, a neutral escrow depository or into a
6 trust fund account in the name of the broker at a bank or other
7 financial institution not later than the next business day
8 following receipt of the funds by the broker or by the broker's
9 salesperson, as required by Code Section 10145 and Regulations
10 2832(e), 2950(d), 2950(f) and 2951.

11 (d) Failed to retain the salesperson license
12 certificate for real estate broker John Lawrence aka Dennis, in
13 violation of Code Section 10160 and Regulation 2753.

14 (e) Changed, closed, sold, relocated or moved some of
15 ESI's addresses, including ESI's Santa Paula, Fillmore, Moorpark,
16 Newberry Park, Port Hueneme, and Oxnard offices, without
17 notification to the Department, as required by Code Section 10162
18 and Regulation 2715.

19 (f) Intentionally or by negligent misrepresentation EIS
20 misrepresented to sellers that EIS held earnest money deposits
21 for the buyers set forth below, in violation of Code Sections
22 10176(a) and/or 10177(g):
23

24 ///

25 ///

26 ///

27

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

- Richard Gano - 2831 Diamond Dr., Camarillo
- William Batelaan - 2734 E. Landen St., Camarillo
- Lin Benson Trustee - 412 Mariposa Dr., Camarillo
- David Wilson - 1964 Hillcrest Lane, Ventura

(g) Employed or compensated the unlicensed corporations listed below a total of \$117,221.63, for activities requiring real estate licenses, in violation of Code Section 10137:

- Lanell Williamson Inc.
- Eric Evarts RE Inc.
- LP Real Property Inc.
- Davis Pearce Inc.
- The Guillen Group

8.

The conduct of Respondents ESI and SIPES, described in Paragraph 7, above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
7(a)(1)	Code Section 10145 and Regulations 2831, 2950(d) and 2951
7(a)(2)	Code Section 10145(d)(5)
7(b)	Code Section 10145 and Regulations 2834, 2950(d) and 2951

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

- 7(c) Code Section 10145 and Regulations
2832(e), 2950(d), 2950(f) and 2951
- 7(d) Code Section 10160 and Regulation
2753
- 7(e) Code Section 10162 and Regulation
2715
- 7(f) Code Sections 10176(a) and/or
10177(g)
- 7(g) Code Section 10137

The foregoing violations constitute cause for the suspension or revocation of the real estate license and license rights of ESI and SIPES, under Code Sections 10176(a), 10177(d) and/or 10177(g).

9.

The overall conduct of Respondents ESI and SIPES constitutes negligence. This conduct is cause for the suspension or revocation of the real estate license and license rights of said Respondents pursuant to Code Section 10177(g).

///

///

1
2 The overall conduct of Respondent SIPES constitutes a
3 failure on his part, as officer designated by a corporate broker
4 licensee, to exercise the reasonable supervision and control over
5 the licensed activities of ESI as required by Code Section
6 10159.2 and Regulation 2725, and to keep ESI in compliance with
7 the Real Estate Law, and is cause for the suspension or
8 revocation of the real estate license and license rights of SIPES
9 pursuant to the provisions of Code Sections 10177(d), 10177(g)
10 and 10177(h).

11 PRIOR DEPARTMENT ACTION

12 11.

13 On May 25, 2005, in Case No. H-31957 LA, an Accusation
14 was filed against Respondent ESI, inter alia, that resulted in
15 discipline for Respondent ESI, for violations of Code Section
16 10145(a) and Regulations 2831.1 and 2831.2.
17

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27

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 the license and license rights of Respondents
5 EVANS/SIPES INC. and MICHAEL GRANT SIPES, individually and as
6 designated officer of Evans/Sipes Inc., under the Real Estate Law
7 (Part 1 of Division 4 of the Business and Professions Code) and
8 for such other and further relief as may be proper under other
9 applicable provisions of law.

10 Dated at Los Angeles, California

11 this *16th* day of *May* 2008 
12 _____
13 Deputy Real Estate Commissioner

14
15
16
17
18
19
20
21
22
23
24 cc: Evans/Sipes Inc..
25 c/o Michael Grant Sipes D.O.
26 Maria Suarez
27 Sacto
Audits - Surender Bhatia