

REAL ESTATE BULLETIN

PETE WILSON, *Governor*
CLARK WALLACE, *Real Estate Commissioner*

Summer 1993



Real Estate Jeopardy

by J. Chris Graves, *Managing Deputy Commissioner II, San Diego*

The answer is: "The deposit of instruments and/or funds with instructions to a neutral third party to carry out the provisions of an agreement or contract."

The correct question is: "What is an escrow?"

Real estate brokers up and down the state may wish to provide a supplemental service to their clients by offering escrow services. It is an admirable offer but caution and competence are a must to avoid jeopardizing the broker's license. This article will address some of the duties and responsibilities in connection with engaging in a real estate sale escrow transaction.

Just who may engage in an escrow transaction in California? The Escrow Law (Section 17000 et seq. of the Financial Code) defines an "escrow agent" to be anyone, licensed or unlicensed, who receives escrows for deposits or delivery. It further provides that escrow agents must be licensed by the Commissioner of Corporations, unless otherwise exempt. Persons exempted include licensed real estate brokers when engaging in certain transactions and under certain conditions. The exemption for real estate brokers is set forth in Section 17006(a)(4) of the Financial Code. It applies to any licensed broker while performing acts in the course of or incidental to a real estate transaction in which the broker is a party or in which the broker is an agent performing an act for which a real estate license is required. (See also Section 17006(b) of the Financial Code for further limitations on the exemption for licensed real estate brokers.) A licensed real estate broker engaging in escrow transactions outside the limited exemption afforded by Section

17006 of the Financial Code is required to obtain a license as an "escrow agent" under the Escrow Law.

The two essential requirements for a valid sale escrow are a binding written contract between buyer and seller, and the conditional delivery of transfer instruments to a third party. The binding contract can appear in any legal form including a deposit receipt, agreement of sale, exchange agreement, option or mutual escrow instructions of the buyer and the seller. Escrow instructions implement and may also supplement the original contract between the buyer and the seller. Both are interpreted together if possible. If the instructions contain terms in conflict with the original contract, the instructions, constituting the later contract, usually control.

An escrow contains all the necessary instructions which reflect the understanding of the parties and all the essential requirements of the transaction.

An escrow holder is the depository, agent, or impartial third person having and holding possession of money, written instruments, or personal property to be held until the happening of the designated conditions. The escrow holder acts to insure that all parties to the transaction comply with the instructions and conditions of the agreement as set forth in the escrow instructions. An escrow is termed complete when all the instructions and conditions have been met.

General Escrow Principles and Rules

When the instructions have been signed by the parties to the escrow, neither party may unilaterally change

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Commission Disputes

by Susan Bennett, *Real Estate Counsel*

The Department of Real Estate's authority extends only to matters provided for in the Real Estate Law and thus does not include authorization to settle commission disputes between salespersons and brokers, or between brokers. Commission disputes are typically civil matters, with the exception that the Labor Commissioner may have jurisdiction over a commission dispute between a broker and a salesperson who is not, for this purpose, an independent contractor. Nonetheless, the Department receives many inquiries about the rights and obligations of the parties regarding commissions.

The broker's commission policy should be stated in the office policy manual.

The share of commission that a real estate salesperson is entitled to receive is not set by law. Rather, it is a matter of negotiation between the employing broker and the salesperson. The amount should be established at the time the salesperson associates with the broker.

Section 2726 of the Regulations of the Real Estate Commissioner requires a broker to have a written agreement with each salesperson and broker working under a broker-salesperson relationship. The agreement must cover material aspects of the relationship between the parties, including supervision of licensed activities, duties and compensation. The agreement must be retained by the parties for three years from the date of its

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STATE OF CALIFORNIA

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Jeopardy

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the escrow instructions. However, by mutual agreement between both parties to the escrow, the instructions may be changed at any time.

An escrow agent is customarily held liable for violating the written instructions of the parties to the escrow. The duties of a (broker) escrow holder are, of course, quite different from those of a real estate broker. The following are some major escrow principles:

1. Escrow instructions must be clear, concise and certain as to the intentions of the parties to the transaction.
2. The escrow holder may not act as a mediator or advisor.
3. The escrow holder is prohibited from offering legal advice.
4. Escrow is a limited agency relationship, governed by the content of the escrow instructions. As agent for *both* parties, the escrow holder acts only upon specific written instructions of the principals. Oral instructions should not be accepted or acted upon.
5. When all parties to the escrow have signed mutual instructions, the escrow becomes effective. If only one party has signed, that party may terminate the proposed escrow at any time prior to the other party's signing.
6. The use of vague or ambiguous terms and provisions in instructions and documents prepared by the escrow holder must be strictly avoided.
7. Any documents which are to be part of the escrow and which are to be recorded or approved by any party should be deposited immediately so that their sufficiency can be determined in order to avoid possible delay in the closing of escrow.
8. Documents and funds not contemplated by the escrow instructions should not be accepted by the escrow holder without authority of the principals affected.
9. The escrow trust account must be maintained with extreme care. Overdrawn accounts are strictly forbidden and may lead to disciplinary action against the broker's license. Brokers are required to maintain the same records for their escrow trust account that are maintained for their brokerage trust account.
10. Escrows are confidential.
11. The escrow holder is the agent of the principals to the escrow. Any detrimental or new material information affecting the principals should be disclosed to them for their instructions in the matter.
12. A high degree of trust, efficient customer service, and good customer relations must be maintained.

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Enforcement

Licenses Revoked; Three-Year Prison Term In Escrow Case

by William E. Moran, Managing Deputy Commissioner IV

In late March 1989, the Department received a complaint from a seller who had listed and sold her property through Don Murphy & Associates, Inc. (DMA), and had used the company's escrow division to handle the transaction. When the escrow closed, the seller received a check in the amount of \$111,594.71, representing her proceeds. The bank returned the check for nonsufficient funds and the seller had not received payment at the time she filed her complaint, although she was later paid with a cashier's check. Based upon the information that the seller had received a check for nonsufficient funds, the Department conducted a priority audit and discovered a trust fund shortage of \$178,876.00.

An investigation uncovered another transaction in which DMA was holding \$102,571.97 of seller's proceeds in a separate interest-bearing trust account pending instructions from the principals, who were having a dispute as to how the funds were to be disbursed. Instead of holding the funds in the trust account as instructed, the President of DMA, Don Murphy, and his Office Manager, Jo Ann Wilson (both licensed real estate salespersons) closed the account and used the funds to pay their own personal expenses and to pay the general operating expenses of DMA. When the sellers requested the funds from Don Murphy, he was unable to make payment and has never made restitution.

Upon receipt of the audit findings, the Department issued a Desist and Refrain Order against DMA barring further acceptance or disbursement of trust funds until the shortage was cured. After further investigation, the Department filed an Accusation on July 6, 1989 against DMA, Don

Murphy, and Jo Ann Wilson. The Designated Broker-Officer of DMA was also named in the Accusation for failing to supervise the activities of Don Murphy and Jo Ann Wilson. On May 29, 1990, the licenses of Don Murphy and Jo Ann Wilson were revoked and the Designated Broker-Officer was disciplined.

Due to the severity of the trust fund shortage, a criminal referral was made to the Los Angeles Police Department and the books and records

of DMA were confiscated through a search warrant. The Los Angeles District Attorney's Office filed criminal charges against Don Murphy and Jo Ann Wilson for grand theft. On January 27, 1993, Don Murphy pled guilty to the charges and was sentenced to 3 years, 4 months in state prison. Jo Ann Wilson, who also pled guilty to the charges against her, was sentenced to 6 months in county jail and 5 years formal probation.



Disputes

termination and must be available for inspection by the Commissioner's representative. The broker's commission policy should also be stated in the office policy manual. Any changes to the policy or written agreement should be put in writing and initialed by all salespersons. This will help avoid disputes concerning the amount a salesperson is entitled to receive.

Brokers sometimes attempt to deduct from the salesperson's commissions charges the salesperson owes the firm for advertisements, board dues, business cards, or other expenses. To avoid misunderstandings, the contract between the broker and salesperson should address what deductions will be made from commissions.

When a salesperson leaves a broker, there are often outstanding commissions owed to the salesperson. In this situation, many brokers wonder whether they must pay the salesperson. The Real Estate Law prohibits the payment of compensation to an unlicensed person for performing acts requiring a license, and no licensee may accept compensation from any person other than the broker by whom the licensee is employed. However, as long as the person was licensed and employed with the broker *at the time the commission was earned*, the Depart-

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ment does not consider such payment a violation of the license law, but rather payment of a commission previously earned.

In addition to asking whether they must pay a salesperson a commission if the salesperson is no longer with the broker when the transaction closes, brokers frequently ask if the commission may be reduced. These are both issues that are a matter of agreement between the broker and salesperson. The employment agreement between the employing broker and the salesperson and the office policy and procedures manual should address these issues. Any forfeiture or reduction in the amount of commission should be clearly set forth there.

Most commission-related problems can be avoided by establishing a clear and concise written agreement between the employing broker and salesperson, and by the establishment of an office policy and procedures manual. By having a specific contract with salespersons and written policy that is followed by the company, brokers can avoid most commission disputes with their salespersons.



DRE Offers Seminars

In an effort to assist the real estate industry to better serve its consumers, Commissioner Clark Wallace has authorized the Department to present a series of educational seminars for licensees. The theme of the seminars is "How to Operate a Licensed Real Estate Business in Compliance with the Law". Each seminar will cover three topics: mortgage loan brokering, trust fund handling and real estate sales. Four of these seminars were held last year in San Francisco, Sacramento, Los Angeles and San Diego. They were well attended and received a positive response.

The cost is \$10 per attendee. *The fee is non-refundable.*

The *only* way to reserve a seat is to send a completed reservation request clipped or copied from this page of the *Bulletin*, a self-addressed stamped envelope for return of your ticket, and a check or money order payable to the Department of Real Estate to:

DRE Seminar
185 Berry Street, Room 3400
San Francisco, CA 94107

As seating is limited, *reservations are required* and will be taken on a first-come, first-served basis before the registration deadline. Reservation requests with incomplete information will be returned. In the event we are not able to accommodate your reservation request, your fee will be returned to you.

The following is the schedule for the upcoming seminars:

- July 23, Redwood City, Veterans Memorial Hall, 1455 Madison Ave. *Reservations must be received by July 16.*
- July 30, Santa Ana, Elk's Lodge, 212 Elk Lane. *Reservations must be received by July 23.*
- August 6, Fresno, State Building, 2550 Mariposa Mall #1036. *Reservations must be received by July 31.*
- August 13, Redding, Masonic Temple, 160 Masonic Ave. *Reservations must be received by August 6.*

The seminars start at 9:00 AM and conclude at 1:30 PM.

For more information, contact Pablo Wong at (415) 904-5903.

For your information

DRE Alert — It has been brought to our attention that several licensees have received telephone calls in which the caller identifies himself/herself as an employee of the Department of Real Estate. The caller tells the licensee that s(he) is in violation of the Real Estate Law. After checking with us, the licensee finds out that the Department did not make the call. In one instance, a licensee received a letter purportedly from the Department of Real Estate only to find out later that the letter was fictitious and the DRE employee's signature had been forged. If you receive a call or letter from the Department and you have reason to question the authenticity, please feel free to call the Department to verify.

Revised Disclosure Booklet — DRE now has available a revised "Disclosures in Real Property Transactions" booklet. This 1993 publication replaces the 1987 (second) edition. This updated booklet, designated RE 6 on the order form in this *Bulletin*, will be quite useful to real estate agents and their principals.

NARELLO Digest — The 1993 edition of the National Association of Real Estate License Law Officials (NARELLO) *Digest of Real Estate License Laws* is now available. The *Digest*, which sells for \$30, is a reference guide of license law information and statistics designed for real estate executive officers, educators, attorneys and those in need of state-by-state information on license law requirements. To order your copy of the *Digest*, send your request to NARELLO Digest, P. O. Box 129, Centerville, Utah 84014-0129. Please make your check payable to "NARELLO DIGEST".

Earthquake Safety — *The Commercial Property Owner's Guide to Earthquake Safety*, published by the Seismic Safety Commission is now available. Effective January 1, 1993, a new state law requires sellers of certain older commercial buildings to give these guides to prospective buyers. The guide highlights common structural weaknesses in commercial buildings built prior to 1975, such as lack of tiltup wall anchorage, unreinforced masonry, poorly reinforced concrete, as well as nonstructural concerns and recommendations for making business decisions to reduce seismic risk.

The 32-page report is available for \$3.25 from the Seismic Safety Commission at 1900 K Street, Suite 100, Sacramento, CA 95814.



SEMINAR RESERVATION REQUEST

NAME _____

BUSINESS NAME _____

MAILING ADDRESS _____

DAYTIME PHONE NUMBER _____

SEMINAR (CHECK ONE)

- July 23, Redwood City July 30, Santa Ana
 August 6, Fresno August 13, Redding

DISCIPLINARY ACTION — DECEMBER 1992 TO FEBRUARY 1993

- ✓ 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 and the disciplinary action is stayed, until the stay is dissolved. Names of persons to whom licenses are denied on application are not published.
- ✓ Licensees are listed alphabetically by the District Office region of responsibility.
- ✓ The license type is listed in parentheses after the licensee's name. [REB – Real estate broker; RREB – Restricted real estate broker; RES – Real estate salesperson; RRES – Restricted real estate salesperson; PRLS – Prepaid rental listing service; RPRLS – Restricted prepaid rental listing service; REO – Real estate officer; REC – Real estate corporation]
- ✓ 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.



Commissioner's Regulations

2725	Failure of broker to review and initial agreements
2725(b)	Failure of broker to properly delegate authority to review and initial agreements
2726	Failure to have broker-salesperson agreements
2731	Unauthorized use of fictitious business name
2742	Failure of corporate broker to file articles of incorporation
2752	Broker's failure to notify DRE of new salesperson
2770	Advertising in salespersons name only
2785(a)(13)	Failure to disclose material facts to purchaser
2830	Failure to maintain trust fund account
2831	Inadequate trust fund records
2831.1	Inadequate trust fund records
2831.2	Inadequate trust fund records
2832.1	Broker's failure to obtain permission to disburse trust funds from an account involving multiple beneficiaries
2834	Trust account withdrawals by unauthorized person
2950(b)	Allowing unauthorized addition, deletion or alteration of an escrow instruction
2950(h)	Failure of broker to advise all parties of licensee's interest in agency holding escrow
2970	Misleading advance fee advertising material

Business and Professions Codes

490	Relationship of conviction to licensed activity
10085	Failure to submit advance fee materials
10086	Violation of Order to Desist and Refrain
10130	Acting without license
10131(b)	Acting as a broker without a license
10137	Unlawful payment of compensation
10138	Unlawful payment of compensation
10145	Trust fund handling
10145(a)	Trust fund handling
10145(d)	Trust fund handling
10145(g)	Failure to maintain a separate record of receipt and disposition of all trust funds
10146	Failure to handle advance fees as trust funds or to furnish verified accounting to principal
10148	Failure to retain records and make available for inspection
10153.4	Failure of salesperson to complete required courses
10159.2	Failure by designated officer to supervise licensed acts of corp.
10159.5	Failure to obtain license with fictitious business name
10161.8	Failure of broker to notify Commissioner of sales. employment
10162	Failure to maintain a place of business
10163	Failure to obtain branch office license
10165	Covers various violations
10176(a)	Making any substantial misrepresentation
10176(d)	Failure to disclose dual agency
10176(e)	Commingleing trust funds
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(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 or corporation
10177(j)	Fraud or dishonest dealing not in licensed capacity
10177(k)	Violation of restricted license condition

10177(n)	Violation of real estate syndicate provisions of corporate securities law
10177.5	Civil fraud judgment based on licensed acts
10232(f)	Failure to notify DRE of threshold status
10232.25	Failure to file trust fund status report
10240	Failure to give mortgage loan disclosure statement
10240(a)	Failure to deliver mortgage loan disclosure form

LICENSES REVOKED

Fresno Region

O'Hare, Michael Edward (RREB)	320 W. Shaw Ave., Fresno Effective: 1/6/93 Violation: 10177(k)
Tandberg, Michael Eric (RES)	6709 Half Moon Dr., #D, Bakersfield Effective: 1/27/93 Violation: 490, 10177(b)
Woods, Leonard Laverne (RREB)	2059 W. Bullard, Ste. 152, Fresno Effective: 1/19/93 Violation: 490, 10177(b)

Los Angeles Region

Abrahamian, Hovik A. (RES)	440 W. Milford St., #102, Glendale Effective: 12/23/92 Violation: 490, 10177(b)
American Mtg. Money Inc. (REC)	451 E. Carson Plaza Dr., Ste. 101B, Carson Effective: 2/10/93 Violation: 2742, 2831, 2831.1, 2831.2, 2832.1, 10137, 10145, 10176(e), 10177(d)(f)
Auttano, Sam (RES)	6906 Varna Ave., Van Nuys Effective: 1/27/93 Violation: 490, 10177(b)
Chi, Charlie Yong T. (RREB)	4201 Wilshire Blvd., #515, Los Angeles Effective: 12/15/92 Violation: 10177(k)
Cottone, Caryl Peter (RRES)	341 N. Geneva St., #4, Glendale Effective: 12/15/92 Violation: 10177(k)

Daniels, Leon Odean (RES)

1013 E. Fairview Blvd.,
Inglewood
Effective: 1/27/93
Violation: 490, 10177(b)

Disessa, Robert John (REB)

14422 Pioneer Blvd., Norwalk
Effective: 1/27/93
Violation: 490, 10177(b)

Dobard, Herman Raymond (REB)

451 E. Carson Plaza Dr.,
Ste. 101B, Carson
Effective: 2/10/93
Officer of: American Mortgage
Money Inc.
Violation: 2831, 2831.1, 2831.2,
2832.1 10137, 10145, 10176(e),
10177(d)(h)

Esparza, John Richard (REB)

3109 W. Beverly Blvd., Ste. A,
Montebello
Effective: 6/30/92
Officer of: Ricardo Realty Inc.
Violation: 10159.2, 10177(d)(h)

Fava, Jose Alberto (RES)

14238 Whiterock Dr., La Mirada
Effective: 12/15/92
Violation: 490, 10177(a)

Haywood, Jeri Yvonne (RES)

1115 East 23rd St., Los Angeles
Effective: 12/15/92
Violation: 490, 10177(b)

Hazelton, Bruce Garbe (RES)

160 N. Mansfield Ave., L. A.
Effective: 12/29/92
Violation: 490, 10177(b)

Hillside Residential Inc. (REC)

209 West Avenue J, Lancaster
Effective: 1/26/93
Violation: 2742, 10162, 10165,
10177(f)

Hohman, Donald Wayne (REB)

299 W. Foothill Blvd., Ste. 200,
Upland
Effective: 2/17/93
Violation: 2830, 2831, 2831.1,
2831.2, 2832.1, 10145,
10176(e)(i), 10177(d)



- Kwan, Amy A. (RRES)**
1845 South 2nd St., #C, Alhambra
Effective: 12/9/92
Violation: 490, 10177(b)
- Lee, Li Chen (RES)**
17102 De Groot Pl., Cerritos
Effective: 1/19/93
Violation: 490, 10177(b)
- Loyd, Eric Dylan (RES)**
3700 4th Ave., Los Angeles
Effective: 12/22/92
Violation: 490, 10177(b)
- Lu, Tony (RES)**
1724 Pepperdale Dr., Rowland Heights
Effective: 12/15/92
Violation: 490, 10177(b)
aka: Lu, Shao Pin
- Mahmood, Aatif (REB)**
1880 Century Park East, #301, Los Angeles
Effective: 12/15/92
Violation: 10177.5
- McCain, Albert Tyler (RES)**
421 N. Canon Dr., Beverly Hills
Effective: 2/23/93
Violation: 490, 10177(b)
- Porteous, Kathleen Marie (RES)**
11846 S. Circle Dr., Whittier
Effective: 2/18/93
Violation: 490, 10177(b)
- Rosengreen, Maria Dolores (RES)**
114 Carr Dr., Glendale
Effective: 2/18/93
Violation: 490, 10177(b)
- Rousseve, Daniel Joe (RES)**
1336 Argonne, Long Beach
Effective: 2/16/93
Violation: 10177(a)
- Rustic Realty Inc (REC)**
15342 Hawthorne Blvd., Ste. 100, Lawndale
Effective: 1/11/93
Violation: 10177(d)
- Sandoval, Joseph Nestor (RES)**
315 E. Avenue, J-7, Lancaster
Effective: 12/22/92
Violation: 490, 10177(b)
- Scaccianoce, Robert Lance (REB, REO)**
11911 Washington Blvd., L. A.
Effective: 1/5/93
Violation: 490, 10177(b)
- Sun, Eugene Chin (REB)**
2952 Huntington Dr., San Marino
Effective: 7/29/91
Violation: 2785(a)(13), 10130, 10131(b), 10137, 10159.5, 10176(i), 10177(d)(j)
- Taylor, Fred Wren Jr. (REB)**
12301 Wilshire Blvd., #202, L. A.
Effective: 1/19/93
Officer of: The Taylor Co. Realtors
Violation: 10177(k)
- Tehrani-Vafa, Omid (RES)**
230 South Pine Ave., #B, San Gabriel
Effective: 12/28/92
Violation: 490, 10177(a)(b)
- The Taylor Co. Realtors (REC)**
12301 Wilshire Blvd., #202, Los Angeles
Effective: 1/19/93
Violation: 10177(k)
- Thomas, Douglas K. (RES)**
P. O. Box 91891, Pasadena
Effective: 12/15/92
Violation: 490, 10177(b)
- Urquiza, Tatiana (RES)**
3095 Ridgeview Dr., Altadena
Effective: 12/23/92
Violation: 490, 10177(b)
- Villagomez, Mark Anthony (RES)**
3005 Via San Carlo, Montebello
Effective: 12/9/92
Violation: 490, 10177(b)
- Voydat, Nina Katherine (RES)**
4240 N. Lost Hills Rd., Agoura Hills
Effective: 12/15/92
Violation: 490, 10177(a)
- Wang, Sandy (RES)**
867 Hillcrest St., Walnut
Effective: 12/15/92
Violation: 490, 10177(b)
- Wesley, Robin Basil (RES)**
5639 Verdun St., Los Angeles
Effective: 12/15/92
Violation: 490, 10177(b)
- Wimberly, Michael L. (RES)**
601 W. Manchester Blvd., Inglewood
Effective: 12/18/92
Violation: 490, 10177(b)
- Wright, Jessie (REB)**
800 N. Pacific Coast Hwy., Redondo Beach
Effective: 11/17/92
Officer of: J. Wright Prop. Inc.
Violation: 10177(n)
-
- Santa Ana Region**
- Accent Properties Inc. (REC)**
15000 Seventh St., Ste. 201, Victorville
Effective: 1/26/93
Violation: 10177(d)
- Adams, Cherie A. (RES)**
367 Bayview Terrace, Costa Mesa
Effective: 12/23/92
Violation: 10130, 10177(d)
- Becker, Martin Henry (RREB)**
204 E. Yorba Linda Blvd., Placentia
Effective: 2/18/93
Violation: 490, 10177(b)
- Benson, John Munroe (RES)**
6491 Edinger Ave., Huntington Beach
Effective: 12/15/92
Violation: 10176(a)(i), 10177(g)
- Boston Mutual Services Corp. (REC)**
225 S. Harbor Blvd., #201, Anaheim
Effective: 2/16/93
Violation: 2831.1, 2831.2, 10086, 10177(d)
- Calhoun, Candice Grace (RES)**
9171 Bonita Dr., Cherry Valley
Effective: 12/15/92
Violation: 490, 10177(b)
- Clodfelter, Everett Dwaine (RES)**
101 S. Kraemer Blvd., Placentia
Effective: 12/15/92
Violation: 490, 10177(b)
- Currie, James Lane (REB)**
8623 California, Riverside
Effective: 1/19/93
Violation: 490, 10177(b)
- Horizon Mortgage Co. Inc. (REC)**
3505 Cadilliac Ave., Costa Mesa
Effective: 1/5/93
Violation: 2831.1, 2831.2, 2832.1, 10177(d)
- King, Dale Stanford (REB)**
24466 Country Rd., Moreno Valley
Effective: 2/18/93
Violation: 490, 10177(b)
- Phillips, Charles Dean (RES)**
14272 Hoover St., #13, Westminster
Effective: 1/27/93
Violation: 490, 10177(b)
- Riess, John Joseph (RES)**
1403 N. Tustin Ave., Santa Ana
Effective: 1/19/93
Violation: 490, 10177(b)
- Romero, Martin Lynn (RES)**
22001 Capistrano Ln., Huntington Beach
Effective: 2/11/93
Violation: 10130, 10177(d)
- Security National Service Corp. (REC)**
2001 East 1st, Santa Ana
Effective: 12/15/92
Violation: 2832.1, 10137, 10138, 10145, 10177(d)(f)
- Smith, Charles Lee (RES)**
2228 S. Rene Dr., Santa Ana
Effective: 12/15/92
Violation: 490, 10177(b)
- Spanier, Susan G. (RES)**
45-445 Portola Ave., Palm Desert
Effective: 12/15/92
Violation: 490, 10177(b)
- The Argent Alliance Corp. (REC)**
5000 Birch, Ste. 610, Newport Beach
Effective: 1/5/93
Violation: 10177(f)
-
- Sacramento Region**
- Gossler, Victor Zsolt (RES)**
3500 Clayton Rd., #B210, Concord
Effective: 12/29/92
Violation: 490, 10177(b)
- Green, Bernice Faye (REB, REO)**
123 Sycamore St., Ste. 201, Manteca
Effective: 12/28/92
Violation: 490, 10177(b)
aka: Garcia, Bernice Faye
- Jackson, Robert T. (RREB)**
3822 Clinton Way, Fair Oaks
Effective: 2/1/93
Violation: 2830, 2832, 2832.1, 10145, 10177(d)(j)(k)
-
- San Diego Region**
- Gottschalk, Dale William (RES)**
1428 Emerald Ave., El Cajon
Effective: 2/23/93
Violation: 490, 10177(a)(b)
- Kashani, Mirmassoud (REB)**
9862 La Jolla Farms Rd., La Jolla
Effective: 12/15/92
Violation: 490, 10177(b)
- Lynberg, Susan Catherine (RRES)**
13730 Condesa Dr., Del Mar
Effective: 12/8/92
Violation: 10177(k)
- Moore, Carol Ann (RES)**
5126 Brighton Ave., San Diego
Effective: 2/18/93
Violation: 10177(d)
- Shih, Mae (RES)**
476 Santa Alicia, Solana Beach
Effective: 12/10/92
Violation: 490, 10177(b)
- Walsh, John James (REB)**
6106 Regents Rd., San Diego
Effective: 12/10/92
Violation: 2725, 2726, 2752, 2834, 2950(b)(h), 10137, 10176(i), 10177(d), 10177.5
- Weisman, Robert David (RRES)**
8286 Avenida Navidad, #3, San Diego
Effective: 2/23/93
Violation: 490, 10177(b)
-
- San Francisco Region**
- AALL Real Estate Financial Services (REC)**
2021 The Alameda, Ste. 220, San Jose
Effective: 12/24/92
Violation: 2830, 2831.1, 2831.2, 10085, 10137, 10145(a), 10146, 10176(e), 10177(d), 10232(f), 10232.25, 10240
- Accinelli & Mauser Realtors Inc. (REC)**
298 Broadway, Millbrae
Effective: 12/28/92
Violation: 10137, 10176(a)(e)(i), 10177(d)
- Annadel Company (REC)**
320 College Ave., Ste. 240, Santa Rosa
Effective: 1/20/93
Violation: 10145, 10176(i), 10177(d)
- Berkey, David Warren (REB)**
4381 Soquel Dr., Soquel
Effective: 1/20/93
Violation: 490, 10177(b)
- Brooks, Mattye M. (REB)**
8641 Seneca St., Oakland
Effective: 12/28/92
Violation: 490, 10177(b)

Cosentino, Charles E. (RES)
927 Park Pacifica Ave., Pacifica
Effective: 12/23/92
Violation: 10137, 10176(i),
10177(j)(k)

Desantis, Mary Marcella (RES)
4007 Ross Park Dr., San Jose
Effective: 12/28/92
Violation: 490, 10177(b)

Dias, Michael Edward (RES)
P O. Box 306, Orinda
Effective: 12/7/92
Violation: 490, 10177(b)

Gilbert T. Armando Inv. Inc. (REC)
1601 El Camino Real, Ste. 204,
Belmont
Effective: 12/8/92
Violation: 2830, 2831, 2831.2,
2834, 10145, 10176(e), 10177(d)

H. C. Perry Company (REC)
2880 Soquel Ave., #7, Santa Cruz
Effective: 2/2/93
Violation: 490, 2832, 2832.1,
2832.3, 2834, 10145, 10176(e)(i),
10177(b)(d)

Hill, James Lawrence Jr. (RREB)
3222A Fruitvale Ave., Oakland
Effective: 1/27/93
Violation: 2831, 2831.2, 10145,
10148, 10177(d)(g)(k), 10232.5,
10240

Hinds Corporation (REC)
2142A Gary Dr., Castrol Valley
Effective: 2/25/93
Violation: 2742, 10177(f)

Ho, Anthony Yu-Sheng (RES)
21131 Oceanview Dr., Hayward
Effective: 12/14/92
Violation: 490, 10177(a)

Jovel, Olga Mercedes (RES)
2825 Seville Cir., Antioch
Effective: 12/28/92
Violation: 490, 10177(b)

Kitajima, Mary Molly (REB, REO)
4447 Stoneridge Dr., Ste. 1,
Pleasanton
Effective: 4/17/92
Violation: 2725(b), 2731, 2830,
2831, 2832.1, 2834, 10137,
10145, 10145(g), 10163, 10165,
10176(e)(i), 10177(d)(g)(h)

Kovacic, Jack H. (RES)
P. O. Box 627, Los Gatos
Effective: 2/11/93
Violation: 490, 10177(b)

Mauser, William Allen (REB, REO)
298 Broadway, Millbrae
Effective: 12/28/92
Officer of: Accinelli & Mauser
Realtors Inc.
Violation: 10137, 10176(a)(e)(i),
10177(d)(g)(h)

Murphy, Lawrence Frank (RES)
100 Glen Eyrie, #3, San Jose
Effective: 12/28/92
Violation: 490, 10177(b)

Ng, Kay M. K. (RES)
809 Skyline Dr., Daly City
Effective: 12/29/92
Violation: 490, 10177(b)

Nishioka, Fred (RES)
P. O. Box 4493, Foster City
Effective: 12/28/92
Violation: 490, 10177(b)

O'Leary, Paul Anthony (RES)
6394 Menlo Dr., San Jose
Effective: 1/25/93
Violation: 490, 10177(a)(b)

Patalot, Danilo Cruz (RES)
514 16th Ave., San Mateo
Effective: 12/28/92
Violation: 490, 10177(b)

Robert A. Rogers Inc. (REC)
2911 Claremont Ave., Berkeley
Effective: 12/7/92
Violation: 2831, 2831.1,
10177(d)

Stout, Albert Henry (REB)
320 College Ave., Ste. 240,
Santa Rosa
Effective: 1/20/93
Officer of: Annadel Company
Violation: 10145, 10176(i),
10177(d)

Tansill, Robert Leland (RES)
307 Orchard City Dr., Campbell
Effective: 12/28/92
Violation: 10177.5

Travers, Patrick Martin (RES)
P. O. Box 620193, Woodside
Effective: 1/4/93
Violation: 490, 10177(a)(b)

REVOKED WITH A RIGHT TO A RESTRICTED LICENSE

Fresno Region

Layman, Sharon Anita (RES)
1844 S. Mooney Blvd., Ste. N,
Visalia
Effective: 12/29/92
Violation: 10130, 10131,
10145(c), 10176(i), 10177(d)(g)(j)
Right to RRES license on terms
and conditions.

Manning-Goy, Sandra Lee (RES)
P. O. Box 1911-23, Tehachapi
Effective: 1/19/93
Violation: 490, 10177(b)
Right to RRES license on terms
and conditions.

Mills, Dennis Lee (REB)
1844 S. Mooney Blvd., Ste. N,
Visalia
Effective: 12/29/92
Violation: 2725, 2726, 2830,
2831, 2834, 10145(a),
10177(d)(g)(h)
Right to RRES license on terms
and conditions.

Ray, Eleanor Rosalie (REB)
211 S. Real Rd., #102,
Bakersfield
Effective: 2/24/93
Violation: 2725(a)(c), 2731,
2830, 2831, 2831.1, 2831.2.,
2834, 10137, 10145, 10159.5,
10177(d)(h), 10240(a)
Right to RRES license after 30
days on terms and conditions

Los Angeles Region

Chaput, Nicole Rita (RES)
4824 West 123rd St, Hawthorne
Effective: 2/24/93
Violation: 10176(a), 10177(g)
Right to RRES license on terms
and conditions.

Charles, Edna (RES)
19821 Lassen St., Chatsworth
Effective: 1/26/93
Violation: 490, 10177(b)
Right to RRES license on terms
and conditions.

D A Peterson Enterprises Inc. (REC)
314 E. Carillo St., Santa Barbara
Effective: 12/14/92
Violation: 2830, 10145,
10177(d)
Right to RREC license on terms
and conditions.

Fallbrook Mortgage Corp. (RREC)
6700 Fallbrook Ave., Ste. 111,
West Hills
Effective: 2/11/93
Violation: 2832.1, 10145,
10176(e), 10177(d)
Right to RREC license on terms
and conditions.

Fonseca, Jerry Gerardo (RES)
352 1/2 North Avenue 61, L. A.
Effective: 12/23/92
Violation: 490, 10177(b)
Right to RRES license on terms
and conditions.

Hout, Barbara Jean (REB)
785 B Casiano Dr., Santa Barbara
Effective: 12/15/92
Violation: 490, 10177(b)
Right to RREB license on terms
and conditions. RREB license
suspended for 3 months.

Liu, Tracy Hsuan-Chun (RES)
12311 Darlington Ave.,
Los Angeles
Effective: 2/2/93
Violation: 490, 10177(b)
Right to RRES license on terms
and conditions.

Peterson, Dennis Anthony (REO)
314 E. Carillo St., Ste. 3,
Santa Barbara
Effective: 12/14/92
Officer of: D A Peterson
Enterprises Inc.
Violation: 2830, 10145,
10177(d)
Right to RREB license on terms
and conditions.

Ramstrum, Karen Drew Lacks (REB)
2173 Ortega Hill Rd., #103,
Summerland
Effective: 12/29/92
Violation: 10176(e), 10177(d)
Right to RREB license on terms
and conditions.

Riedy, Gerald Allen (REB, REO)
3850 E. Anaheim St., Long Beach
Effective: 12/15/92
Violation: 2830, 3831, 10177(g)
Right to RREB license on terms
and conditions.

Santa Ana Region

American Mortgage Consultants Inc. (REC)
24701 La Plaza, Ste. 202,
Dana Point
Effective: 1/25/93
Violation: 2731, 2830, 2831,
2831.1, 2831.2, 2834, 10137,
10145, 10159.5, 10177(d),
10240(a)
Right to RREC license on terms
and conditions. RREC license
suspended for 30 days; all but 10
days stayed for 1 year on terms
and conditions.

Bobeda, Roberto Adrian (RES)
5008 Phillips Blvd., Ontario
Effective: 12/10/92
Violation: 490, 10177(b)
Right to RRES license on terms
and conditions.

Carpenter, C. Jeanne (RES)
28762 Carmel Rd., Sun City
Effective: 2/4/93
Violation: 10177(b)
Right to RRES license on terms
and conditions.

Crager, Leon W. (REB)
712 Howard St., #10, Corona
Effective: 2/25/93
Violation: 10177(g)
Right to RREB license on terms
and conditions.

Halle, Raymond Laurence (REB)
989 Victoria, J-8, Costa Mesa
Effective: 2/24/93
Violation: 10177(d)
Right to RREB license on terms
and conditions.

Marcisz, Dennis Martin (REB, REO)
1677 Riviera Dr., Upland
Effective: 2/16/93
Violation: 2725, 10137
Right to RREB license on terms
and conditions.

Nationwide 2000 of Santa Clara County Inc. (REC)
30 Point Loma Dr.,
Corona Del Mar
Effective: 2/16/93
Violation: 2831, 2970, 10177(d)
Right to RREC license on terms
and conditions. RREC license to
be suspended for 10 days.

Newton, Donald Ray (RES)
310 S. Jefferson, Placentia
Effective: 1/26/93
Violation: 10145(c), 10177(d)
Right to RRES license on terms
and conditions.

Schirmer, Alyce Johnson (REB)
21290 Bear Valley Rd., Ste. 103,
Apple Valley
Effective: 1/26/93
Violation: 10177(d)
Right to RREB license on terms
and conditions.





Seppinni, Darrin J. (RES)
33601 Moon Ring Ct., Dana Point
Effective: 1/25/93
Violation: 10130, 10177(d)
Right to RRES license on terms and conditions. RRES license suspended for 30 days; all but 5 days stayed for 1 year on terms and conditions.

Stuart-Wright Mortgage Inc. (REC)
5 Centerpointe Dr., Ste. 100, La Habra
Effective: 2/25/93
Violation: 10177(g)
Right to RREC license on terms and conditions.

Vu, Nancy (RES)
10522 Davit Ave., Garden Grove
Effective: 12/15/92
Violation: 10177(a)
Right to RRES license on terms and conditions.

Winner, Nacira (RES)
4195 Kingsley St., #24, Montclair
Effective: 2/10/93
Violation: 10177(g)
Right to RRES license on terms and conditions.

Sacramento

Bell, Kenneth Thomas (RES)
4361 Winding Woods Way, Fair Oaks
Effective: 2/4/93
Violation: 490, 10177(b)
Right to RRES license on terms and conditions. RRES license to be suspended for 120 days.

Boone, S. Theodore (REB)
93 Moraga Way, Orinda
Effective: 1/20/93
Violation: 10161.8, 10177(d)(g)(h)
Right to RREB license on terms and conditions.

Bruhn, Mary Alice (RES)
395 Raymond Ln., Folsom
Effective: 12/8/92
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Circe, Robert James (REB, REO)
714 10th St., Ste. C, Marysville
Effective: 2/23/93
Officer of: Property Management & Sales Inc.
Violation: 2830, 2831, 2831.2, 2832.1, 2834, 10145, 10177(d)
Right to RREB license on terms and conditions. RREB license suspended for 30 days; all but 10 days stayed.

Collins, James Edward (RES)
8317 Bardmoor Ct., Orangevale
Effective: 1/5/93
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Cottrell, Kevin Ronald (RES)
1619 Ashford Dr., Roseville
Effective: 12/18/92
Violation: 10177(j)
Right to RRES license on terms and conditions. RRES to be suspended for 90 days; all but 30 days stayed for 1 year.

Dickson, David Fraser (REB)
190 S. Orchard Ave., Vacaville
Effective: 12/14/92
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Petterson, Merrill Allen (RES)
1722 Summerfield Ct., Redding
Effective: 1/27/93
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Property Mgt. & Sales Inc. (REC)
714 10th St., Ste. C, Marysville
Effective: 2/23/93
Violation: 2830, 2831, 2831.2, 2832.1, 2834, 10145, 10177(d)
Right to RREC license on terms and conditions. RREC license suspended for 30 days; all but 10 days stayed.

Starring, Carmen Tan (RES)
612 Wellfleet Dr., Vallejo
Effective: 12/7/92
Violation: 10177(g)
Right to RRES license on terms and conditions.

Velez, Juan Carlos (RES)
3200 Lone Tree Way, #101, Antioch
Effective: 1/19/93
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

San Diego Region

Matousek, Katherine Lee (RES)
844 Madison Ave., San Diego
Effective: 12/1/92
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Pallencaoe, Godeliva Th. (RES)
6068 Ridgemoor Dr., San Diego
Effective: 12/23/92
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Rios Real Estate Services (REC)
1125 Camino Del Mar, Del Mar
Effective: 12/7/92
Violation: 10177(g)
Right to RREC license on terms and conditions.

Rios, Antero (REB)
1125 Camino Del Mar, Del Mar
Effective: 12/7/92
Violation: 10177(g)
Right to RREB license on terms and conditions. RREB to be suspended for 30 days.

San Francisco Region

Armando, Gilbert Theodore (REB, REO)
1601 El Camino Real, Ste. 204, Belmont
Effective: 12/8/92
Officer of: Gilbert T. Armando Investments Inc.
Violation: 2830, 2831, 2831.2, 2834, 10145, 10176(e), 10177(d)(g)(h)
Right to RRES license on terms and conditions.

Bronson, Frederick Starr Jr., (RES)
P. O. Box 24510, San Francisco
Effective: 1/12/93
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Canterberry, Thomas Scott (RES)
1635 Via Sarita, San Lorenzo
Effective: 12/14/92
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Colacicco, George Mathews (RES)
2980 Van San Sul, #5, San Jose
Effective: 12/24/92
Violation: 10130, 10177(d)
Right to RRES license on terms and conditions.

Holloway, Edward L. (RES)
P. O. Box 123, Walnut Creek
Effective: 2/2/93
Violation: 2831, 2831.1, 10130, 10145, 10176(e), 10177(d)(g)
Right to RRES license on terms and conditions. RRES to be suspended for 60 days.

Johannes, Jennifer Jenna Lee (RES)
P. O. Box 1426, Soquel
Effective: 1/19/93
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Ju, George Hon (REB)
283 12th Ave., San Francisco
Effective: 1/6/93
Violation: 2731, 2831, 2832, 10145, 10148, 10159.5, 10176(e)(i), 10177(d)(j)
Right to RREB license on terms and conditions.

King, Daniel Robert (RES)
1503 Oburn Ct., Campbell
Effective: 1/20/93
Violation: 2770, 10130, 10137, 10176(c)(i), 10177(d)(j)
Right to RRES license on terms and conditions.

Ledger, Tina Denise (RES)
2330 Weston Dr., San Jose
Effective: 12/4/92
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Levin, Eric Bernard (RES)
308 Oxford St., San Francisco
Effective: 2/11/93
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Limberg, Anne (RES)
P. O. Box 471150, San Francisco
Effective: 1/11/93
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Lowson, Linda Maureen (REB)
98 Main St., #337, Tiburon
Effective: 12/21/92
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Lu, Alice Ai-Lie (RES)
630 Plaza Invierno Ct., San Jose
Effective: 12/4/92
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Machado, Ronald Anthony (REB)
39510 Pasco Padre Pkwy., Ste. 290, Fremont
Effective: 12/2/92
Violation: 2831.1, 2831.2, 2832.1, 2834, 10177(d)
Right to RREB license on terms and conditions.

Marino, Gilbert John (REB)
330 Primrose Rd., Ste. 310, Burlingame
Effective: 2/15/93
Violation: 10177(j)
Right to RREB license on terms and conditions.

Mickerson, Heather Lea (RES)
914 Mission St., Santa Cruz
Effective: 2/17/93
Violation: 490, 10177(b)
Right to RRES license on terms and conditions.

Mosher, Neil C. (REB)
22 Second St., Ste. 300, San Francisco
Effective: 2/2/93
Violation: 10137, 10177(g)
Right to RREB license on terms and conditions.

Reynolds, Patricia Lynn (REB)
4200 Scotts Valley Dr., Scotts Valley
Effective: 2/4/93
Violation: 490, 10177(b)
Right to RREB license on terms and conditions.

Rice, Robert Scott (REB)
20259 Northwest Square, Cupertino
Effective: 12/18/92
Violation: 2970, 10085, 10137, 10176(a)(i), 10177(d)
Right to RREB license on terms and conditions. RREB suspended for 45 days.

Rogers, Robert Allan (REB)
2860 Telegraph Ave., Berkeley
Effective: 12/7/92
Violation: 2830, 2831, 2831.1, 10145, 10176(e)(i), 10177(d)
Right to RRES license on terms and conditions.

Tenore, Michael B. (REB)
 6155 Almaden Expressway,
 Ste. 100, San Jose
Effective: 2/16/93
Officer of: Nationwide 2000 of
 Santa Clara County
 Inc.
Violation: 2831, 2970, 10177(d)
 Right to RREB license on terms
 and conditions. RREB to be
 suspended for 10 days.

Wagenknecht, Ray Eugene (RES)
 4194 Yerba Buena Ave., San Jose
Effective: 12/24/92
Violation: 2830, 2831.1, 2831.2,
 10085, 10137, 10145(a), 10146,
 10176(e), 10177(d), 10232(f),
 10232.25, 10240
 Right to RRES license on terms
 and conditions.

SUSPENDED

Los Angeles Region

Chow, Eric Chi-Yau (RES)
 6743 Crest Rd.,
 Rancho Palos Verdes
Effective: 2/23/93
Violation: 10153.4
 Suspended indefinitely or until
 license expiration date of 11/7/93.

Monoukian, Sam (RES)
 301 E. Glenoaks Blvd., #1,
 Glendale
Effective: 1/19/93
Violation: 10177(d), 11018.2
 Suspended for 15 days.

Realty People Inc. (REC)
 733 N. Wilton Pl., #1, Hollywood
Effective: 12/1/92
Violation: 10177(d)
 Suspended for 30 days.

SUSPENDED WITH STAYS

Fresno Region

Edinger, Harlan (RES)
 P. O. Box 324, Atascadero
Effective: 2/16/93
Violation: 10176(a), 10177(g)
 Suspended 180 days; all but 45
 days stayed on terms and
 conditions.

Stevens, David Harry (REB)
 895 Napa St., Ste. A2, Morro Bay
Effective: 12/15/92
Violation: 10177(g)
 Suspended for 60 days; stayed for
 1 year on condition.

Los Angeles Region

Abram, Michael Fabian (REB)
 111 N. Sepulveda Blvd., Ste. 150,
 Manhattan Beach
Effective: 1/26/93
Violation: 10130, 10177(d)
 Suspended for 90 days; all but 30
 days stayed for 1 year on
 condition.

Arman Realty (REC)
 2483 Palos Verdes Dr. North,
 Rolling Hills Estates
Effective: 2/8/93
Violation: 10177(d)
 Suspended for 30 days; stayed for
 1 year on conditions.

Arman, Lawrence Joe (REB, REO)
 2483 Palos Verdes Dr., North,
 Rolling Hills Estates
Effective: 2/8/93
Officer of: Arman Realty
Violation: 10177(h)
 Suspended for 30 days; stayed for
 1 year on conditions.

Crow, Logan Robert (REB, REO)
 15901 Hawthorne Blvd., Ste. 100,
 Lawndale
Effective: 1/11/93
Violation: 10177(d)
 Suspended for 60 days; all but 30
 days stayed for 1 year on
 conditions.

Di Pressi, Steve (REB)
 8723 Pershing Dr., Playa Del Rey
Effective: 1/25/93
Violation: 10137, 10177(d)
 Suspended for 25 days; all but 5
 days stayed for 1 year on terms
 and conditions.

Jariv, James I. (REB)
 17945 Medley Dr., Encino
Effective: 2/4/93
Violation: 10176(g), 10177(d)
 Suspended for 60 days; all but 30
 days stayed for 1 year on
 condition.

Kottle, Philip Michael (REB)
 3350 Wilshire Blvd., Ste. 675,
 Los Angeles
Effective: 5/19/92
Violation: 10176(i), 10177(g)
 Suspended for 45 days. All but
 15 days stayed for 1 year on terms
 and conditions.

Pepito, Lydia Eugenia (RES)
 6700 Fallbrook Ave., Ste. 111,
 West Hills
Effective: 2/11/93
Violation: 10177(h)
 Suspended for 30 days; stayed on
 condition.

Rogier, Alain (REB)
 209 West Avenue J, Lancaster
Effective: 1/26/93
Officer of: Hillside Residential
 Incorporated
Violation: 10177(h)
 Suspended for 30 days; all but 5
 days stayed for 1 year on
 condition.

Santa Ana Region

All Lenders Mortgage Services Inc. (REC)
 27420 Jefferson Ave., Ste. 201,
 Temecula
Effective: 1/20/93
Violation: 10177(d)
 Suspended for 60 days; stayed on
 condition.

Belland, Lawrence Harold (REB)
 225 S. Harbor Blvd., Anaheim
Effective: 2/16/93
Violation: 2831.1, 2831.2,
 10086, 10159.2, 10177(d)(h)
 Suspended for 60 days; all but 30
 days stayed for 1 year on terms
 and conditions.

Hamilton, Marianne Veree (REB)
 450 E. Chapman Ave., #212,
 Orange
Effective: 12/24/92
Violation: 10176(a)
 Suspended for 30 days; all but 15
 days stayed for 1 year on
 condition.

Robinson, Mary Lou (RES)
 18916 Hinton, Hesperia
Effective: 2/15/93
Violation: 10177(g)
 Suspended for 30 days; stayed for
 1 year on condition.

Segovia, Dorothy Lee (REB)
 4000 Barranca, #250, Irvine
Effective: 1/20/93
Violation: 10177(d)
 Suspended for 60 days; stayed for
 1 year on conditions.

Sood, Brij (REB, REO)
 242 S. Orange Ave., Brea
Effective: 2/25/93
Violation: 10177(g)
 Suspended for 30 days; stayed on
 condition.

Telloian, Malcolm Jr. (REB)
 27420 Jefferson, Ste. 201, Temecula
Effective: 1/20/93
Violation: 10177(d)
 Suspended for 60 days; all but 30
 days stayed for 1 year on terms
 and conditions.

Sacramento Region

McLaughlin, Ronald Thomas (REB)
 383 Diablo Rd., Ste. 100, Danville
Effective: 1/20/93
Officer of: Western Security
 Holding Co. Inc.
Violation: 10145, 10177(d)
 Suspended for 30 days; stayed for
 1 year on terms and conditions.

Western Security Holding Co. Inc. (REC)
 315 Diablo Rd., Ste. 211, Danville
Effective: 1/20/93
Violation: 10145, 10177(d)
 Suspended for 30 days; stayed for
 1 year on terms and conditions.

San Diego Region

Dy, Ruby Rivero (RES)
 15821 Lofty Trail Dr., San Diego
Effective: 2/4/93
Violation: 10145(c)
 Suspended for 10 days; stayed for
 1 year on conditions.

Walsh, Tim Halton (RES)
 1368 Gertrude St., San Diego
Effective: 12/10/92
Violation: 10130, 10177(d)
 Suspended for 30 days; all but 10
 days stayed for 1 year on terms
 and conditions.

San Francisco Region

Armor, Shirley Granger (REB)
 18 Tamalpais Ave.,
 Belvedere-Tiburon
Effective: 9/9/92
Violation: 10131(a), 10137
 Suspended for 180 days. Stayed
 for 1 year on terms and condi-
 tions.

Bartels Realtors Inc. (REC)
 12996 San Pablo Ave., Richmond
Effective: 12/14/92
Violation: 2831, 2834, 10177(d)
 Suspended for 30 days; stayed for
 1 year on terms and conditions.

Bartels, Donald Lee (REC)
 12996 San Pablo Ave., Richmond
Effective: 12/14/92
Officer of: Bartels Realtors Inc.
Violation: 2831, 2834, 10177(d)
 Suspended for 30 days; stayed for
 1 year on terms and conditions.

Byrd, William Peter (RES)
 40 Skyview Terrace, San Rafael
Effective: 2/22/93
Violation: 10130, 10131,
 10177(d)
 Suspended for 30 days; stayed for
 1 year on conditions.

Cox, Jack Leroy (REB, REO)
 169 Mason St., Ste. 100, Ukiah
Effective: 2/1/93
Officer of: Nor Cal Investment
 Company Inc.
Violation: 10177(g)
 Suspended for 45 days; all but 20
 days stayed for 1 year on
 condition.

Gormley, James R. (REB)
 3320 Grand Ave., Oakland
Effective: 12/28/92
Violation: 10177(g)
 Suspended for 30 days; stayed for
 1 year on terms and conditions.

Maranan, Martin Ramilo (RES)
 39821 Cedar Blvd., #310, Newark
Effective: 1/25/93
Violation: 10177(g)
 Suspended for 10 days; all but 5
 days stayed for 1 year on terms
 and conditions.

Nor Cal Investment Company Inc. (REC)
 169 Mason St., Ste. 100, Ukiah
Effective: 2/1/93
Violation: 10177(g)
 Suspended for 45 days; all but 20
 days stayed for 1 year on
 condition.

Rigney, Daniel David (RREB)
 1598 Bush St., San Francisco
Effective: 2/9/93
Violation: 10177(d)(f)(k)
 Suspended for 20 days; all but 10
 days stayed for 1 year on terms
 and conditions.





Rosson, Martin M. (RES)
361 Hanover Ave., Oakland
Effective: 12/28/92
Violation: 10177(j)
Suspended for 90 days; all but 30 days stayed for 1 year on terms and conditions.

Rutherford, Thomas Stanley (RES)
6218 Wehner Way, San Jose
Effective: 1/20/93
Violation: 10130, 10137, 10176(a)(i)
Suspended for 30 days; stayed for 1 year on terms and conditions.

INDEFINITE SUSPENSIONS (under Recovery Acct. provisions)

Los Angeles Region

Continental Credit Corp. (REC)
3318 Armada Dr., Ventura
Effective: 12/22/92

General Funding Corp. (REC)
799 E. Thousand Oaks Blvd.,
Thousand Oaks
Effective: 2/4/93

Ruiz, Miguel Camacho (RES)
3755 San Remo Dr., Apt. 176,
Santa Barbara
Effective: 2/10/93 & 2/18/93

Sherrard, Joyce Luella (REB)
17915 Ventura Blvd., #220,
Encino
Effective: 1/4/93

Sacramento Region

Centurion Deeds, Inc. (REC)
601 University Ave., #237,
Sacramento
Effective: 1/4/93

Dillman, Robert John (REB)
7641 Bridgeview Dr., Sacramento
Effective: 1/4/93

Hult, Norma Louise (REB)
P.O. Box 491558, Redding
Effective: 2/26/93

Ortland, Patricia Pat M. (RES)
22 Broadview Tr., Orinda
Effective: 1/4/93

Peters, Richard Douglas (REB)
6732 Steiner Dr., Sacramento
Effective: 1/4/93

San Francisco Region

Bradley, Dorothy P. (REB)
P. O. Box 465, San Carlos
Effective: 12/22/92

Dettenrieder, Rudolph Karl (REB)
38850 Farewell Dr., #9B, Fremont
Effective: 12/22/92

Jeopardy

13. The escrow holder must remain strictly impartial.
14. Escrow records and files must be maintained daily.
15. Before closing, an escrow holder should carefully audit the file.
16. The escrow holder must not disburse any funds from an escrow account until all checks, drafts, etc. have cleared.
17. The escrow holder must facilitate a prompt settlement, using forms which are simple and clear.

Escrow Procedures - May Vary According to Local Custom

The basic escrow procedures include the following:

1. Prepare escrow instructions. All principals to the escrow sign identical instructions which fully set forth the understanding of the parties to the transaction. The instructions normally authorize the escrow holder to do acts such as those listed below.
2. Order a title search. The escrow agent examines this report carefully; it may show items which are not contemplated in the escrow instructions and must be cleared by the seller or brought to the attention of the buyer.
3. Request demands and/or beneficiary statements.
4. Accept structural pest control report and other reports. Obtain any necessary approvals from the parties.
5. Accept loan instructions and documents. Determine that buyer has satisfied all lender's instructions prior to using the lender's funds to complete the transaction.
6. Accept fire insurance policies and complete settlement. Escrow makes all pro-rations and adjustments as instructed by

Dowd, Edward Lee (REB)
P. O. Box 2141, Salinas
Effective: 12/9/92

Phillips, Michael Steven (REB)
3000 Guido St., Oakland
Effective: 2/18/93

Santa Ana Region

Gibson, Jack Gordon (RES)
28415 Encanto, Apt. 2, Sun City
Effective: 12/22/92

Pawlowski, Charles Otto (REB)
P.O. Box 2214, Westminster
Effective: 2/26/93

continued from page 2

7. Request closing funds. Funds are deposited into the escrow by the party owing them.
8. Audit file to determine if escrow is in a position to close.
9. Order recording. Authorize the title company to run the seller's title to date and instruct the title officer to record documents.
10. Close escrow. Prepare settlement statement for both buyer and seller, disburse all funds and deliver closing documents to the party or parties entitled thereto.

Termination

Escrows are either completed by full performance and closing or terminated by mutual consent and cancellation. In the event of termination, absent clear instructions governing the return of documents or money held in escrow, escrow should obtain joint and mutual consent of all parties with respect to their disposition. Also, cancellation of the escrow may not cancel the purchase contract. If a purchase agreement is not cancelled along with the escrow, either party to the agreement may retain the right to specific enforcement of the contract or for the recovery of damages.

A closing thought and caution: the selection of an escrow agent in a real estate transaction is one of the terms of the contract to be resolved by a meeting of the minds of the principals to the transaction. Buyers and sellers have the right to compare escrow services and charges, and to negotiate between themselves as to where the escrow will be held. Section 10177.4 of the Business and Professions Code states that the Real Estate Commissioner may suspend or revoke the license of a real estate licensee who claims, demands, or receives a commission, fee or other consideration, as compensation or inducement, for referral of customers to any escrow agent or controlled escrow company. This prohibition includes salespersons and/or broker associates who may claim, demand or receive a fee for referring an escrow in-house to his or her employing broker.

Following these guidelines may help a real estate broker acquire a reputation as one who offers professional escrow services.



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	6	Disclosures in Real Property Transactions (1993; <i>booklet</i>)	\$2.00		
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	31	An Assessment of Foreign Investment in California Real Estate (1991; <i>report</i>)	\$9.00		
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	33	Agency Disclosures in Residential Real Estate Transactions (1988; <i>video</i>)	\$25.00		
	35	Trust Deed Investments — What You Should Know (<i>brochure</i>) and	\$2.00		
	35A	Using the Services of a Mortgage Broker (<i>brochure</i>) (35 & 35A are a set)	<i>per set</i>		
	36	Private Mortgage Insurance: Its Effects on Real Estate Transactions and Its Benefits to Real Estate Licensees (1988; <i>report</i>)	\$9.00		
	37	Reserve Study Guidelines for Homeowner Association Budgets (1990; <i>report</i>)	\$9.00		
	38	Analysis of California's Escrow Industry as it Affects Real Estate Licensees (1988; <i>report</i>)	\$9.00		
	39	Common Interest Development Brochure (<i>brochure</i>)	<i>free</i>		
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SHIPPING INFORMATION

SHIPPING NAME			SUBTOTAL	
SHIPPING ADDRESS				
CITY	STATE	ZIP CODE		
			+ SALES TAX	
			TOTAL ENCLOSED	\$

Real Estate Bulletin Index (Summer 92 — Spring 93)

Year	Issue	Article Title
1992	Fall	Audit Program
1992	Summer	Broker's Disclosure of Mortgage Loan Compensation
1993	Spring	Broker Escrows - Compensation for Self-Referrals Prohibited
1992	Summer	Bulletin Readers Surveyed
1992	Summer	Compensation Prohibited for Referral to Escrow, Title, Pest Control or Home Protection Companies
1993	Spring	Cumulative Supplement to Law Book
1992	Summer	Delegated Supervisory Duties, Written Agreement Required
1993	Spring	"Double Issue" Real Estate Bulletin
1992	Summer	DRE Requests Cooperation in Monitoring of Continuing Education Offerings
1992	Summer	DRE Seminar
1992	Fall	DRE Seminars Offered
1992	Fall	Education and Research Section
1992	Fall	Enforcement Section
1992	Fall	Financial Statement
1992	Summer	Illegal Escrow Businesses
1992	Fall	Information Systems Section
1992	Fall	Legal Section
1993	Spring	License Renewal Revisited
1992	Fall	Licensing Section
1992	Fall	Mortgage Lending Activities
1992	Summer	Narello Digest
1993	Spring	New Conditional Public Report Brings Housing to Market Earlier
1992	Summer	New Research Reports Released
1992	Winter	<i>NO ISSUE PRODUCED</i>
1992	Fall	Recovery Account
1992	Fall	Subdivision Program
1992	Summer	The Importance of License Renewal

What's Examined During a DRE Visit?

by Pablo Wong, Industry/Consumer Liaison

A broker who keeps proper books and records has no reason to fear a DRE inspection/audit. Careful attention to the requirements of the Real Estate Law and the Commissioner's Regulations will prevent any "surprises" and result in a grade of "passes with flying colors".

Below is a list of some of the items that DRE may examine during a routine visit to a broker's office. For your reference, we have included the pertinent section numbers from the Business and Professions Code (B & P Code) and the Commissioner's Regulations (Reg).

1. License certificates and broker/salesperson agreements. (B & P Code 10130, 10131, & 10132; Reg 2726)
2. Branch office license, if applicable. (B & P Code 10163)
3. Use of fictitious business name, if applicable. (B & P Code 10159.5; Reg 2731)
4. Transaction documents prepared by salespersons; must be reviewed, dated, and initialed within five working days. (Reg 2725)
5. If applicable, written agreement(s) delegating responsibility to review documents prepared by salespersons. (Reg 2725)
6. Exclusive listings; must have definite termination date. [B & P Code 10176(f)]
7. Retention of records for at least three years. (B & P Code 10148)
8. If applicable, trust account in broker's name as trustee. (B & P Code 10145; Reg 2830)
9. Written authorization for person(s) other than the broker/trustee to make withdrawals from the trust account. (Reg 2834)
10. Records and reconciliation of trust account. (Reg 2831, 2831.1, & 2831.2)
11. Proper procedures if trust account is interest-bearing. (B & P Code 10145)
12. If applicable, approved advance fee agreement. (Reg 2970)

If you have any questions concerning these items, please contact a DRE office and ask to speak with a Deputy Commissioner.



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Sacramento, California 95818-7000

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