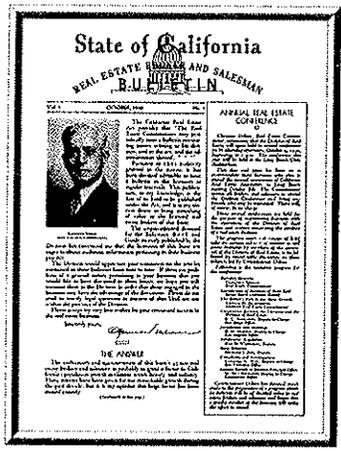


1940 - 50th Anniversary Issue - 1990

THE REAL ESTATE BULLETIN — 50 YEARS IN PRINT

This edition of the *Real Estate Bulletin* marks a noteworthy occasion in the history of the Department of Real Estate, the 50th anniversary of the *Bulletin's* publication.



Real Estate Bulletin, Vol. 1, No. 1

Governor George Deukmejian issued an executive proclamation observing the *Bulletin's* half-century. The Governor commended the Department of Real Estate for its "significant milestone" and noted that the *Real Estate Bulletin* is an "important newsletter" and "...vital reference guide and educational service to all California real estate licensees."

Volume 1, Number 1, October, 1940 was a four-page, letter-sized publication titled the *Real Estate Broker and Salesman Bulletin*. It was dedicated to providing California's real estate licensees "authentic information pertaining to their business practice."

Although the *Bulletin's* physical appearance has changed from time to time, its objectives remain constant.

The *Bulletin* is a quarterly source of information for every licensee. It publicizes changes in the Real Estate Law and Commissioner's Regulations, provides insight into the process of real estate regulation and licensing and accords licensees in-depth discussion on a variety of real estate industry issues and topics. It is an effective medium with which to disseminate timely and relevant information.

An article in the original *Bulletin* stated, "The general qualifications of California realty brokers have increased greatly during the past few years. It is now necessary for a person to have a good education with a fair understanding of California real estate law and practice before securing a broker's license. Those who are successful in passing the rigid examination of the State Division of Real Estate to secure a license, are pretty sure to have a good groundwork of the business including good practice and ethics."

Those observations are as valid today as they were 50 years ago when the *Bulletin* first rolled off the press.

BROKER-ESCROW AUDITS REVEAL HIGH PERCENT OF VIOLATORS

Audits of southern California real estate brokers who handled their own escrow transactions showed 86 percent of those examined were in violation of the Real Estate Law or a regulation of the Commissioner of Real Estate, according to Danio Fajardo, supervising auditor of the Department of Real Estate's Southern Regional Area Audit Section.

The audits of 30 brokers — a representative sample of brokerages known to handle escrows (broker-escrows) — were conducted by the Department of Real Estate during fiscal year 1988/89.

Formal action was recommended against 16 of the brokerages when trust account shortages and other major violations were discovered. Minor infractions or no violations at all were found in four of the audits.

Seven of the brokers account shortages ranged from \$1 - \$3,000; two licensees had shortages ranging from \$3,001 - \$10,000; four were found to have shortages from \$50,001 - \$100,000. Three brokers trust accounts were short in excess of \$100,000: \$391,267, \$178,876 and \$109,952. A total of \$786,027 in account shortages was found.

Corrective action letters were issued against 10 other licensees.

As a result of its initial findings, the Department of Real Estate doubled its targeted goal of broker-escrow audits for fiscal year 1989-90.

The findings of the 30 original audits revealed the licensees examined handled a total 5,397 escrows in the 12 month period prior to the audit. The number of escrows per licensee ranged from seven to 1,080. The total amount of escrow funds held in trust by the licensees at the time of audit was \$5,164,922.

11 of the licensees audited brokered mortgage loans exclusively, 14 were engaged in real estate sales only and five were involved in a combination of real estate sales and mortgage lending activity.

Broker-escrow audits, continued on page 7

BROKER SUPERVISION — SUGGESTIONS OF THE COMMISSIONER'S TASK FORCE; PART 4

*by Robin T. Wilson,
Chief Counsel, Department of Real Estate*

Foreword

This installment concludes a four-part series regarding broker supervision over salespersons.

A task force, created by Real Estate Commissioner James A. Edmonds, Jr., determined many causes for action against licensees may not have occurred if the broker exercised adequate supervision of his or her salespersons.

The comments published here present ways in which brokers may implement reasonable management programs that will contribute to compliance with the Real Estate Law and regulations enacted thereunder. The recommendations should not be interpreted as standards of conduct, but rather, as helpful guidelines for practical supervision.

The following preventive suggestions are designed to assist the broker in implementing policies, modified to fit his or her needs, with respect to supervision.

Overall Supervision

Once filing system and trust account maintenance procedures are in place, by using one or more of the following suggestions, brokers should be able to improve execution of their supervisory responsibility.

Staff reports

The broker may want to consider requiring simple monthly reports from sales staff covering some of the following areas: 1) trust funds received; 2) listing agreements entered into; 3) transactions closed; 4) escrows opened; and 5) compensation received. These reports may in turn be audited randomly with the transaction file and all exceptions noted should be cleared. Regular and consistent random auditing will help to ensure that sales staff complies with record keeping requirements.

Broker availability

It is suggested that the broker or someone who can review and initial documents pursuant to Regulation 2725 should be reasonably available in the office to answer questions and solve problems relating to ongoing transactions in order to provide necessary guidance and direction to salespersons as needed.

In determining the availability of the employing broker or the person to whom the employing broker has delegated authority, the broker may want to give consideration to other activities engaged in by the broker and/or his delegee which distract from the amount of time available to supervise, such as other employment and activities which make the employing broker or the person to whom review authority has been delegated unavailable to his or her salespersons.

Supervision, continued on page 3

REAL ESTATE BULLETIN

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JAMES A. EDMONDS, JR.
Real Estate Commissioner

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DISCIPLINARY ACTION — SEPTEMBER TO NOVEMBER 1989

- REB — Real estate broker
- RES — Real estate salesperson
- PRLS — Prepaid rental listing service
- REO — Real estate officer
- RREB — Restricted real estate broker
- RRES — Restricted real estate salesperson
- RPRLS — Restricted prepaid rental listing service
- REC — Real estate corporation

Note: A list of actions is not published in this *Bulletin* until the 30-day period allowed for court appeal has expired, or if an appeal is taken on the disciplinary action stayed, until the stay is dissolved. Names of persons to whom licenses are denied on application are not published.

FOR YOUR INFORMATION

The following are brief summaries of the numerical code sections listed. The full text of the various sections is found in the Business and Professions Code and the Regulations of the Real Estate Commissioner, both of which are printed in the *Real Estate Law* book. The *Real Estate Law* book is available for purchase from the Department of Real Estate.

Business and Professions Codes

- 490 Relationship of conviction to licensed activity
- 10085 Failure to submit advance fee materials
- 10130 Acting without license
- 10137 Unlawful payment of compensation
- 10145 Trust fund handling
- 10145(d) Trust fund handling
- 10146 Failure to handle advance fees as trust funds or to furnish verified accounting to principal
- 10148 Retention and availability of real estate broker records
- 10161.8 Broker's failure to notify the Commissioner of salesperson employment
- 10162 Office abandonment
- 10163 Branch office license requirement
- 10165 Covers various violations
- 10167.10(a)(1) PRLS failure to refund fee
- 10167.10(b) PRLS failure to refund fee
- 10167.11(a) PRLS false or misleading advertising
- 10167.11(b)(1) Referring to nonexistent or unavailable property
- 10167.11(b)(2) PRLS false or misleading advertising
- 10167.12 Violation of crime by PRLS licensee
- 10176(a) Making any substantial misrepresentation
- 10176(b) Making false promises
- 10176(d) Failure to disclose dual agency
- 10176(e) Commingling trust funds
- 10176(g) Secret or undisclosed profit
- 10176(i) Fraud or dishonest dealing in licensed capacity
- 10177(a) Procuring a real estate license by misrepresentation or material false statement
- 10177(b) Conviction of crime
- 10177(c) False advertisement
- 10177(d) Violation of real estate law or regulations
- 10177(f) Conduct that would have warranted denial of a license
- 10177(g) Negligence or incompetence as licensee
- 10177(h) Failure to supervise salespersons
- 10177(j) Fraud or dishonest dealing not in licensed capacity
- 10177(k) Violation of restricted license condition
- 10177.5 Judgement of fraud in a civil action
- 10231.2(a) Self dealing disclosure
- 10232 Failure to file threshold broker reports

- 10232(e) Failure to notify of threshold broker status
- 10232.2 Failure to file annual MLB reports
- 10232.25 Failure to file trust fund status reports
- 10232.5 Failure to file lender disclosure statement
- 10233 Failure of MLB to have written servicing contract
- 10234 Failure of broker to record trust deed transaction or to cause recorded assignment of trust deed in sale of note secured by trust deed
- 10240 Failure to give mortgage loan disclosure statement
- 11010 Failure to file notice of intent to sell or lease subdivision
- 11012 Subdivision material change
- 11013.1 Subdivision purchase money handling
- 11013.2 Subdivision purchase money handling
- 11018.2 Illegal subdivision sales (sale of subdivision lots without public report)

Regulations

- 2715 Broker's failure to maintain current address with DRE
- 2725 Failure of broker to review and initial agreements
- 2726 Broker-salesperson agreements
- 2731 Unauthorized use of fictitious business name
- 2742 Failure of corporate broker to file articles of incorporation
- 2785(a)(9) False representation as to deposit of receipt
- 2830 Failure to maintain trust fund account
- 2831 Inadequate trust fund records
- 2831.1 Inadequate trust fund records
- 2831.2 Inadequate trust fund records
- 2832 Failure to comply with provisions for handling trust funds
- 2832(a) Trust fund handling
- 2832.1 Broker's failure to obtain permission to disburse trust funds from an account involving multiple beneficiaries
- 2834 Trust account withdrawals by unauthorized person
- 2950(d) Failure of broker handling escrows to maintain records
- 2950(h) Broker escrow violation
- 2951 Failure of broker handling escrows to comply with trust fund rules
- 2970 Misleading advance fee advertising material
- 2972 Advance fee accountings

LICENSES REVOKED

Name	Address	Date	Violation
Alexander, Cassandra Dianne (RES)	429 W. Manchester, Inglewood	9/13/89	10176(i)
Allen, Jean LaCheryl (RES)	429 W. Manchester, Inglewood	9/13/89	10137, 10176(i)
Beckman, Lawrence W. (REB)	2294 Woodside Ln., #13, Sacramento	9/13/89	10177(d)(f)(j), 11013.1, 11013.2, 11018.2
Beugen, Susan Carol (RES)	375 La Questa Way, Woodside	11/27/89	10130, 10177(d)
Black, Eugene Robert (RREB)	2233 Watt Ave., Ste. 265, Sacramento	9/7/89	10177(k)
Brazil, E. Lee (REB)(REO) Officer: Interbank Mortgage Corporation	1510 Fashion Island Blvd., Ste 305, San Mateo	10/16/89	10177(f)(j)
Buzzell, James Henry (REB)	3201 F St., San Diego	9/19/89	10176(i), 10177(h)
Canterbury, Victoria Ann (RES)	45 Dover Pl., Laguna Niguel	9/26/89	490, 10177(b)
Coughlin, James Patrick (RRES)	21628 Pecan St., Wildomar	9/26/89	490, 10177(b)(k)
Cowan, David S. (RES)	8614 Dunwoodie, Santee	9/26/89	490, 10177(b)
Cox, Mark David (RES)	2491 Royal Ave., Simi Valley	11/28/89	490, 10177(b)
Curtis, Mary Linda (RES)	21881 Auton Ave., Riverside	11/1/89	490, 10177(b)
Dayton, Edward Chauncey (REB)	1791 Tribute Rd., Ste. A, Sacramento	11/2/89	2725, 2726, 2731, 2830, 2832, 2832.1, 10137, 10145, 10163, 10177(d)(h)
Daza, Jaime Rodrigo (RES)	807 W. Stevens, #12, Santa Ana	11/29/89	490, 10177(b)
Desmond, Gerald Harvey (REB)	18432 Oxnard St., Ste. 214, Tarzana	11/27/89	2715, 2731, 2830, 2831, 2831.1, 2832.1, 2832.2, 2832.3, 2834, 2951, 10177(d)(f)
DMB Corporation (REC)	3767 Avocado Blvd., La Mesa	9/19/89	2832.1, 10145, 10176(i), 10177(d)
Dohan, William Scott (RES)	8035 Santa Rosa Rd., Atascadero	10/31/89	10177(k)

Continued on page 3

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LICENSES REVOKED

Name	Address	Date	Violation
Dominguez, Joseph E. (REB)	15002 Pioneer Blvd., Norwalk	9/5/89	490, 10177(b)
Dyer, Terry Leonard (RES)	597 Newman Dr., Arroyo Grande	10/25/89	490, 10177(b)
First Continental Corporation (REC)	1400 6th Ave., Ste. 200, San Diego	7/11/89	2831, 2831.1, 2832(a), 2832.1, 10145, 10148, 10162, 10165, 10176(i), 10177(d)(g)
First Marine Mortgage Corp. (REC)	100 Oceangate, Ste. 408, Long Beach	11/29/89	10137
Fisher, James Wallace (REB)	10112 Fair Oaks Blvd., Ste. 2, Fair Oaks	10/25/89	2725, 2726, 2830, 2831, 2832.1, 2834, 10145, 10176(e), 10177(d)
Fishman, Louis Zolo (REB)	401 Sycamore Hill, Danville	11/6/89	2731, 2970, 2972, 10085, 10146, 10159.5, 10176(e), 10177(d)
Fritch, Timothy A. (RES)	2831 N. G St., San Bernardino	11/28/89	490, 10177(b)
Gamlen, Duncan Mark (REB)(REO)	1329 Norriega St., San Francisco	10/16/89	2830, 2970, 10145, 10176(a)(e)(i), 10177(d)(g)(h), 10240
Garcia, Frank Jr. (REB)	2014 28th St., Ste. B, Sacramento	11/15/89	490, 10177(b)
Gilbert, Nanci Elaine (REB)	6670 Oakhill Dr., Roseville	9/1/89	10176(a)(i), 10177(j)
Gozlan, Eric D. (RES)	20000 Lassen St., Chatsworth	11/21/89	490, 10177(b)
Guysler, James M. (RES)	13270 Twin Hills Dr., #45A, Seal Beach	10/24/89	10177.5
Ham, Barbara Lynn (PREL) DBA Home Finders	7225 El Cajon Blvd., San Diego	10/25/89	10167.10(a)(1)&(b), 10167.11(a)&(b)(1) & (b)(12), 10167.12
Hamilton, Steve (RES)	3364 W. 83rd St., Inglewood	11/28/89	490, 10177(a)(b)
Hanson, David Glen (REB)(REO) Officer — Lendvest Mortgage Inc.	2800 Jefferson St., Napa	9/12/89	2830, 2832.1, 10145, 10176(a)(d)(e)(f), 10177(d)(j), 10231.2(a), 10234
Heinrichs, Lisa Kwan (RES)	P.O. Box 567, Belmont	10/18/89	10177(a)
Heninger, Howard Peery (REB)	15723 Vanowen St., #396, Van Nuys	11/1/89	490, 10177(b)
Herbert, Dennis Ray (RES)	1729-E Palm Canyon Dr., #107, Palm Springs	9/27/89	10176(a)(j), 10177(j)
Hightower, Melvin Jr. (RES)	5823 Mansfield Ave., Los Angeles	11/1/89	490, 10177(b)
Hirt, Samuel Charles (RES)	420 Doheny Rd., Beverly Hills	10/17/89	490, 10177(b)
Interbank Mortgage Corporation (REC)	1510 Fashion Island Blvd., Ste. 305, San Mateo	10/16/89	10177(f)(j)
Izedi, Ali Reza (RES)	3900 Park Green Dr., Corona Del Mar	11/29/89	490, 10177(b)
Jorgensen, Yolanda Gomez (RES)	629 3rd Ave., Chula Vista	10/27/89	490, 10177(a)
Kearney, Larry David (RES)	1837 Murrietta Ln., Modesto	9/6/89	10130, 10137, 10145, 10176(e)(i), 10177(f)
Keamey, Johny Bowman Sr. (RES)	1549 Cassil Pl., Hollywood	11/28/89	490, 10177(a)
Kopp, William Terrence (RES)	11497 Hesperian Circle, Gold River	10/31/89	490, 10177(b)
Kretschmer, R. Douglas (RES)	785 Dos Hermanos Rd., Santa Barbara	9/26/89	490, 10177(b)
Laichareonsum, Sayumporn K. (RES)	1904 Tambor Ct., Rowland Heights	9/26/89	490, 10177(b)
Lawson, David Edward (RES)	4805 San Feliciano Dr., Woodland Hills	8/10/89	10177(f)(j)
Lendvest Mortgage Inc. (REC)	1957 Sierra Ave., Napa	9/12/89	2830, 2832.1, 10145, 10176(a)(d)(e)(f), 10177(d)(j), 10231.2(a), 10234
Liberty Financial Network, Inc. (REC)	4609 W. Slauson Ave., Ste. 2003, L.A.	9/11/89	2831, 2831.1, 2832.1, 2834, 10137, 10177(d)
Linn, Howard G. (RES)	946 Notre Dame Ave., Concord	9/11/89	480, 10177(b)
Longstreth, Charles A. (RES)	P.O. Box 566, Pinon Hills	9/19/89	490, 10177(b)
Macktinger, Jerrold Philip (RRES)	976 Vernal Ave., Mill Valley	10/16/89	2740, 2741, 2831, 2831.1, 2832, 2834, 10130, 10130(a), 10145, 10176(e)(f)(i), 10177(d)
Magidson, Karl (REB)	2197 Hwy 50, S. Lake Tahoe	10/2/89	2831, 2831.1, 2832.1, 10145(a), 10177(d)(g)
Makuch, Ihor Myron (RES)	P.O. Box 4564, Glendale	6/20/89	10177(j)
Maldonado, Rafael Angel (RES)	13434 Hughcroft, La Puente	10/31/89	490, 10177(b)
Maple Associates Inc. (REC)	601 N. Sacramento St., Lodi	9/15/89	10137
Marina Financial Inc. (REC)	4333 Admiralty Way, #619, Marina Del Rey	11/28/89	2742, 2830, 2831, 2831.1, 10137, 10145, 10162, 10165, 10177(d)(f)
Martinson, Mary Rayburn (REB)	12692 West St., Garden Grove	10/5/89	490, 10177(b)
McCormick, Donald Wayne (RES)	P.O. Box 5247, Hacienda Heights	9/26/89	490, 10177(b)
McElhaney, Sean Richard (RES)	2924 Juniper St., #13, San Diego	9/28/89	490, 10177(b)
Monaco, Frank Daniel (REB)	191 Arends Dr., Danville	10/31/89	490, 10177(b)
Nicholson Investment Servicing Inc. (REC)	8795 Folsom Blvd., #101, Sacramento	9/1/89	10176(a)(i)
No. California Business Brokers Inc. (REC)	3800 S. El Camino Real, San Mateo	10/16/89	2740, 2741, 2831, 2831.1, 2832, 2834, 10130, 10130(a), 10145, 10176(e)(f)(i), 10177(d)

Continued on page 4

SUPERVISION

continued from page 1

File review

The broker may want to maintain a regular system of reviewing files to ensure that appropriate documents are being reviewed and initialed per Regulation 2725.

Branch offices

The broker may want to consider the number of salespersons and offices he or she can supervise reasonably taking into consideration the following factors:

- 1) Experience of the salespersons employed.
- 2) Experience of persons to whom the broker can delegate certain review functions pursuant to Regulation 2725.
- 3) Volume and type of real estate activity at each of the broker's licensed offices.
- 4) The employing broker's responsibility for overall supervision of all activities for which a real estate license is required conducted through and under the broker's license.
- 5) The sophistication of office machinery for communication within the office and with other branch offices.
- 6) The number and distance between branch offices, and the experience of the employees in each office including the manager.

Review documents

The broker may also want to consider instituting procedures to ensure that both licensees employed by the broker and persons to whom the broker has delegated certain responsibilities and duties, including the duty to review and initial documents pursuant to Regulation 2725, know and understand the scope of the delegated authority and what documents must be submitted by the salesperson for review to the broker or the broker's delegatee.

Staff meetings

The extent to which staff meetings are necessary to communicate new policies and laws, discuss ongoing problems, provide training, etc. should be considered. Staff meetings can be a useful vehicle for communication with staff and enhancing knowledge of what is going on in the office.

Advertising review

Procedures for reviewing advertising: The Real Estate Law requires that advertising not be in the name of the salesperson unless the name of the broker is set forth. Additionally, the advertising must contain a designation, such as broker, agent, Realtor, etc., indicating that activities requiring a license is necessary.

Do's and don'ts

Finally, provide a list of do's and don'ts with respect to certain areas such as deposits — how to handle, when to return to a buyer or deliver to a seller, and of course, when in doubt advise the salespersons to consult with the broker or office manager.

There are many means a broker can use to meet his or her supervision responsibility. Each will have to adopt methods which best fit that broker's style of business operation. The most important thing to keep in mind is to implement *some methods and procedures* to provide supervision and attempt to ensure that salespersons and others on the broker's staff comply with the provisions of the Real Estate Law. Appropriate supervisory policy and procedures will benefit the broker, the broker's sales staff, employees and the public, who will be able to develop confidence in the broker's ability to carry out license responsibilities in an efficient manner and at the same time provide optimum service to his or her clients.

EDUCATION AND YOUR LICENSE: IT'S THE LAW!

by Tom Hensley,
Managing Deputy Commissioner IV,
Licensing and Education

Major revisions in the educational requirements for a real estate license examination were implemented January 1, 1986, when Senate Bill 1042 (Lockyer) became effective. More than four years after this landmark real estate education legislation was signed into law there is still misunderstanding among some licensees regarding the requirements for examination qualification and license renewal.

- > As a precondition to sitting for the broker examination applicants must satisfy experience/education requirements and complete eight college level real estate courses.
- > As a precondition to sitting for the salesperson examination applicants must complete an acceptable college level course in real estate principles and, either prior to the issuance of the original license or within eighteen months after the issuance, complete two additional basic real estate courses.

Information regarding the exam requirements can be found in Section 10153 et seq. of the Real Estate Law. (The Department of Real Estate also publishes the pamphlet *Instructions to License Applicants*, a practical guide to obtaining an original real estate license or renew an existing one. The pamphlet may be obtained without charge from any DRE office or by writing the Department of Real Estate, Book Orders, P.O. Box 187006, Sacramento, CA 95818-7006.)

Senate Bill 1042 also made changes in the continuing education requirements for the first renewal of the license of a salesperson who was required to complete courses as a precondition for qualifying to sit for the salesperson examination. On the first renewal of a salesperson license, those licensees who had to complete the principles course to qualify for the examination are not required to complete continuing education requirements, except for the minimum three clock hour courses in *ethics, professional conduct and legal aspects of real estate and agency relationships and duties in a real estate brokerage practice*. They must, however — as a condition to renewal — complete two additional college level real estate related courses as specified in Section 10153.4(a). Evidence of completion of the continuing education courses must be submitted on a continuing education course verification form (available from the DRE) at the time of renewal.

Salespersons who qualified to take the examination by completing *only* the real estate principles course shall have their licenses suspended automatically 18 months after issuance of a conditional license, unless evidence of having completed two additional courses as specified in Section 10153.4 has been submitted within that time.

Through January 1990 more than 14,000 salesperson licenses were suspended automatically because licensees failed to submit proof they had completed their educational requirements in a timely manner.

An automatic suspension will not be lifted until the required evidence of remaining course completion is submitted and the commissioner gives written notice to the licensee lifting the suspension. Licensees who remain suspended when the four year license expires are not entitled to renew their license on a late basis. Another conditional license cannot be issued until the original four year license term has elapsed and the licensee has requalified for a new license through the examination process.

Current examination and licensing education requirements are state law, thanks to SB 1042, and as such are enforced rigidly by the Department of Real Estate.

LICENSES REVOKED

Name	Address	Date	Violation
O'Keefe, Edward Ronald (RES)	3580 Helix St., Spring Valley	10/3/89	490, 10177(b)
O'Neal, Larry Patrick (REB)	1154 Gem St., Tulare	10/31/89	2715, 2834, 10145, 10165, 10177(a)(d)
Perry, Debra Venay (RES)	7041 Estrella De Mar Rd., Rancho La Costa	9/26/89	490, 10177(b)
Pruitt, Dolan Juan (RES)	3428 Randy Ln., Chula Vista	11/1/89	490, 10177(a)(b)
Real Estate Doctors Inc. (REC)	4317 3/4 Leimert Blvd., L.A.	9/7/89	10177(f)(g)(i)
Realcorp (REC)	2740 Van Ness Ave., #320, San Francisco	10/16/89	2830, 2970, 10145, 10176(a)(c)(f), 10177(d)(g)(h), 10240
Rodriguez, Joel (RES)	P.O. Box 9603, Brea	9/12/89	10177.5
Rodriguez, Martha (RES)	919 S. Bristol Rd., San Dimas	9/14/89	490, 10177(b)
Savant, William Green (REB)	22455 Birdseye Dr., Diamond Bar	10/25/89	10177.5
Sereni, William Sam Sr. (REB)	1153 Chestnut St., Menlo Park	10/4/89	10176(a)(g)(i)
Sharp, Scott Douglas (RES)	131 Chilipancingo Pky., Pleasant Hill	10/23/89	490, 10177(a)(b)
Slatsky, Martin Joseph (RES)	22968 Victory, #118, Woodland Hills	9/26/89	490, 10177(b)
Smith, Randy Eugene (REB)	1400 6th Ave., Ste. 200 San Diego	7/1/89	2831, 2831.1, 2832(a), 2832.1, 10145, 10148, 10162, 10165, 10176(c), 10177(d)(g)(h)
Sontoski, Mark Hubert (RES)	13827 McClure, Paramount	9/26/89	490, 10177(b)
Thomas, Fred (REB)	3622 1/2 W. 107th St., Inglewood	10/17/89	10148, 10162, 10176(a)(i), 10177(d)(j)
Tolentino, Adelaida Silva (RES)	2016 Cumberland Dr., West Covina	9/12/89	490, 10177(b)
Toobian-Tabaraki, George (RES)	13025 Montana Ave., Los Angeles	11/30/89	490, 10177(b)
Tveit, Kevin James (RES)	2330 E. Commonwealth, #16, Fullerton	10/3/89	490, 10177(b)
Wakefield, James Hilton (RES)	3717 Hughes Ave., #14, L.A.	9/13/89	490, 10177(b)
Whitemore, Leona Dale (REB)	821 Sierra Vista St., #1, Twin Peaks	10/25/89	10177.5
Wilbur, Gordon Samuel (REB)(REO)	19022 Swallow Way, Penn Valley	9/1/89	2725, 10177(d)(h)
Williams, Douglas Hynes (RES)	3308 Sandwood St., Lakewood	9/26/89	490, 10177(b)
Wu, Laurie Yu-Chieh (RES)	3210 Caminito E. Bluff, #60, La Jolla	9/26/89	490, 10177(b)

LICENSES REVOKED WITH RIGHT TO A RESTRICTED LICENSE

Name	Address	Date	Violation
Bayer, Geraldine Kay (RES) (Right to RRES license on terms and conditions)	370 Pacific Ave., Solana Beach	10/31/89	490, 10177(b)
Becerra, Ilcana Luz (RES) (Right to RRES license on terms and conditions)	9385 Mills, #2, Montclair	10/5/89	490, 10177(a)
Berry, Lewis Whitlock (REB) (Right to RREB license on terms and conditions)	423 Hedgerow Ct., Mountain View	9/12/89	490, 10177(b)
Beiter Mortgage Brokers Inc., (REC) (Right to RREC license on terms and conditions)	59 E. 9th St., Upland	11/29/89	10137, 10177(g)
Brand, Craig Allen (REB) (Right to RRES license on terms and conditions)	8881 Regal, Anaheim	9/11/89	490, 10177(b)
Byfield, Donald D. (RES) (Right to RRES license after 30 days on terms and conditions)	P.O. 26872, San Jose	10/30/89	490, 10177(b)
Chang, Joshua H. (RES) (Right to RRES license on terms and conditions)	18554 Calle Vista Cir., Northridge	11/1/89	490, 10177(b)
Cihl, Siriwan (RES) (Right to RRES license after 30 days on terms and conditions)	20244 Septo St., Chatsworth	10/5/89	490, 10177(b)
Clark, James Eddie Jr. (RES) (Right to RRES license on terms and conditions)	P.O. 279, Port Hueneme	10/5/89	490, 10177(a)(b)
Cooperman, Nathaniel John (RES) (Right to RRES license on terms and conditions)	72773 Fictwood Cir., Palm Desert	11/28/89	490, 10177(b)
Danpour, Henry (REB) (Right to RREB license on terms and conditions)	11669 Santa Monica Blvd., #203, L.A.	11/27/89	2830, 2970, 10145, 10146, 10176(c)(g)(i), 10177(d)(h), 10085
Dixon, Joseph Henderson (REB) (Right to RREB license on terms and conditions)	8535 Noeline Pl., San Diego	11/29/89	10177(h)
Dziedzic, Richard Walter (RES) (Right to RRES license on terms and conditions)	94 Montsalas Dr., Monterey	9/13/89	490, 10177(b)
Elias, Anthony Joseph Jr. (RES) (Right to RRES license on terms and conditions)	377 S. Walter Ave., Newbury Park	10/3/89	490, 10177(b)
Freidson, Harvey Noel (REB)(REO) Officer: Funders Mortgage Corp. of America (Right to RREB license on terms and conditions)	1430 E. Holt Ave., Covina	9/11/89	10177(h)
Funders Mortgage Corp. of America (REC) (Right to RREC license on terms and conditions)	1430 E. Holt Ave., Covina	9/11/89	10137
Gage, Charles Gilbert (REB) (Right to RREB license on terms and conditions)	919 30th St., Sacramento	10/25/89	10145, 10177(d)(g)

Continued on page 5

LICENSES REVOKED WITH RIGHT TO A RESTRICTED LICENSE

Name	Address	Date	Violation
Golden West Funding Corporation (REC) (Right to RREC license on terms and conditions)	2744 E. Coast Highway, #6, Corona Del Mar	9/6/89	2830, 2831, 2831.1, 2834, 10130, 10137, 10177(d)(f), 10240
Gomez, Cirilo Soto (REO) (Right to RREB license on terms and conditions)	1278 Center Court Dr., Ste. 101, Covina	11/7/89	2834, 10137, 10177(d)(h)
Hixson, Lester Nathaniel (REB) (Right to RRES license on terms and conditions)	6590 E. Sargent Rd., Lodi	9/15/89	10137, 10177(h)
Home Lenders Inc. (REC) (Right to RREC license on terms and conditions)	105 W. Torrance Blvd., Ste. 204, Redondo Beach	9/13/89	2830, 10137, 10161.8, 10177(d)
Huang, Yuan Bai Betty (RES) (Right to RRES license on terms and conditions)	1341 Ormonde Way, Mountain View	10/23/89	490, 10177(b)
Huber, Jack William (REB) (Right to RREB license on terms and conditions)	12340 Saratoga-Sunnyvale Rd., Ste. 7, Saratoga	10/10/89	2831, 10145, 10177(d)(g)(j)
Jenkins, Barbara Nell (REB) (Right to RREB license on terms and conditions)	228 W. Florence Ave., Los Angeles	9/7/89	10177(f)(g)(j)
Johnson, Todd Leslie (RES) (Right to RRES license on terms and conditions)	P.O. Box 214512, Sacramento	9/12/89	2830, 2831, 2831.1, 2832, 2970, 2972, 10085, 10130, 10131.1, 10145, 10176(a)(e)(g), 10177(d)
Kirth, Alan Dean (RES) (Right to RRES license on terms and conditions)	551 Bayview Ave., Millbrae	11/27/89	10130, 10177(d)
Koning, Daniel Seymour (REB) (Right to RRES license on terms and conditions)	3160 San Andrea Dr., Union City	11/27/89	10137
Lee, Thomas Sherwood (REB)(REO) (Right to RREB license on terms and conditions)	188 E. 17th St., Ste. 1A, Costa Mesa	9/19/89	2725, 2830, 2831, 2832.1, 2834, 10177(d)(h), 10232(c)
Liberty Home Loans Inc. (REC) (Right to RREC license on terms and conditions)	2740 Fulton Ave., #209, Sacramento	9/12/89	2830, 2831, 2831.1, 2832, 2970, 2972, 10085, 10130, 10131.2, 10145, 10176(a)(e)(g), 10177(d)
Luscar, Gerald Louis (REB) (Right to RREB license on terms and conditions)	59 E. 9th St., Upland	10/2/89	2715, 2726, 2831, 2831.1, 2834, 10177(d)(h)
Mastin, Robert McCormick (REB) (Right to RREB license on terms and conditions)	16787 Bernardo Center Dr., San Diego	6/6/89	2830, 10145, 10146, 10176(e)(j)(j)
Mathews, Marsha (RES) (Right to RRES license on terms and conditions)	13706 Bassmore Dr., San Diego	11/21/89	490, 10177(b)
Mattos, Donald Joseph (REB) (Right to RREB license after 120 days on terms and conditions)	7220 Fair Oaks Blvd., St. C, Carmichael	9/13/89	10177(d), 11013.1, 11013.2, 11018.2
McCraw, Judy H. (RES) (Right to RRES license on terms and conditions)	Gen. Del., S. Lake Tahoe	9/13/89	2970, 10085, 10130, 10131, 10131.2, 10145, 10146, 10177(d)
McGraw, Kathleen Maureen (RES) (Right to RRES license on terms and conditions)	1828 Buitencut, Corona	10/26/89	490, 10177(b)
McWilliams, Debra Lynn (RES) (Right to RRES license on terms and conditions)	2984 Cochran St., Simi Valley	10/10/89	490, 10177(b)
Michaud, Terry Allen (REB) (Right to RREB license on terms and conditions)	1107 S. B St., San Mateo	11/1/89	10177(h)
Milliken, Sheldon Spencer (REB) (Right to RREB license on terms and conditions)	190 Arroyo Terrace, #302, Pasadena	10/31/89	2830, 2831, 2832, 2832.1, 2970, 10145, 10145(d), 10177(d)(h)
Milliken, Theresa Ann (RES) (Right to RRES license on terms and conditions)	301 S. San Antonio Rd., Los Altos	11/17/89	490, 10177(b)
Montgomery, Monty L. (RES) (Right to RRES license on terms and conditions)	2740 Fulton Ave., Ste. 209, Sacramento	9/12/89	2830, 2831, 2831.1, 2832, 2970, 2972, 10085, 10130, 10131.1, 10145, 10176(a)(e)(g), 10177(d)
Moore, Keith Leslie (REB) (Right to RREB license on terms and conditions)	505 W. School St., Visalia	10/25/89	10176(a)(g), 10177(g)(j)
Moores, Gordon Madison (REB) (Right to RREB license on terms and conditions)	14001 Noyo Way, Manchester	11/20/89	10177(d)(j), 11010, 11018.2
Moores, William Middleton (REB) (Right to RREB license on terms and conditions)	3880 Sleepy Hollow, Santa Rosa	11/20/89	10177(d)(j), 11010, 11018.2
New Concept Realty Inc. (REC) (Right to RREC license on terms and conditions)	238 18th St., Ste. 9, Bakersfield	10/11/89	10177(b), 11012
Nguyen, Vien Van (RES) (Right to RRES license on terms and conditions)	P.O. 1739, San Jose	10/31/89	490, 10177(b)
Nickel, David Ray (RES) (Right to RRES license after 6 months on terms and conditions)	1345 Diamond Bar Blvd., Ste. Z, Diamond Bar	11/27/89	10130, 10177(d)
Noble, Wilbert Lee (RES) (Right to RRES license on terms and conditions)	1114 Seiver Ave., Menlo Park	9/5/89	490, 10177(b)
Parish, William Carlton (REB) (Right to RREB license on terms and conditions)	8724 S. Vermont Ave., Los Angeles	9/13/89	10177(h)
Petrosky, John Michael (REO) (Right to RREB license on terms and conditions)	2860 Thousand Oaks Blvd., #100, Thousand Oaks	9/19/89	490, 10177(b)
Scheer, Larry (REB)(REO) (Right to RREB license on terms and conditions)	8316 Clairemont Mesa Blvd., #105, San Diego	11/27/89	2725, 2831, 10177(d)(h)
Skyline Realty Inc. (REC) (Right to RREC license on terms and conditions)	2101 Market St., San Francisco	11/27/89	10177.5

Continued on page 6

A SIMPLIFIED GUIDE TO FICTITIOUS BUSINESS NAME USAGE

by Peter J. Saverien,
Real Estate Manager I, Post Licensing

Periodic inquiries received by the Department of Real Estate (DRE) Licensing Section include, "How do I add (or delete) a fictitious business name (FBN)?" "What constitutes an FBN?" "People of different ethnic origin than me sometimes have difficulty pronouncing my legal name. Can I file a fictitious business name statement (FBNS) to simplify my name?" "Can a real estate salesperson have a fictitious business name?"

DRE approval of fictitious business names (sometimes called dba's — "doing business as") is governed in part by Section 10159.5 of the Business and Professions Code and Real Estate Commissioner's Regulation 2731. A licensee considering use of an FBN should check first with the department's Licensing Section to determine if the proposed name is acceptable to the department.

When words such as bank, insurance or escrow appear in a fictitious business name, a letter of approval must be obtained from the appropriate governing agency before the department will consider approval of the FBN. The DRE will question FBNs which contain terms such as national, federal, United States, reserve or deposit insurance.

Certain FBNs are not acceptable to the DRE, such as those that contain the name of a real estate salesperson but do not include the name of that salesperson's employing broker. Names that imply the existence of non-existent partnerships or corporations are unacceptable. Misleading names or those that constitute false advertising are not allowed. FBNs which include the name of a person whose real estate license was revoked are not permitted.

A real estate broker may add an FBN to his or her license by completing the appropriate Department of Real Estate form and submitting it to the DRE together with a fictitious business name statement (FBNS) bearing a "filed" stamp from the county clerk in the county in which the broker's main office is located.

(Brokers should use DRE form RE #204. Corporations may add an FBN by submitting RE #204A.)

The fictitious business name must be entered on the application form exactly as it appears on the FBN statement filed with the county clerk. The FBN should be filed in each county where the broker will be doing business using that fictitious name. Proof of publication is not acceptable to the DRE unless it bears the county clerk's filed stamp. Legible photocopies of the FBNS may be submitted to the DRE. FBN statements must be refiled with both the county and the DRE in the event a personal name changes.

If you submit an application for a fictitious business name bear in mind:

- A salesperson's name may be used only if it is in conjunction with his or her employing broker's name;
- The FBN registrant must be the employing broker/officer in the case of a corporation;
- All documents submitted must be clear and copies legible.

A salesperson cannot be issued a license containing a fictitious business name.

Regulation 2731 requires the DRE to issue a license containing the person's legal name. If a salesperson has

FBNS, continued on page 6

R.E. EDUCATORS CONFERENCES SET

California community colleges real estate educators conferences are scheduled in Oakland and Carson in April and May for the benefit of full and part-time real estate instructors throughout the state.

The one-day conferences will feature instructional workshops with emphasis on teaching techniques.

In addition to teaching technique sessions, the conferences will include workshops led by Tom Mabry, Managing Deputy Commissioner II, Education Section, California Department of Real Estate.

Conferences will be held Friday, April 27th at the Oakland Airport Hilton Hotel in Oakland and Friday, May 11th in the Carson Conference Center, 801 E. Carson Street, Carson.

The California community colleges chancellor's office and the Real Estate Education Center in Modesto sponsor instructor workshops each semester. The conferences are funded from earnings from the Community Colleges Real Estate Education Advancement Endowment Fund. The endowment was established in 1975 by a grant from the Department of Real Estate to the California community colleges board of governors.

Conference registration is open to all instructors, public and private, and others interested in real estate education in California. Registration fee is \$15 for instructors affiliated with a community college, \$45 for non-community college educators. Advance registration is recommended. Registration will be accepted on the day of the conference on a space-available basis. At-the-door registration fees will be \$5 greater than advance registration rates.

For further information contact the California Community Colleges Real Estate Education Center, P.O. Box 4065, Modesto, CA 95352. Telephone (209) 575-6465.

FBNS

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an unusual first, middle or surname and prefers to use another name, that licensee must change his or her name legally. However, if a licensee — salesperson or broker — simply wishes to use a nickname *in addition to* his or her licensed name, the individual should clearly distinguish the nickname from the legal name (e.g., quotation marks). A licensee who uses a nickname in conjunction with his or her licensed name does not need to advise the DRE of that fact.

A person may change his or her name through formal legal proceedings or informally through general usage or habit. The new name must be the name the person uses and is known by in all that person's affairs.

If the name was changed in formal legal proceedings, court documents to that effect may be submitted. If the name was changed informally, the DRE will accept as proof of change a valid California driver license, or other significant and unquestionable evidence of change, such as a marriage certificate. Proof of use of the new name should be submitted to the DRE Licensing Section together with a salesperson change form (RE #214) and a letter stating that the licensee will use only the new name conducting business requiring a real estate license.

If there are any questions concerning the FBN process or any other licensing matter, the DRE's Licensing Information Section, located in the principal office in Sacramento, may be reached weekdays at (916) 739-3758 between the hours of 8 a.m. and 5 p.m.

LICENSES REVOKED WITH RIGHT TO A RESTRICTED LICENSE

Name	Address	Date	Violation
Smith, Alvin Marion (REB) (Right to RREB license on terms and conditions)	1239 N. Chestnut, Fresno	9/29/89	10130, 10131, 10177(d)(f)
Stork, Juergen Helmut (RES) (Right to RRES license on terms and conditions)	517 S. B St., San Mateo	10/2/89	10145, 10177(d)
T S L, Inc. (REC) (Right to RREC license on terms and conditions)	188 E. 17th St., Costa Mesa	9/19/89	2725, 2830, 2831, 2832.1, 2834, 10177(d), 10232(e)
Thomason, Gary (RES) (Right to RRES license on terms and conditions)	P.O. Box 5331, Fresno	9/11/89	10176(a)(i)
Thompson, Harding Lavell (REB) (Right to RREB license on terms and conditions)	8906 S. Western Ave., Los Angeles	7/11/89	2725, 10177(d)(h)
Trope, Albert William (REB) (Right to RREB license on terms and conditions)	305 Occidental Cir., Santa Rosa	11/1/89	10176(a), 10177(g)
Tsou, Amy H. (RES) (Right to RRES license on terms and conditions)	6201 Plymouth Ave., San Jose	10/30/89	490, 10177(b)
Wallace, Christa J. (REB) (Right to RREB license on terms and conditions)	5801 Christie Ave., Ste. 555, Emeryville	11/27/89	2830, 2831, 2831.1, 2970, 10145, 10146, 10176(e)(g)(i), 10177(d)(h), 10085
Washington, W. James (RES) (Right to RRES license on terms and conditions)	12903 S. Avalon Blvd., Los Angeles	7/11/89	2785(a)(10), 2830, 2832(a), 10176(a), 10177(d)(g)
Willingham, John Wesley (REB)(REG) (Right to RREB license on terms and conditions)	238 18th St., Bakersfield	10/11/89	10177(b), 11012
Wilson, Gary Lynn (REB) (Right to RREB license on terms and conditions)	1414 Mono Way, Sonora	9/8/89	2830, 2832, 2970, 10145, 10146, 10085, 10176(e), 10177(d)
Wright, Nada F. (REB) (Right to RREB license after 45 days on terms and conditions)	2631 Andover Ave., Apt. #1, Fullerton	9/19/89	10177(h)
Yoshida, Eisuko Joy (RES) (Right to RRES license on terms and conditions)	5700 Serrania Ave., Woodland Hills	10/11/89	490, 10177(b)
Yu, Andy E. (RES) (Right to RRES license on terms and conditions)	P.O. Box 15009, Fremont	11/16/89	490, 10177(b)

LICENSES SUSPENDED

Name	Address	Date	Violation
Villasenor, Lilia A. (RES) (Suspended for 30 days)	P.O. Box 966, Chula Vista	9/11/89	10176(a)

LICENSES SUSPENDED WITH STAYS

Name	Address	Date	Violation
Chow, Eddie Yu-Man (REB) (Suspended for 30 days — stayed for one year on condition)	939 Laurel St., Ste. B, San Carlos	11/21/89	2731, 2831, 2832.1, 10145, 10176(e), 10177(d)
Goldstein, Steven Todd (RES) (Suspended for one year — stayed for two years if application made for restricted license)	19715 Vintage St., Chatsworth	10/3/89	490, 10177(a)
Jolly, Israel (REB)(REG) (Suspended for 30 days — stayed for one year on condition)	2050 W. Florence Ave., Los Angeles	9/13/89	10177(h)
Lea, Troy Bryant (REB) (Suspended for 120 days — all but 20 days stayed for five years on terms and conditions)	5208 W. Pico Blvd., Los Angeles	6/27/89	2831, 2831.1, 10177(d)
Loan Originators Mortgage Corp. (REC) (Suspended for 30 days — stayed on condition)	1278 Center Court Dr., Ste. 101, Covina	11/7/89	2834, 10137, 10177(d)
Phoenix Mortgage Corporation (REC) (Suspended for 40 days — stayed on condition)	1601 Bayshore Hwy, #340, Burlingame	11/27/89	2830, 2831, 2831.1, 2970, 10145, 10146, 10176(c)(g)(i), 10177(d), 10085, 10137
Pondoff Realty Inc. (REC) (Suspended for 180 days — stayed for three years on condition)	11409 E. Telegraph Rd., Santa Fe Springs	10/11/89	2785(9), 2831, 2834, 2950(d), 10176(a)(i), 10177(d)
Pondoff, Nick Pete (REG) (Suspended for 180 days — stayed for three years on condition)	11409 E. Telegraph Rd., Santa Fe Springs	10/11/89	2785(9), 2831, 2834, 2950(d), 10176(a)(i), 10177(d)
Sills, Jeffrey Arthur (REB) (Suspended for 30 days — stayed for one year on condition)	403 Tanforan Park, San Bruno	10/16/89	10177(i)

INDEFINITE SUSPENSIONS UNDER RECOVERY FUND PROVISIONS

Name	Address	Date
Bernklau, Sharon Lee (RES)	3031 W. March Ln., Ste 216, Stockton	9/6/89
Buszek, Mitchell F. Jr. (REB)	P.O. Box 55 Joshua Tree	11/17/89
Dobyns, Don (RES)	118 Cheyenne Dr., Vacaville	9/27/89
Fowler, Charlene Elaine (REB)	P.O. Box 31, Duncan Mills	11/15/89
Incenda, Andrew A. (RES)	244 N. Glenoaks Blvd., Burbank	9/13/89
Jenson, Leslie (REB)	3729 Mt. Diablo Ct., #4, Lafayette	9/6/89
Kennedy, Guy Howison Jr. (REB)	1095 Branham Ln., Ste. 102, San Jose	10/11/89
Menees, Bill Dean (RES)	10 Pajaro Wy., Salinas	9/28/89
Schultz, Raymond Andrew (RES)	2978 Westridge Rd., Riverside	10/18/89
Stagliano, Lillian Louise (RES)	1347 Broadway, El Cajon	9/6/89

BROKER-ESCROW AUDITS

continued from page 1

Broker activities-related violations discovered during the examinations included:

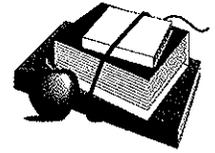
	Regulation	No.
2950(b)	Failure to advise parties that licensee has interest as a stockholder, officer, partner or owners of the agency holding escrow	4
2950(i)	Failure to provide escrow closing statement	1
2725	Failure to review instruments	12

Trust fund handling and record keeping violations which were identified included:

	Regulation	No.
2830	Trust fund account	12
2831	Trust fund records	15
2851.1	Separate beneficiary records	13
2831.2	Reconciliation of records	7
2832	Trust fund handling	5
2832.2	Trust fund handling for multiple beneficiaries	15
2834	Trust account withdrawals	12

EDUCATION ALERT

In an apparent effort to sell pre-license required college-level courses, it has been reported that the marketing staff of some private schools have implied there will soon be an increase in the number of course requirements and that the current pre-license course "open book" final exam policy (for exams administered by the course sponsor) will be changed to a "closed book" policy.



DRE is NOT proposing any such changes at this time.

Always use caution when considering the purchase of any educational course.

If in doubt concerning course requirements you may call the DRE's Education Section at (916) 739-3720 for clarification.

REAL ESTATE PUBLICATION REQUEST

DRE RE# TITLE OF PUBLICATION, BROCHURE, REPORT OR VIDEO COST QUANTITY YOUR COST

• **Make check or money order payable to:**

Department of Real Estate

• **Mail To:**

Department of Real Estate
Book Orders
P. O. Box 187006
Sacramento, CA 95818-7006

• **Do Not Send Cash.**

• **DRE Cannot Accept Returns or Make Refunds.**

• **Prices Are Subject To Change.**

• **Orders received with incorrect amounts will be returned.**

• **Allow 4—6 Weeks For Delivery.**

• **Orders originating in California must include state sales tax. Requests and fees will be returned if the appropriate sales tax is not included.**

• **** Publication of 1989 Real Estate Law Book unavoidably delayed. Projected availability April, 1990; price \$15.00. Orders will be filled as soon as possible.**

DRE RE#	TITLE OF PUBLICATION, BROCHURE, REPORT OR VIDEO	COST	QUANTITY	YOUR COST
1	1989 Reference Book	\$15.00		
2	1987 Real Estate Law Book (Free 1988 Supplement included)**	\$12.50		
3	1988 Supplement to Real Estate Law (brochure)	\$2.00		
4	Instructions to License Applicants (brochure)	Free		
6	Disclosures in Real Estate Transactions (1987; brochure)	\$2.00		
7	A Homeowner's Guide to Foreclosure in California (1987; brochure)	\$2.00		
11	Consumer Protection and Licensee Liability Protection (1987; report)	\$9.00		
12	Deregulation of Financial Institutions (1987; report)	\$9.00		
17	Future of California Housing Resale Market (1986; report)	\$9.00		
18	Licensee Interaction With Respect to Marketing REOs (1987; report)	\$9.00		
19	Common Interest Homeowners' Assoc. Mgmt. Study (1987; report)	\$9.00		
20	Payment and Interest Rate Shock (1987; report)	\$9.00		
21	Job Analysis and Testing Procedures Study (1987; report)	\$9.00		
22	Licensee's Role in Marketing of Housing to the Elderly (1986; report)	\$9.00		
23	Real Estate Specialization — Need for Special Licenses and/or Educational Requirements (1987; report)	\$9.00		
24	Reasons for Today's Foreclosures (1987; report)	\$9.00		
25	Rental Housing Data Base (1986; report)	\$9.00		
26	Restructuring of the Real Estate Brokerage Industry (1986; report)	\$9.00		
27	Review of California's Continuing Education Program — including testing requirements (1987; report)	\$9.00		
28	Supervision of the Real Estate Office (1987; video)	\$25.00		
29	Trust Funds (1987; video)	\$25.00		
30	Study of California's R.E. Appraisal Industry (1988; report)	\$9.00		
32	Compliance with the Real Estate Transfer Disclosure Law (1988; video)	\$25.00		
33	Agency Disclosures in Residential Real Estate Transactions (1988; video)	\$25.00		
34	Mobilehome Park Purchases by Residents (1986; brochure)	\$2.00		
35	Trust Deed Investments — What You Should Know (1989; brochure)	\$2.00		
36	Private Mortgage Insurance: Its Effects on Real Estate Transactions and Its Benefits to Real Estate Licensees (1989; report)	\$9.00		
38	Analysis of California's Escrow Industry (1988; report)	\$9.00		
39	Common Interest Development Brochure (1989; brochure)	Free		
40	Home Equity Lending by Mortgage Loan Brokers (1989; report)	\$9.00		

SHIPPING NAME

SHIPPING ADDRESS

CITY

STATE

ZIP



SUBTOTAL

+ CALIFORNIA TAX

TOTAL ENCLOSED \$

Real estate licensees advised

COMMUNITY CARE FACILITIES MUST BE LICENSED TO NEW OWNER

The sale or transfer of ownership of a child day care, community care or residential care facility in California automatically results in forfeiture of the license to operate such a facility, according to the state Department of Social Services.

A previous owner's license is non-transferable and cannot be used by a new owner to operate a facility after the sale or transfer of a care facility. To operate legally, a new owner must first obtain a license under his or her own name. Health and Safety Code Sections 1508, 1569.10 and 1596.80 prohibit any persons from operating such a facility without a current and valid license and all laws and regulations governing unlicensed operations would apply.

The Department of Social Services advises real estate licensees involved in such facility transactions to inform prospective purchasers of the necessity of applying for and obtaining a license. Continued operation of an unlicensed facility would be a misdemeanor. The operator may be subject to civil penalties of \$200 per day.

Social Services officials also noted that a new law effective January 1, 1990, Section 1569.191 of the Health and Safety Code, requires sellers of residential care facilities to notify the Department of Social Services and each resident or his or her legal representative of the intent to sell the facility not less than 60 days prior to the sale or transfer of the property. Although the new procedures are not required for other types of licensed facilities including child day care centers the department said it believed it is in the interest of both seller and buyer that the notification requirement for residential care facilities be followed in all cases.

Licensing offices are available to assist new owners in making a smooth transition into a new child care, community care or residential care facility and — importantly — to ensure the continued care and supervision of clients. Displacement of clients may be traumatic and loss of subsidies may occur for the new owner if the facility is sold and the new owner fails to obtain a license to operate.

For the location of the office nearest you, check the government pages of your local telephone directory or contact the California Department of Social Services, Community Care Licensing, 744 P Street, Sacramento, CA 95814; phone (916) 323-6102.

FANNIEMAE CHANGES LOAN LIMITS

FannieMae has reduced its maximum mortgage amount requirements to reflect the national average price for single family homes, according to an announcement from Robert J. Engelstad, senior vice president — mortgage and lender standards.

The new amounts apply to conventional mortgages delivered to FannieMae after January 1, 1990, except for loans negotiated or committed prior to January 1, 1990 which may be submitted through May 1, 1990.

The new maximum allowable original loan amount for first mortgages will be:

No. of Units	Continental US	Alaska & Hawaii
1	\$187,450	\$281,175
2	\$239,750	\$359,625
3	\$289,750	\$434,625
4	360,150	\$540,225

For second mortgages the new maximum allowable original loan amount will be \$93,725 (or \$140,550 in Alaska and Hawaii).

Lenders are advised to contact their lead regional office if they have questions about the changes.



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