



# REAL ESTATE BULLETIN

Arnold Schwarzenegger, Governor  
Sunne Wright McPeak, Secretary, Business, Transportation, & Housing Agency  
Jeff Davi, Real Estate Commissioner

<http://www.dre.ca.gov>

Department of Real Estate

Spring 2005

## Commissioner's Regulations How do we get them?

Every year the Legislature passes hundreds of bills which are codified and thereby become new statutes that impact the lives of all Californians, including real estate brokers and salespersons. Most of those new statutes, as well as those already on the books, require some interpretation or need to be made more specific or may need to be implemented in some way which has not been included in the statute. The Legislature recognized the need for these functions to be performed, and therefore, gave those powers to the various department heads of the state, in our case, the Commissioner of the Department of Real Estate. Sections

10080 and 11001 of the Business and Professions Code (B&P) give the Commissioner the responsibility to "... adopt, amend, or repeal such rules and regulations as are reasonably necessary for the enforcement of the provisions ..." of the statutes governing the licensing of real estate brokers and salespersons and the regulation of subdivided lands.

The provisions of the Administrative Procedure Act (APA), which is contained in the Government Code, govern the procedure by which the Department and most other state de-

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## Monitoring salesperson license requirements

The real estate licensing requirement is the cornerstone to organized real estate and the DRE's enforcement efforts. The failure on the part of real estate brokers to ensure that those individuals who they hire have real estate licenses and are properly licensed to the broker before allowing them to perform activities that require a real estate license are often the basis for disciplinary action for both the broker and the salesperson. The following are a few areas where brokers commonly slip and find trouble with respect to monitoring salesperson licensing requirements.

### **Hiring individuals after completion of the examination**

Oftentimes individuals seeking employment with real estate brokers are hired after they present evidence to the broker that they have passed the licensing examination and have submitted their application for a license to the DRE. Brokers should keep in mind that individuals are not entitled to perform licensed activity until such time as a license is actually issued to the individual and is reflected on the DRE's Web site. The mere fact that an individual has submitted an application to the DRE is not a guarantee that a license will be issued. The licensing of an individual could be delayed because of an incomplete application causing the DRE Licensing Section to write for additional information. License applications

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## To improve efficiency, the Real Estate Bulletin will be published online only

This *Real Estate Bulletin* is the last issue that will be printed and mailed to all licensees. Future issues will be published on the DRE Web site at [www.dre.ca.gov/reblltn.htm](http://www.dre.ca.gov/reblltn.htm) on a quarterly basis as follows:

- Spring issue ..... mid-March
- Summer issue ..... mid-June
- Fall issue ..... mid-September
- Winter issue ..... mid-December

The DRE is publishing the *Real Estate Bulletin* online in furtherance of California state government's advancement into a 21<sup>st</sup> century organization and to promote the continuing effort to streamline and maximize government efficiency.

Many licensees have already used the eLicensing online system to opt to receive the *Real Estate Bulletin* electronically rather than by mail. Since the feedback of an online bulletin has been favorable, we believe this change in delivery of the *Real Estate Bulletin* will be embraced by our technologically savvy industry. However, if you would prefer to continue to receive the *Real Estate Bulletin* by mail, you may submit a letter requesting such to: Publications, Department of Real Estate, P.O. Box 187000, Sacramento, CA 95814-7000. Be sure to include your name, address, telephone number and real estate license number.

**REAL ESTATE BULLETIN**

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**STATE OF CALIFORNIA**

Arnold Schwarzenegger, *Governor*

BUSINESS, TRANSPORTATION AND HOUSING AGENCY

Sunne Wright McPeak, *Secretary*

DEPARTMENT OF REAL ESTATE

Jeff Davi, *Commissioner*

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**Commissioner's Regulations**

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partments adopt, amend, or repeal the regulations to interpret, implement or make specific the statutes which apply to real estate licensees and the Department's qualification of subdivided lands. The Office of Administrative Law (OAL) is responsible for enforcing compliance with the APA and has adopted its own regulations to accomplish that purpose.

To illustrate the process, let's look at a statute that almost all brokers should be familiar with and most salespeople should be aware of also, Section 10145 of the B&P Code, relating to trust fund handling.

Section 10145 provides that a broker who accepts funds from others in connection with a real estate transaction must deposit all the funds in escrow, in the hands of the principal, or into a trust account. Although, the statute seems fairly specific, the Department has received complaints that brokers who were receiving funds on behalf of their clients, which were not to be put into an escrow nor to be given directly to the client, were taking weeks or months to put the funds in a trust fund account. The Department was concerned because the purpose of Section 10145, among other things, is to protect client funds by placing them in a trust fund account. That was not being accomplished if brokers were holding onto such funds for extended periods of time. The Department determined that a regulation was needed to implement and make specific the statute because the technical requirements of the law, that the funds be put in a trust fund account, were met, but the purpose of the law, to adequately protect client funds, was being defeated. The Department determined that three business days after receipt was an appropriate time frame for trust funds to be placed into a trust fund account to protect the interests of clients and was not an unreasonable requirement for brokers to meet. Therefore, a related regulation was pursued.

The process of pursuing a new regulation requires that the Department file with OAL a Notice of Proposed Regulatory Action which is published in the Notice Register and contains the address of the agency proposing the regulation, the date, time and place of any hearing scheduled to allow the public to comment on the proposal (the hearing must be at least 45 days from the date the Notice is published). It must also include the address to which written comments can be made and the person to whom they should be made. The Notice also contains information on the impact of the proposed regulation on business, the general public and state, local, and federal government. Under most circumstances the public has 45 days from the date of publication of the Notice to comment on the proposed regulation. Also contained in the information given to OAL is a statement of the reasons why the regulation has been proposed, as well as, the necessity for proposing the regulation. The Department also gives OAL the text of the proposed regulation. The Notice and the text of the proposed regulation may also be found on the Department's Web site at [www.dre.ca.gov](http://www.dre.ca.gov).

At the hearing, if there is one, the Department hears testimony of anyone who wishes to comment on the proposed regulation. If there are comments, the Department obtains them via a transcript of the proceedings, along with any comments that were received during the 45 day comment period, and reviews those comments. If the Department deter-

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## Monitoring license requirements

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can also be denied outright or restricted because of past criminal activity or other conduct that warrants further review. In these cases, the final answer regarding the issuance of a license may only come after the DRE has conducted a thorough background investigation and has completed an administrative legal action.

As an example, in fiscal year 2003–2004, the DRE denied 417 license applications outright and also issued 458 restricted licenses to real estate license applicants after thorough background investigations were performed. The lesson in this is that brokers should never assume that a license will be issued to an individual at the time they submit an application and allow that person to work in a licensed capacity while waiting for the license to issue.

### **Failure to monitor the conditional license requirement**

The majority of new real estate salesperson licenses issued to individu-

als are conditional licenses requiring additional statutory real estate courses to be completed within the first 18 months of licensure. When these courses are not completed, the license is suspended until such time as the courses are completed and the transcripts are processed by the DRE. When a broker hires a conditional salesperson, he or she takes on the responsibility of monitoring the salesperson's completion of the courses and ensuring that the conditional license status is removed. In the event that a conditional license is suspended, the broker must require the salesperson to discontinue all activities that require a real estate license until such time as the individual is back on a licensed status.

The DRE attempts to assist brokers with their responsibilities in this area by sending notification letters six months prior to the conditional license requirement coming due and by notifying the broker in the event that a license is suspended. However, the final re-

sponsibility for ensuring that salespersons do not work on suspended licenses rests upon the employing broker. Real estate brokers should set up tickler systems to ensure that salespersons who have conditional licenses meet those requirements and maintain current licenses with the DRE.

### **Child support obligor suspensions**

Another possibility for a salesperson's license to be unexpectedly suspended is for failure to meet child support obligations. The DRE is notified through the California Department of Child Support Services when real estate licensees are delinquent in child support obligations. Once placed on a child support obligor list, the licensee is provided a period of 150 days to bring the obligation current. If this does not occur, the license is suspended. The employing broker of record is notified when such a suspension occurs, but it is still a good idea to monitor the DRE's Web site to ensure that all salespersons maintain licenses in good standing with the DRE.

### **Renewal requirements**

Another area where real estate brokers frequently slip is in failing to ensure that salespersons working for them properly renew their licenses. Again, brokers should maintain a tickler file to ensure that salespersons under their employ renew their licenses when they are due. The best way to ensure that this is accomplished is to have the salespersons use the eLicensing online system to renew their licenses through the DRE's Web site. When licenses are renewed online, the salesperson's license record is updated immediately (after the broker certifies the salesperson's employment) and the broker can rest assured that this important task has been completed.

### **Paying salespersons not under broker's employ**

It is important for brokers to remember that salespersons may only

## Regulations

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mines as a result of any of the comments that they wish to make a change in the proposed regulation, a copy of the newly proposed changes must be sent to each person who attended the hearing or who made a written comment during the 45 day comment period. Those people then have 15 days to comment on the new changes. The 15 day notice and comment periods continue until the Department is finished making changes.

The Department may now officially adopt the regulation. The Department submits to OAL a Rulemaking File which includes a copy of the original Notice of Proposed Regulatory Action and all the documents associated with that which were discussed earlier, the final changed proposed regulation, along with all of the 45 day notice comments received through the mail, the transcript of the hearing, if any, and all of the comments from the 15 day

notice and comment periods. The Department must also include a discussion of the reasons they agree or disagree with each comment received and how the proposed regulation was changed or not, as a result. OAL has thirty working days to review these documents to see if the proposed regulation is necessary and that the Rulemaking File is consistent with the requirements in the APA. If the APA requirements are not met in some way the Department will be told and the regulation will not be adopted if the Department cannot bring the Rulemaking File into compliance within one year from the date that the original Notice of Proposed Regulatory Action was published. If all requirements are met the proposed regulation, generally, will become effective 30 days after it is approved by OAL.

In this case it did and Regulation 2832(a) was born. 🏠

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# Subdivision public report

## Jurisdiction

The Department of Real Estate has a legal mandate under the Subdivided Lands Law to regulate subdivision offerings consisting of five or more lots, units or parcels for sale, lease or financing. This is accomplished through the *subdivision public report*. Before a person can offer subdivision property for sale or long-term lease, the Department must issue a public report for the subdivision. The subdivision public report discloses material facts concerning the property being offered for sale. The Department has jurisdiction over all common interest subdivisions that have five or more subdivision interests, standard subdivisions located in unincorporated areas which have five or more lots, time-share projects located within California and multi-location time-share projects.

There are exemptions to the public report requirement including the following:

- Subdivisions consisting of less than five lots, units or parcels;
- Standard subdivisions located entirely within the city limits which will be sold with completed residential structures;
- Subdivisions expressly zoned for commercial or industrial purposes;
- Subdivided land offered for sale or lease by a state, local or other public agency; and
- Bulk sales—builder to builder transactions of five or more lots, units or parcels.

When the subdivider sells a common interest lot or unit, the homeowners' association (HOA) is created. Initially, the subdivider controls the activities of the HOA. When over fifty percent of the lots or units are sold, the subdivider turns over control of the HOA to the homeowners. After the subdivider conveys the last remaining lot/unit in the subdivision, the Department no longer has jurisdiction to investigate complaints and stop sales, if warranted, via a Desist and Refrain Order.

## Public reports

There are three types of public reports, which the subdivider may obtain. All of these reports can be amended or renewed, as needed. These reports are:

**Preliminary Subdivision Public Reports** — The preliminary (or interim if a final public report has previously been issued) allows for advertising the project with the allowance for a reservation agreement. The reservation agreement is non-binding and can be cancelled by either the buyer or seller at any time. All reservation monies must be held in a neutral escrow and the typical term of the report is one-year. This report is also known as the “Pink” report.

**Conditional Subdivision Public Reports** — The conditional public report allows for sales only. Closings cannot occur until all conditions have been satisfied and a final subdivision public report has been issued. The typical term is 6 or 30 months depending on the project type. This report is also known as the “Yellow” report.

**Final Subdivision Public reports** — These reports allow for sales and closings without conditions. The typical term of the report is five years and it is also known as the “White” report.

## Application process

The subdivider submits an application appropriate for the type of subdivi-

sion being developed. Application forms are available on the DRE Web site [www.dre.ca.gov](http://www.dre.ca.gov) and can also be requested by contacting the Department.

Department staff review the proposed CC&R's, by-laws and purchase agreements to assure that they comply with statutes and regulations concerning reasonable arrangements. In a common interest development, the *reasonable arrangements* regulations ensure that the governing documents of the HOA are correctly prepared so the HOA can properly function once it is created. These reasonable arrangements include, but are not limited to, transfer of common areas, collecting assessments, levying liens, establishing members' meetings, members' voting rights, electing the board of directors, directors' meetings, inspection of HOA records, amending CC&R's, disciplining members, annexation of property, and architectural and design control.

The typical final or conditional public report will contain the following information about the subdivision:

- Financial arrangements to assure completion of improvements and facilities included in the offering;
- Utilities, roads and water;
- Soil and geologic information;
- Title issues;
- Zoning and use; and
- Hazards.

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## Monitoring license requirements

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work for one employing broker at a given time and they may not be compensated from multiple sources. All compensation received by a salesperson for activities requiring a real estate license must be paid to the salesperson by his or her employing broker. While this requirement is simple, it can become confusing when salespersons are employed to perform licensed activity by associate brokers working in the offices of another broker. In these instances, the salesperson may only work under the supervision of the associate broker and must receive all compensation through that broker.

Real estate brokers who allow salespersons who are not properly licensed to continue to perform licensed activity are frequently disciplined along with the salespersons themselves and are held accountable to pay appropriate fines and penalties. In order to avoid these consequences, brokers should establish systems within their offices to ensure that their salespersons maintain current licenses at all times. 🏠

# Disciplinary Action: Sept./Oct./Nov. 2004

- ✓ 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 filed 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]



- ✓ Below are brief summaries of various regulations and code sections. The full text of the sections is available on the DRE Web site [www.dre.ca.gov](http://www.dre.ca.gov) under Real Estate Law and/or Regulations.
- ✓ Disciplinary actions that are “stayed” means there is “a delay in carrying out” all or part of the recommended discipline.

## Commissioner's Regulations

2715	Licensee's failure to maintain current business or mailing address with DRE
2725	Failure of broker to exercise reasonable supervision over the activities of his or her salespersons
2731	Unauthorized use of fictitious business name
2752	Broker's failure to notify DRE of salesperson employment
2753	Broker's failure to retain salesperson's license at main office or return the license at termination of employment
2831	Failure to keep proper trust fund records
2831(a)(6)	Failure to keep proper trust fund records
2831.1	Inadequate separate trust fund beneficiary records
2831.2	Failure to reconcile trust account
2832	Failure to comply with trust fund handling provisions
2832(a)	Failure of broker to place trust funds into hands of owner, into a neutral escrow depository or trust fund account within three business days of receipt
2832.1	Failure to obtain permission to reduce trust fund balance in a multiple beneficiary account
2834	Trust account withdrawals by unauthorized or unbonded person
2835	Retention of broker funds in trust account
2950(h)	Failure by broker handling escrow to deposit trust funds in trust account
2951	Improper record keeping for broker handled escrows

## Business and Professions Code

480(a)	Denial of real estate license on grounds on conviction of crime, dishonest or fraudulent act, or act which would warrant suspension or revocation of license
490	Substantially related criminal conviction
498	License obtained by fraud or misrepresentation
10130	Acting without license
10137	Unlawful employment or payment of compensation
10145	Trust fund handling
10145(a)	Trust fund handling
10145(c)	Failure by salesperson to deliver trust funds to broker
10145(d)	Violation of interest bearing trust account requirements
10148	Failure to retain records and make available for inspection
10159.2	Failure by designated officer to supervise licensed acts of corporation
10159.5	Failure to obtain license with fictitious business name
10160	Failure to maintain salesperson licenses in possession of broker
10161.8	Failure of broker to notify Commissioner of salesperson employment
10163	Failure to obtain a branch office license
10176(a)	Making any substantial misrepresentation
10176(e)	Commingling trust funds with brokers funds
10176(i)	Fraud or dishonest dealing in licensed capacity
10176.5	Willful or repeated transfer disclosure statement violations
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 in performing licensed acts
10177(h)	Failure to supervise salespersons or licensed acts of corporation
10177(j)	Fraud or dishonest dealing as principal
10177(k)	Violation of restricted license condition
10177.5	Civil fraud judgment based on licensed acts
10240	Failure to give mortgage loan disclosure statement

## REVOKED LICENSES

### Fresno Region

#### Kennedy, Joanne Marie (RES)

P.O. Box 993, Springville

Effective: 9/20/04

Violation: 490, 10177(b)

#### Martin, Diana D. (RES)

2821 Pamplona Way, Modesto

Effective: 9/23/04

Violation: 10176(a)(i), 10177(j)

### Los Angeles Region

#### Alvarez, Leopoldo (RES)

8320 E. Florence Ave., Downey

Effective: 11/2/04

Violation: 490, 10177(b)

#### Anderson, Ruffino M. (RES)

5939 W. Pico Blvd., Los Angeles

Effective: 11/9/04

Violation: 490, 10177(b)

#### Barber, Dawn Carol (RES)

1249 S. Petit Ave., #501, Ventura

Effective: 10/25/04

Violation: 490, 10177(b)

#### Blaze-Tkabladze, Alexander (RES)

2884 Woodwardia Dr., Los Angeles

Effective: 9/14/04

Violation: 490, 10177(b)

#### Casarrubias, Jose D. (RES)

11917 Paramount Blvd., #B,

Downey

Effective: 10/4/04

Violation: 490, 10177(b)

#### Edwards, William James (REB)

1440 La Tijera Blvd., Inglewood

Effective: 10/4/04

Violation: 490, 10177(b)

#### Fong, Dennis King (RES)

1225 Esteban Torres Dr.,

South El Monte

Effective: 10/25/04

Violation: 490, 10177(b)

#### Green, Daniel Louis (RES)

55994 Golden Bee Dr.,

Yucca Valley

Effective: 10/20/04

Violation: 490, 498(c),

10177(a)(b)(j)

#### Ikpeazu, Chuba Jr. (REB)

541 West 9<sup>th</sup> St., San Pedro

Effective: 10/7/04

Violation: 2731, 10130,

10176.5, 10177(d)(h)

#### Johnson, James Earl (RES)

959 S. Coast Dr., Ste. 495,

Costa Mesa

Effective: 9/17/04

Violation: 490, 10177(b)

#### Livermore, Kathy Lynn (RES)

42-245 Kansas, Palm Desert

Effective: 10/7/04

Violation: 10177.5

#### Louch, Mark (RES)

1880 N. El Camino Real,

San Clemente

Effective: 9/20/04

Violation: 498, 10177(a)

#### Manners, Brad Edward (RES)

6209 Seville Ct., Long Beach

Effective: 11/10/04

Violation: 490, 10177(b)

#### Nam, Kwon Woo (RES)

4142 Homestead St., Irvine

Effective: 11/3/04

Violation: 490, 10177(b)

#### Peters, Troy Lamont (REB)

6709 La Tijera Blvd., #166,

Los Angeles

Effective: 9/30/04

Violation: 10177(f), 10177.5

#### Phillmore, LaTania Renea (RES)

PO Box 20700, Long Beach

Effective: 9/8/04

Violation: 490, 10177(b)

#### Reyes, Lucas Daniel (REB)

7800 E. Florence Ave., Downey

Effective: 10/20/04

Violation: 490, 10177(b)



## REVOKED WITH A RIGHT TO A RESTRICTED LICENSE

### Fresno Region

#### Butcher, Dana Jean (REB, REO)

1690 W. Shaw, #220, Fresno  
*Effective:* 11/17/04  
*Officer of:* Dana Butcher  
 Associates  
*Violation:* 10177(h)  
 Right to RREB license on terms  
 and conditions

#### Choboian, Mitchell Charles (REB, REO)

155 North K St., Tulare  
*Effective:* 11/4/04  
*Violation:* 2831.1, 2831.2,  
 2832.1, 10145, 10176(e)(i),  
 10177(d)  
 Right to RREB license on terms  
 and conditions

#### Dana Butcher Associates (REC)

1690 W. Shaw, #220, Fresno  
*Effective:* 11/17/04  
*Violation:* 2831, 2831.1, 2831.2,  
 2832.1, 2834, 10145, 10177(d)  
 Right to RREC license on terms  
 and conditions

#### Ekstrom, Carol Jean (RES)

2529 Maestro Way, Modesto  
*Effective:* 11/23/04  
*Violation:* 2832, 10130, 10137,  
 10145(a)(c), 10177(d)(f)  
 Right to RRES license on terms  
 and conditions; RRES suspended  
 for 60 days

#### Ortiz, Araceli (RES)

6297 E. Mono Ave., Fresno  
*Effective:* 10/14/04  
*Violation:* 10130, 10176(i),  
 10177(d)(f)  
 Right to RRES license on terms  
 and conditions

### Los Angeles Region

#### American Gold Mortgage Corp. (REC)

3350 Shelby St., Ste. 150, Ontario  
*Effective:* 10/14/04  
*Violation:* 10137, 10176(a)(i),  
 10177(d)(g)  
 Right to RREC license on terms  
 and conditions

#### Barnett, Christopher Michael (RES)

P.O. Box 3441, Newport Beach  
*Effective:* 10/21/04  
*Violation:* 490, 10177(b)  
 Right to RRES license on terms  
 and conditions

#### Fenske, Terry Craig (REB)

12520 Loma Verde Dr.,  
 Victorville  
*Effective:* 9/27/04  
*Violation:* 2715, 2831, 2831.1,  
 2831.2, 2832.1, 2834, 10145,  
 10163, 10177(d)  
 Right to RREB license on terms  
 and conditions

#### Harker, Peggy Yvonne (RES)

46 La Perla, Foothill Ranch  
*Effective:* 11/2/04  
*Violation:* 490, 10177(b)  
 Right to RRES license on terms  
 and conditions

#### Hernandez, Fernando (REB)

1242 N. Avalon Blvd.,  
 Wilmington  
*Effective:* 9/14/04  
*Violation:* 490  
 Right to RREB license on terms  
 and conditions

#### Kim, Alex Louis (RES)

457 Pinehurst Ct., Fullerton  
*Effective:* 9/27/04  
*Violation:* 490, 10177(b)  
 Right to RRES license on terms  
 and conditions

#### Kuan, David Yu-Cheng (REB, REO)

1340 S. Valley Vista Dr., 100,  
 Diamond Bar  
*Effective:* 10/4/04  
*Violation:* 490, 10177(b)  
 Right to RREB license on terms  
 and conditions

#### Lei, Rena H. (REB)

77 S. Sierra Madre Blvd., #12,  
 Pasadena  
*Effective:* 9/8/04  
*Violation:* 490, 498, 10177(a)(b)  
 Right to RREB license on terms  
 and conditions

#### Manent, Nydia Maria (RES)

15028 Gilmore St., Van Nuys  
*Effective:* 9/30/04  
*Violation:* 490, 10177(b)  
 Right to RRES license on terms  
 and conditions

#### Marx, Jay David (RES)

28331 Via Anzar,  
 San Juan Capistrano  
*Effective:* 10/20/04  
*Violation:* 490, 10177(b)  
 Right to RRES license on terms  
 and conditions

#### Mustafa, John W. (REB)

324 S. Diamond Bar Blvd., #105,  
 Diamond Bar  
*Effective:* 9/24/04  
*Violation:* 10177(f)  
 Right to RRES license on terms  
 and conditions

#### Navarro, Jose (RES)

3214 Tecumseh Ave., #A,  
 South Gate  
*Effective:* 10/20/04  
*Violation:* 490  
 Right to RRES license on terms  
 and conditions

#### Neilon, Ethel Lucile (REB)

106 W. Manchester Ave., Ste. G,  
 Los Angeles  
*Effective:* 9/29/04  
*Violation:* 10148, 10177(d)  
 Right to RREB license on terms  
 and conditions

#### Nguyen, Nam P. (RES)

10031 Whispering Pine Circle,  
 Westminster  
*Effective:* 10/12/04  
*Violation:* 490, 10177(a)(b)  
 Right to RRES license on terms  
 and conditions

#### Patel, Jagruti (RES)

PO Box 4872, Cerritos  
*Effective:* 11/18/04  
*Violation:* 490  
 Right to RRES license on terms  
 and conditions

#### Sanchez, Maria De Los Angeles (RES)

10818 Casanes Ave., Downey  
*Effective:* 10/19/04  
*Violation:* 490, 10177(b)  
 Right to RRES license on terms  
 and conditions

#### Stapp, Jerry LaOtto (REB)

3350 Shelby St., Ste. 150, Ontario  
*Effective:* 10/14/04  
*Officer of:* American Gold  
 Mortgage Corp.  
*Violation:* 2725, 10177(h)  
 Right to RREB license on terms  
 and conditions

#### Vo, Tin Trung (RES)

1246 S. Huron Dr., Santa Ana  
*Effective:* 11/24/04  
*Violation:* 490, 10177(b)  
 Right to RRES license on terms  
 and conditions

#### Vo, Victor Huy (RES)

4201 West 5<sup>th</sup> St., #102,  
 Santa Ana  
*Effective:* 9/9/04  
*Violation:* 490, 10177(b)  
 Right to RRES license on terms  
 and conditions

### Oakland Region

#### Blair, David Allen (REB)

379 Diablo Rd., #110, Danville  
*Effective:* 10/5/04  
*Violation:* 490(a)  
 Right to RREB license on terms  
 and conditions

#### Ciesla, Tadeusz (REB)

120 Yankee Point Dr., Carmel  
*Effective:* 9/15/04  
*Violation:* 2832.1, 10145(a)(d),  
 10177(d)  
 Right to RREB license on terms  
 and conditions

#### Edwards, James Paul (RES)

447 Hunter Ave., Oakland  
*Effective:* 10/14/04  
*Violation:* 490, 10177(b)  
 Right to RRES license on terms  
 and conditions

#### Holloway, Kendra Gail (REB, REO)

445 Orchard St., #204,  
 Santa Rosa  
*Effective:* 10/12/04  
*Officer of:* Performance Property  
 Management, Inc.  
*Violation:* 2831, 2831.1, 2831.2,  
 2832, 2832.1, 2834, 10130,  
 10145, 10177(d)  
 Right to RREB license on terms  
 and conditions

#### Johnson, Christopher Wayne (RES)

245 Lytton Ave., #150, Palo Alto  
*Effective:* 11/5/04  
*Violation:* 490(a), 10177(b)  
 Right to RRES license on terms  
 and conditions

**Santorio, John James III (RES)**  
 22142 Brookpine, Mission Viejo  
*Effective:* 10/25/04  
*Violation:* 490, 10177(b)

**Sennett, James Titus (RES)**  
 12419 E. Timbercreek Ln.,  
 Cerritos  
*Effective:* 9/23/04  
*Violation:* 490

**Stephenson, Michael James  
(RRES)**  
 26969 Helmond Dr., Calabasas  
*Effective:* 10/4/04  
*Violation:* 490, 10177(b)(k)

**Yanzon, Jaime Pojol (RES)**  
 2272 Colorado Blvd.,  
 PMB #1212, Los Angeles  
*Effective:* 10/4/04  
*Violation:* 490, 10177(b)

**Zomer, Richard J. (RES)**  
 2265 Westwood Blvd.,  
 Los Angeles  
*Effective:* 10/8/04  
*Violation:* 490, 10177(b)

### Oakland Region

**Gerdes, Joan Margaret (RRES)**  
 2628 8<sup>th</sup> Ave., Oakland  
*Effective:* 9/24/04  
*Violation:* 490, 10177(b)

**Luu, Linda Nguyen (RES)**  
 5859 Killarney Circle, San Jose  
*Effective:* 11/4/04  
*Violation:* 490, 10177(b)

**Muzaffar, Ali Mohammad (RES)**  
 80 Yampa Way, Fremont  
*Effective:* 9/13/04  
*Violation:* 490, 10177(b)

**Tonna, Roger (RES)**  
 PO Box 266, Belmont  
*Effective:* 9/13/04  
*Violation:* 490, 10177(b)

### Sacramento Region

**Heitman, Jeffrey Robert (RRES)**  
 3713 Bridlewood Cir., Stockton  
*Effective:* 9/13/04  
*Violation:* 490, 10177(b)

### San Diego Region

**Railey, Jeffrey John (RES)**  
 PO Box 2501, Rancho Santa Fe  
*Effective:* 11/16/04  
*Violation:* 490, 10177(b)

**Triplette, Michael Ray (REB)**  
 99 Lynn Ln., Oceanside  
*Effective:* 11/15/04  
*Violation:* 490, 10177

**Vigil, Paul Runninghorse (REB)**  
 1066 Sumner Ave., El Cajon  
*Effective:* 11/15/04  
*Violation:* 480(a), 10177(b)



at [www.dre.ca.gov](http://www.dre.ca.gov)

## The fastest, easiest way to manage your real estate license!\*

Brokers

- ⊕ Add/change main office address
- ⊕ Certify salesperson employment
- ⊕ Discontinue salesperson employment
- ⊕ Renew license
- ⊕ Request duplicate license
- ⊕ Change mailing address

Salespersons

- ⊕ Add/change employing broker
- ⊕ Change mailing address
- ⊕ Renew license

Exam Services

- ⊕ Apply for salesperson exam
- ⊕ Reschedule exam date
- ⊕ Apply to re-take an exam
- ⊕ Change exam mailing address
- ⊕ View exam records
- ⊕ Check scheduled exam date, time and location
- ⊕ Request duplicate schedule notice
- ⊕ View exam results
- ⊕ Request duplicate results notice
- ⊕ See if license has been issued

**\*You must have an existing examination record or license on file with the DRE to use eLicensing.**

**Johnson, George Berkeley (REB)**  
130 Ceder Point Loop, #911,  
San Ramon  
*Effective:* 10/15/04  
*Violation:* 490, 10177(b)  
Right to RREB license on terms  
and conditions

**Monument Mortgage, Inc. (REC)**  
1340 Treat Blvd., Ste. 210,  
Walnut Creek  
*Effective:* 11/16/04  
*Violation:* 2831, 2832, 2834,  
10145, 10148, 10177(d)  
Right to RREC license on terms  
and conditions

**Performance Property Manage-  
ment, Inc. (REC)**  
445 Orchard St., #204,  
Santa Rosa  
*Effective:* 10/12/04

*Violation:* 2831, 2831.1, 2831.2,  
2832, 2832.1, 2834, 10130,  
10145, 10177(d)  
Right to RREC license on terms  
and conditions

**Taylor, James North (REB)**  
13 Newport Way, San Rafael  
*Effective:* 9/29/04  
*Violation:* 490  
Right to RREB license on terms  
and conditions

**Vanarsdel, William Ewing (REB,  
REO)**  
601 Van Ness Ave., #33,  
San Francisco  
*Effective:* 11/16/04  
*Officer of:* Monument Mortgage,  
Inc.  
*Violation:* 2725, 10177(d)(h)  
Right to RREB license on terms  
and conditions

**Yan, Shi (RES)**  
585 Larkin St., Salinas  
*Effective:* 10/12/04  
*Violation:* 490, 10177(b)  
Right to RRES license on terms  
and conditions

### Sacramento Region

**Murray, Sheri Lynn (RES)**  
PO Box 2506, Nevada City  
*Effective:* 9/29/04  
*Violation:* 10130, 10177(d)  
Right to RRES license on terms  
and conditions

**Vasu, Julie Ann (RES)**  
2650 Macon Way, Sacramento  
*Effective:* 9/10/04  
*Violation:* 490, 10177(b)  
Right to RRES license on terms  
and conditions

### San Diego Region

**Alkire, Anita Marie (RREB)**  
951 Hanover St., San Diego  
*Effective:* 9/13/04  
*Violation:* 10148, 10177(d)  
Right to RRES license on terms  
and conditions

**Avendano, Max N. (RES)**  
911 Hacienda Dr., Vista  
*Effective:* 9/14/04  
*Violation:* 490, 10177(b)  
Right to RRES license on terms  
and conditions

**Cabrera, Ray (RES)**  
30620 Bayhill Dr., Temecula  
*Effective:* 11/2/04  
*Violation:* 490, 10177(b)  
Right to RRES license on terms  
and conditions

### INDEFINITE SUSPENSIONS

(under Recovery Acct.  
provisions)

### Fresno Region

**Glover, James Dexter (RES)**  
3621 Rosanne Ln., Modesto  
*Effective:* 10/4/04

### Los Angeles Region

**Apland, Jeffrey Dean (RES)**  
PO Box 90810, Santa Barbara  
*Effective:* 9/17/04

**Cummiford, Randy William (RES)**  
8149 Calmada Ave., Whittier  
*Effective:* 11/8/04

**Hubbard, Ronald W. (RES)**  
273 Mira Mar, Long Beach  
*Effective:* 11/8/04

**Trought, Alberto Puzzy (REB)**  
317 S. Isis Ave., Ste. #204,  
Inglewood  
*Effective:* 11/8/04

### Sacramento Region

**Bradley, James Hercules (REB)**  
PO Box 276334, Sacramento  
*Effective:* 9/17/04

### SUSPENDED WITH STAY

#### Fresno Region

**Love, David Alan (REB)**  
2825 G St., Merced  
*Effective:* 11/17/04  
*Violation:* 2731, 2831(a)(6),  
2834, 10159.5, 10177(d), 10240  
Suspended for 90 days-all but 35  
days stayed for 2 years on terms  
and conditions

#### Los Angeles Region

**ALR, Inc. (REC)**  
11239 Tampa Ave., Ste. 206,  
Northridge  
*Effective:* 11/4/04  
*Violation:* 2831.2, 10145,  
10177(d)  
Suspended for 60 days-stayed for  
2 years on terms and conditions

**Chan, Michele (REB, REO)**  
184 West 3<sup>rd</sup> St., #768, Pomona  
*Effective:* 11/24/04  
*Violation:* 10148, 10177(d)  
Suspended for 60 days-stayed for  
2 years on terms and conditions

**Hardwire Mortgage Co., Inc.  
(REC)**  
12626 Riverside Dr., Ste. 302,  
Valley Village  
*Effective:* 9/15/04  
*Violation:* 2752, 2753, 2831.1,  
2831.2, 2832, 2834, 2951, 10145,  
10160, 10161.8, 10165,  
10177(d)(g)  
Suspended for 90 days-stayed for  
2 years on terms and conditions

**Limon Realty Incorporated (REC)**  
9216 Lakewood Blvd., Downey  
*Effective:* 9/7/04  
*Violation:* 2831, 2832, 2832.1,  
2950(h), 10145, 10177(d)(g)  
Suspended for 60 days-stayed for  
2 years on terms and conditions

**Limon, Filberto (REB, REO)**  
9216 Lakewood Blvd., Downey  
*Effective:* 9/7/04  
*Officer of:* Limon Realty, Inc.  
*Violation:* 10159.2, 10177(d)  
Suspended for 60 days-stayed for  
2 years on terms and conditions

**McHenry, Carl William (REB)**  
24556 Redlands Blvd.,  
Loma Linda  
*Effective:* 9/29/04  
*Violation:* 2725, 2831.2, 2832,  
2832.1, 2845, 10145, 10177(d)  
Suspended for 180 days-stayed  
for 2 years on terms and  
conditions



**Miller, Thomas Bruce (REB)**

6308 Coast Hwy, Newport Beach  
*Effective:* 10/12/04  
*Violation:* 2725, 2753, 2831, 2831.1, 2831.2, 2832, 2835, 10145, 10160, 10161.8, 10176(e), 10177(d)  
 Suspended for 120 days-stayed for 2 years on terms and conditions

**Nelson, Alex (REB, REO)**

12626 Riverside Dr., #302, Valley Village  
*Effective:* 9/15/04  
*Officer of:* Hardwire Mortgage Co., Inc.  
*Violation:* 10159.2, 10177(h)  
 Suspended for 90 days-stayed for 2 years on terms and conditions

**Rivlin, Alan Stuart (REB, REO)**

11239 Tampa Ave., Ste. 206, Northridge  
*Effective:* 11/4/04  
*Violation:* 2831.2, 10145, 10177(d)  
 Suspended for 60 days-stayed for 2 years on terms and conditions

**ST Investment, Inc. (REC)**

1611 S. Garfield Ave., #100-G, Alhambra  
*Effective:* 11/24/04  
*Violation:* 10148, 10177(d)  
 Suspended for 60 days-stayed for 2 years on terms and conditions

**Wysocki, Sherry (REB)**

9320 Baseline, Ste. L, Rancho Cucamonga  
*Effective:* 9/3/04  
*Violation:* 2831, 2831.1, 2832, 10145, 10177(d)  
 Suspended for 180 days-stayed for 2 years-Suspended Indefinitely-Reinstated 10/1/04

**Oakland Region****Alliance Business Group (REC)**

1611 4<sup>th</sup> St., Santa Rosa  
*Effective:* 9/30/04  
*Violation:* 2831.1, 2831.2, 2832, 2832.1, 2834, 10145, 10148, 10177(d)  
 Suspended for 2 years-stayed for 2 years on terms and conditions

**Fagan, Charlie (REO)**

1321 3<sup>rd</sup> St., San Rafael  
*Effective:* 10/18/04  
*Officer of:* Prandi Property Management, Inc.  
*Violation:* 2831, 2832(a), 2832.1, 2834, 10145, 10177(d)(h)  
 Suspended for 30 days-stayed for 2 years on terms and conditions

**Prandi Property Management, Inc. (REC)**

1321 3<sup>rd</sup> St., San Rafael  
*Effective:* 10/18/04  
*Violation:* 2831, 2832(a), 2832.1, 2834, 10145, 10177(d)

Suspended for 30 days-stayed for 2 years on terms and conditions

**Provost, James Carl (REB, REO)**

1611 Fourth St., Santa Rosa  
*Effective:* 9/30/04  
*Violation:* 2831.1, 2831.2, 2832, 2832.1, 2834, 10145, 10148, 10159.2, 10177(d)(h)  
 Suspended for 2 years-stayed for 2 years on terms and conditions

**Sacramento Region****Olympic Mortgage and Investment Company, Inc. (REC)**

435 Sutton Way, Grass Valley  
*Effective:* 10/18/04  
*Violation:* 2831.1, 2831.2, 2832.1, 2834, 10145, 10177(d)  
 Suspended for 180 days-stayed for 2 years on terms and conditions

**Ruble, Phillip Lynn (REB, REO)**

101 Boulder St., Nevada City  
*Effective:* 10/18/04  
*Officer of:* Olympic Mortgage and Investment Company, Inc.  
*Violation:* 10177(h)  
 Suspended for 180 days-stayed for 2 years on terms and conditions

**LICENSE SURRENDERED**

(Licenses voluntarily surrendered per B&P Code §10100.2 during an administrative action/investigation)

**Los Angeles Region****Aguirre, Dinora (RES)**

44710 N. Division St., #2102, Lancaster  
*Effective:* 11/10/04

**Feigelstock, Sholom (RES)**

5252 Corteen Pl., #12A, Valley Village  
*Effective:* 10/20/04

**Haven Mortgage Corp. (REC)**

9522 East 19<sup>th</sup> St., Rancho Cucamonga  
*Effective:* 10/14/04

**Stapp, Sandra S. (REB)**

5625 Hellman Ave., Alta Loma  
*Effective:* 10/14/04

**Teplyk-Dobbs, Svitlana (RES)**

P.O. Box 11604, Costa Mesa  
*Effective:* 11/2/04

**Theodory, Emile Saba (REB)**

659 West Lancaster Blvd., Lancaster  
*Effective:* 10/21/04

**Oakland Region****Balsini, Ziba (RES)**

20576 Oakcreek Ln., Saratoga  
*Effective:* 11/5/04

**Conte, Michael Joe (REB)**

1001 Clubhouse Dr., Aptos  
*Effective:* 10/8/04

**Leung, Susan S. (RES)**

13265 Glen Brae Dr., Saratoga  
*Effective:* 11/4/04

**Sacramento Region****Reeves, Oprah Renae (REB)**

811 Victory Dr., Hollister  
*Effective:* 11/15/04

**Statewide Ventures (REC)**

11721 Nevada City Hwy, #3, Grass Valley  
*Effective:* 9/29/04

**San Diego Region****Zografos, Diana (REB)**

5850 Avenida Encinas, Ste. B, Carlsbad  
*Effective:* 11/4/04

## Top 10 tips for identity theft prevention

from the Office of Privacy Protection,  
 California Department of Consumer Affairs, [www.dca.ca.gov](http://www.dca.ca.gov)

**A**n identity thief takes some piece of your personal information and uses it without your knowledge. The thief may run up debts or even commit crimes in your name. The following tips can help you lower your risk of becoming a victim.

### 1. Protect your Social Security number.

Don't carry your Social Security card in your wallet. If your health plan (other than Medicare) or another card uses your Social Security number, ask the company for a different number. For more information, see "Your Social Security Number: Controlling the Key to Identity Theft" (Consumer Information Sheet 4) on our Social Security Numbers Web page.

### 2. Fight "phishing" – don't take the bait.

Scam artists "phish" for victims by pretending to be banks, stores or government agencies. They do this over the phone, in e-mails and in the regular mail. Don't give out your personal information – unless you made the contact. Don't respond to a request to verify your account number or password. Legitimate companies will not request this kind of information in this way.

### 3. Keep your identity from getting trashed.

Shred or tear up papers with personal informa-

tion before you throw them away. Shred credit card offers and "convenience checks" that you don't use.

### 4. Control your personal financial information.

California law requires your bank and other financial services companies to get your permission before sharing your personal financial information with outside companies. You also have the right to limit the sharing of your personal financial information with most of your companies' affiliates. Write to your companies that you want to "opt-out" of sharing your personal financial information with their affiliates. For more information, see "Your Financial Privacy" (Consumer Information Sheet 3) on our Financial Privacy Web page.

### 5. Shield your computer from viruses and spies.

Protect your personal information on your home computer. Use strong passwords: with at least eight characters, including a combination of letters, numbers, and symbols, easy for you to

*Continued on page 9*



## Help your clients avoid remodeling pitfalls

# California Contractors State License Board has free information for homeowners

SACRAMENTO – The California Contractors State License Board wants to make sure new homeowners know how to make informed decisions when hiring and managing contractors for their home improvement projects. Unfortunately, many homeowners fall victim to unlicensed and unscrupulous contractors, resulting in thousands of dollars in damages. Even homeowners working with reputable, licensed contractors can get into trouble as a result of simple misunderstandings about costs, schedules and materials.

“10 Tips for Making Sure Your Contractor Measures Up,” is a free resource available to all Californians. The California Contractors State License Board encourages real estate agents to distribute these flyers to their clients who may be looking to remodel or repair their homes.

If you are interested in ordering these free tips sheets, and other consumer information, please go to the CSLB Web site, [www.cslb.ca.gov](http://www.cslb.ca.gov), and click on “Free Consumer Information.” This link will lead you to a list of resources available to consumers, including “What You Should Know Before You Hire a Contractor” and “Home Improvement Contracts/Putting the Pieces Together.”

## Identity Theft

*Continued from page 8*

remember, but difficult for others to guess. Use firewall and virus protection software that you update regularly. Steer clear of spyware: Download free software only from sites you know and trust. Don't install software without knowing what it is. Set Internet Explorer browser security to at least “medium.” Don't click on links in pop-up windows or in spam e-mail.

### 6. Click with caution

When shopping online, check out a Web site before entering your credit card number or other personal information. Read the privacy policy and look for opportunities to opt out of information sharing. (If there is no privacy policy posted, beware! Shop elsewhere.) Only enter personal information on secure Web pages with “https” in the address bar and a padlock symbol at the bottom of the browser window. These are signs that your information will be encrypted or scrambled, protecting it from hackers.

### 7. Check your bills and bank statements.

Open your credit card bills and bank statements right away. Check carefully for any unauthorized charges or withdrawals and report them immediately.

Call if bills don't arrive on time. It may mean that someone has changed contact information to hide fraudulent charges.

### 8. Stop pre-approved credit offers.

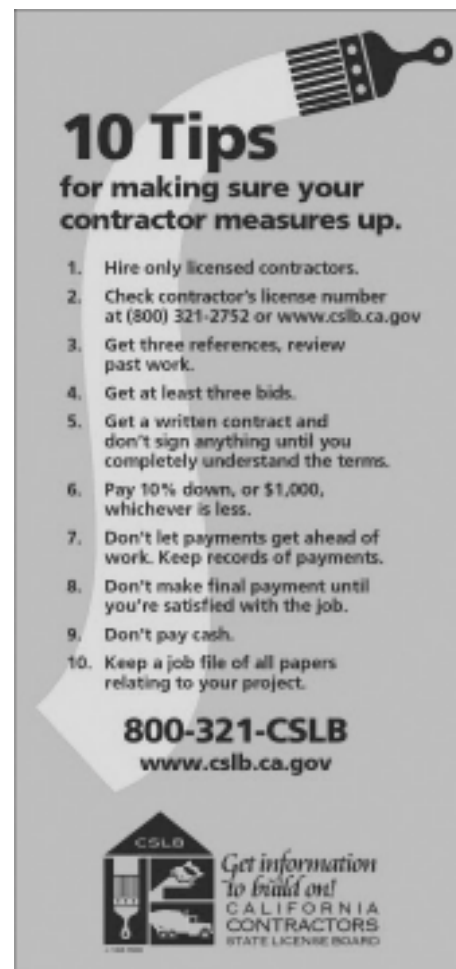
Stop most pre-approved credit card offers. They make a tempting target for identity thieves who steal your mail. Have your name removed from credit bureau marketing lists. Call toll-free 888-5OPTOUT (888-567-8688).

### 9. Ask questions.

Ask questions whenever you are asked for personal information that seems inappropriate for the transaction. Ask how the information will be used and if it will be shared. Ask how it will be protected. Explain that you're concerned about identity theft. If you're not satisfied with the answers, consider going somewhere else.

### 10. Check your credit reports – for free.

One of the best ways to protect yourself from identity theft is to monitor your credit history. You can get one free credit report every year from each of the three national credit bureaus: Equifax, Experian and Trans Union. Request all three re-



**10 Tips**  
for making sure your contractor measures up.

1. Hire only licensed contractors.
2. Check contractor's license number at (800) 321-2752 or [www.cslb.ca.gov](http://www.cslb.ca.gov)
3. Get three references, review past work.
4. Get at least three bids.
5. Get a written contract and don't sign anything until you completely understand the terms.
6. Pay 10% down, or \$1,000, whichever is less.
7. Don't let payments get ahead of work. Keep records of payments.
8. Don't make final payment until you're satisfied with the job.
9. Don't pay cash.
10. Keep a job file of all papers relating to your project.

**800-321-CSLB**  
[www.cslb.ca.gov](http://www.cslb.ca.gov)

Get information to build out CALIFORNIA CONTRACTORS STATE LICENSE BOARD

ports at once, or be your own no-cost credit monitoring service. Just spread out your requests, ordering from a different bureau every four months. (More comprehensive monitoring services from the credit bureaus cost from \$44 to over \$100 per year.) Order your free annual credit reports at 877-322-8228 toll-free, or at [www.annualcreditreport.com](http://www.annualcreditreport.com). Or you can mail in an order form, available from the Federal Trade Commission. 🏠

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## Attention

# Conditional Salesperson Licensees

If you have an 18-month conditional salesperson license, please don't confuse *continuing education* requirements with the pre-license/statutory requirements. Continuing education courses are required to *renew* a four-year license. Pre-license/statutory, which are 3 semester- or 4 quarter-unit college level courses, are required to satisfy the 18-month conditional salesperson license requirements.

Many calls have been received by the DRE's Education Section from holders of conditional salesperson licenses who are confused as to what courses are needed to satisfy the educational requirements for the 18-month conditional salesperson license. Many of these licensees have completed continuing education courses in Ethics, Agency, Trust Fund Handling, and Fair Housing in error, believing these courses will satisfy the conditional license requirements. Instead, they should have completed a course in Real Estate Practice plus one of the twelve courses listed in the chart to the right of this article. How does this happen? The following is an example of how the confusion can occur.

### **Terminology caused confusion**

A conditional licensee calls a real estate school and states he needs to complete the continuing education requirements for his sales license. The school asks the licensee if it is his first renewal and the licensee responds "Yes." The school, still believing the licensee is seeking the continuing education necessary for the first renewal, advises the licensee that he only needs to complete the required courses in Ethics, Agency, Trust Fund Handling, and Fair Housing. The licensee then enrolls in those four courses and completes them. When the licensee contacts the DRE about submitting evidence of completing those courses, he finds out that he did not take the necessary courses required to satisfy his 18-month conditional salesperson license.


The licensee should have told the school "I have a conditional salesperson license. What courses do I need to take to satisfy that requirement?" The school would have provided the correct information in that situation.

### **Continuing education courses**

Conditional salesperson licensees who complete the pre-license/statutory requirements (two additional college-level courses) and obtain a non-conditional salesperson license will be required to complete the continuing education requirements by the end of the four-year renewal period in order to renew the salesperson license. For the *first* four-year renewal only, salespersons are required to complete the four required courses in Ethics, Agency, Trust Fund Handling, and Fair Housing. But again, these courses are required to *renew* the license; these courses do not satisfy the 18-month conditional license requirements.

### **Additional information**

The pre-license/statutory college level courses can be completed at many of the community colleges. Private real estate schools can also offer these courses if their courses have been approved by the DRE. Further information about courses required for salespersons issued conditional licenses and how to submit evidence of successful course completion is available at [www.dre.ca.gov/salesconditional.htm](http://www.dre.ca.gov/salesconditional.htm).

Also, don't forget that you can search for approved private real estate continuing education course offerings through the DRE Web site [www.dre.ca.gov/cerqmts.htm](http://www.dre.ca.gov/cerqmts.htm). 

### **Pre-License/Statutory Courses**

These courses are required to fulfill the conditional salesperson license requirements. The requirement must be completed within 18 months of license issuance.

- Real Estate Practice
- One course from the following list:
  - Real Estate Appraisal
  - Property Management
  - Real Estate Finance
  - Real Estate Economics
  - Legal Aspects of Real Estate
  - Real Estate Office Administration
  - General Accounting
  - Business Law
  - Escrows
  - Mortgage Loan Brokering and Lending
  - Computer Applications in Real Estate, or
  - Common Interest Developments

### **Continuing Education Courses**

These courses are required for salespersons renewing their license for the first time. The courses must be completed before the license expiration date.

- Ethics
- Agency
- Trust Fund Handling
- Fair Housing

# Real Estate Publications

## Ordering information

DRE publications are available:

**On the Internet** — All DRE publications are available free of charge on the DRE Web site at [www.dre.ca.gov](http://www.dre.ca.gov).

**In person from District Offices** — Complete Parts A, B, and C (if appropriate). Offices are located in Sacramento, Los Angeles, Oakland, Fresno, and San Diego.

**By mail** — Photocopy or remove this page from your *Bulletin*. Complete Parts A, B, and C (if appropriate). Mail it with the proper fee to:

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

**By fax** — Complete Parts A, B, and C. Fax form to (916) 227-0361.

**By phone** — Have credit card information ready, then call Book Order desk at (916) 227-0852.

## Acceptable payment methods

- Personal check, cashier's check or money order should be made payable to: Department of Real Estate.
- VISA, MasterCard, and American Express credit cards may be used to purchase DRE publications.
- Cash is acceptable only if purchasing in person and only if it's the exact amount of purchase.

## California sales tax

Use 7.25% tax rate, unless purchase location or delivery address is in the following counties: Alameda (8.25%), Fresno (7.875%), Los Angeles (8.25%), Sacramento (7.75%), and San Diego (7.75%). Requests and fees will be returned if the appropriate sales tax is not included.

## Miscellaneous information

- Prices are subject to change.
- Orders received with incorrect payments will be returned.
- **All sales are final — no refunds.**
- Allow 4–6 weeks for delivery.
- Volume discounts are available. Contact DRE at (916) 227-0852 prior to ordering.

## PART A SHIPPING INFORMATION

DRE	RE#	Title of Publication	Cost	Quantity	Your Cost
	1	Reference Book — A Real Estate Guide (Rev. 2000)	\$20		
	2	2005 Real Estate Law Book & CD set	\$25		
	6	Disclosures in Real Property Transactions	\$10		
	8	Operating Cost Manual for Homeowner Associations	\$10		
	25	Reserve Study Guidelines for Homeowner Association Budgets	\$10		
	4	Instructions to License Applicants	free		
	13	Trust Funds	free		
	34	A Guide for Residents Purchasing Their Mobilehome Park	free		
	35	Trust Deed Investments — What You Should Know!!	free		
	35A	Using the Services of a Mortgage Broker	free		
	39	Living in a California Common Interest Development	free		
	51	A Consumer Guide to Filing Real Estate Complaints	free		
	52	Reverse Mortgages — Is One Right for You?	free		

PART B SHIPPING INFORMATION			
SHIPPING NAME	LICENSE OR EXAM ID#		
SHIPPING ADDRESS			
CITY	STATE	ZIP CODE	
SUBTOTAL		\$ _____	
CA SALES TAX*		\$ _____	
<i>(Tax rate used* _____ %)</i>			
TOTAL ENCLOSED		\$ _____	
<i>* See tax information above.</i>			

## PART C CREDIT CARD PURCHASE

**To purchase publication by credit card, complete the following:**

METHOD OF PAYMENT <input type="checkbox"/> VISA <input type="checkbox"/> MASTERCARD <input type="checkbox"/> AMERICAN EXPRESS	ACCOUNT NUMBER _____	EXPIRATION DATE OF CARD _____
AMOUNT AUTHORIZED	SIGNATURE OF CARDHOLDER ➤ _____	DATE
	PRINTED NAME OF CARDHOLDER _____	TELEPHONE NUMBER _____

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## Subdivisions

Continued from page 4

In common interest subdivisions, DRE's Budget Review Section verifies items in the proposed HOA budget to ensure that it and the related assessments are adequate to maintain the common area facilities. The Budget Review Section also reviews completion arrangements to ensure that the security amount is adequate to complete the common areas.

### Subdivider/agent responsibilities

A subdivider or his agent must post a copy of the public report in a conspicuous place in any office where sales of subdivision interests are conducted. A copy of the public report must be given to any member of the public who asks for one and to each prospective buyer prior to entering into a contract to purchase. The subdivider, owner or the agent of the subdivider must have each prospective buyer sign a receipt that he or she has received and has had an

opportunity to read the public report before entering into an agreement to purchase. The subdivider is required to keep the receipt for three years.

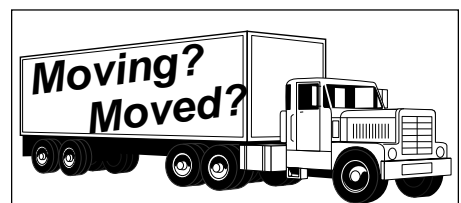
***A subdivider must use the version of the purchase contract (and escrow instructions, if any) that were approved in association with the public report file. A substitute contract may not be used unless approved by the Department.***

In *resale* transactions involving common interest subdivisions, the provisions of Civil Code 1368 apply and the following information must be provided to the prospective buyer:

- Governing documents including the CC&R's, bylaws and articles of incorporation;
- Age restricted property statement, if applicable;
- Financial statements pursuant to Civil Code 1365;
- Statement from the HOA relative to assessments, delinquencies and late charges upon the owner's interest;

- A copy or summary of any notice sent to the owner of any violation of the governing documents;
- Construction defect information; and
- Any change in the HOA's current assessment structure.

If you have questions about subdivisions, visit the DRE Web site [www.dre.ca.gov](http://www.dre.ca.gov) or contact Subdivisions in Sacramento at (916) 227-0813 or Los Angeles at (213) 576-6983. 🏠



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