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FEB 02 2023

DEPARTMENT OF REAL ESTATE

By *By deed*

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8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 To: WELLINGTON D. PENDELL
12 and THE CAREER COMPASS, INC.
13 Respondents.

No. H-5092 SD

BAR ORDER
(B&P Code § 10087)

14
15 TO: WELLINGTON D. PENDELL
16 3525 Del Mar Heights Road, Suite 160
17 San Diego, CA 92130

18 THE CAREER COMPASS, INC.
19 3525 Del Mar Heights Road, Suite 160
20 San Diego, CA 92130

21 Pursuant to Section 10087 of the California Business and Professions Code
22 (hereafter "Code"), WELLINGTON D. PENDELL (hereafter "PENDELL") and THE
23 CAREER COMPASS, INC. (hereafter "CAREER COMPASS"), sometimes collectively
24 referred to as Respondents, were notified of the intention of the California Real Estate
25 Commissioner (hereafter "the Commissioner") to issue a Bar Order pursuant to Section 10087
26 (a) (1) of the Code, by the Preliminary Bar Order and Notice of Intention to Issue Bar Order
27 filed on November 19, 2019, and the Amended Preliminary Bar Order and Notice of Intention

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1 to Issue Bar Order filed on December 7, 2021. Respondents have withdrawn their request for
2 hearing.

3 Pursuant to the authority granted by Section 10087 of the Code, and after review
4 and consideration of the following facts, the Commissioner makes the following findings of
5 facts:

6 FINDINGS OF FACT

7 1. CAREER COMPASS is a California corporation engaged in the business
8 of offering motivational training and other seminars to members of the public, including
9 California real estate licensees. PENDELL is the Chief Executive Officer, Secretary and Chief
10 Financial Officer of CAREER COMPASS.

11 2. Effective May 28, 2014, in Case Nos. H-4486 SD and H-4487 SD, before
12 the Bureau of Real Estate,¹ the Commissioner withdrew approval for CAREER COMPASS to
13 provide CE courses and approval for PENDELL to serve as instructor of CE courses. The order
14 of withdrawal was made under the provisions of Section 3010 of Title 10 of the California
15 Code of Regulations (hereafter "Regulations") and Section 10170.4 of the Code, in conjunction
16 with Sections 3006 (d) and 3007.3 (n) (Final Exam Requirements), 3006 (b) (Physical Presence
17 of Course Attendees Requirement), 3007 (j) (Course Completion Certificates), and 3006 (f) (2)
18 (Grounds for Withdrawal of Approval for CE Courses) of Chapter 6, Title 10, California Code
19 of Regulations (hereafter "Regulations").

20 3. On December 31, 2014, in Case No. H-4684 SD, the Commissioner issued
21 a Desist and Refrain Order (hereafter "DRO") against Respondents. The DRO directed
22 Respondents to,

23 "immediately desist and refrain from disseminating any advertising or
24 promotional material for a continuing education offering fulfilling, or
25 purporting to fulfill, the requirements for a renewal of a California real
26 estate license, as set forth in Code Section 10170.5 and Section 3006
27 et seq. of Regulations, that contains false and/or misleading statements
or representations in violation of Section 3007.6 of the Regulations."

¹ Effective July 1, 2018, the Bureau of Real Estate became the Department of Real Estate. (Bus. & Prof. Code § 10005.)

1 Additionally, the DRO directed Respondents to,

2 “DESIST AND REFRAIN from stating or implying that they, or any
3 of them, are approved by the [Bureau of Real Estate] to act as a sponsor
4 of education offering without having complied with all the provisions
of Code Section 10170.4 and Section 3006 et seq. of the Regulations.”

5 The DRO was affirmed by Decision on July 27, 2015.

6 4. At no time after May 28, 2014, has CAREER COMPASS been approved
7 by the Commissioner to sponsor continuing education course offerings (hereafter “CE
8 courses”) for California real estate licensees (hereafter “licensees” or “licensee”).²

9 5. At all times herein mentioned, Respondents’ engaged in activities
10 which constitute violations of Section 10170.4 of the Code, Section 3007.6 of the Regulations
11 and the DRO, by knowingly advertising, displaying, publishing, disseminating, or causing or
12 permitting to be advertised, displayed, published, or disseminated advertising and promotional
13 materials that include false and/or misleading statements or representations concerning
14 CAREER COMPASS’ ability to provide CE courses and continuing education credit hours
15 which meet the requirements for the renewal of a California real estate license.³

16 6. At all times herein mentioned, Respondents’ engaged in activities
17 which constitute violations of Section 10170.4 of the Code, and of Title 10, Chapter 6, Article
18 25 (Continuing Education Requirements) of the Regulations, specifically Sections 3006, 3007,
19 3007.2, and 3007.3 of the Regulations and the DRO, by providing continuing education
20 certificates to California real estate licensees (hereafter “licensees” or “licensee”) which falsely
21 indicate completion of Department approved correspondence CE courses and continuing
22 education credit hours were earned.

23 7. On or about November 27, 2018, Respondents advertised, published,
24 distributed, or caused to be advertised, published or distributed, in connection with the website,
25 <http://thecareercompass.com> (hereafter “CAREER COMPASS website”), false and/or
26

27 ² Any references to “approved” as it relates to CE courses shall mean CE courses which have been approved by the Commissioner pursuant to Section 10170.4 of the Business and Professions Code and Sections 3006 through 3010 of the Regulations.

³ Any references to “continuing education hours” shall mean continuing education hours which meet the requirements for the renewal of a California real estate license as described in Section 10170.5 of the Code.

1 misleading statements and representations related to CE courses and purporting to fulfill the
2 continuing education requirements for renewal of a California real estate license, including, but
3 not limited to the following:

4 a. "Lifetime License Renewals"

5 b. "PHONE (855) C.E. RENEW"

6 c. "Taking part in our entertaining and educational training seminars
7 means you will enjoy all of the following benefits! Full Bre/Dre License
8 Renewal...Lifetime renewals of your license. Continuing education
9 credits free...for life."

10 d. "Attend just one of our seminars...and you get your license renewed
11 for free, for life!"

12 e. "We have developed an amazing marketing training program that
13 satisfies your continuing education credits which means at the end of our
14 seminar you will have all the credits required for a full renewals of a 4-
15 year real estate license."

16 f. "Attendance at any one of the 2 day and 2 hour seminars renews your
17 license!"

18 g. "The CAREER COMPASS not only provides you with: The best real
19 estate license renewal training seminars..."

20 h. "This membership allows you to attend any COMPASS training
21 seminar, at any time for FREE for LIFE. If you have a B.R.E. License
22 this is the right option for you, as it satisfies the 45 credit hour
23 requirement for a B.R.E. License."

24 i. "As part of our LIFETIME license renewal, you simply come back
25 to any COMPASS Success Seminar any time in your renewal period to
26 get these credit hours."

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1 8. On or about November 27, 2018, Respondents advertised, published,
2 distributed, or caused to be advertised, published or distributed, in connection with the
3 CAREER COMPASS website, false and/or misleading statements and representations about
4 offering continuing education certificates which would support renewal of a California real
5 estate license under the Real Estate Law. On the CAREER COMPASS website, in the FAQs
6 section, under the subject lines, “Continuing Education Certificate Replacement – Lost
7 Certificate” and “What If I Did Test, I Did Pass And DID NOT Save My Certificate Like I was
8 Told to Do?” and the provided hyperlink, “CERTIFICATE REPLACEMENT”, the following
9 statement is made, “Replacement certificates are available through THE CAREER COMPASS
10 for a nominal fee of \$29.95 per certificate (up to 45 credit hour certificate)”.

11 9. On or about January 8, 2019, Respondents advertised, published,
12 distributed, or caused to be advertised, published or distributed, in connection with the
13 CAREER COMPASS website, false and/or misleading statements and representations related
14 to CE courses and purporting to fulfill the continuing education requirements for renewal of a
15 California real estate license, including, but not limited to the following⁴:

16 a. Repeated references and characterizations of CAREER COMPASS
17 seminars as “real estate agent CE training seminars” or “Real Estate
18 License Renewal and Marketing training seminars”.

19 b. “Yes, at the COMPASS seminar you will have the opportunity to test
20 for all the credit hours you need to renew your CA real estate license.”

21 c. “Your ONE TIME purchase of a COMPASS membership allows you to
22 come to ANY of our COMPASS Success Seminars and get the training
23 and renew your license...FOR FREE...FOR LIFE.”

24 10. Respondents’ advertisement and promotional material, described in
25 Paragraphs 7 through 9, contain false or misleading factual statements and representations
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⁴ The false and/or misleading statements and representations related to CE courses and purporting to fulfill the continuing education requirements for renewal of a California real estate license on the CAREER COMPASS website, on or about January 8, 2019, also included the same or similar statements as described in Paragraph 9.

1 about CE courses, directed to licensees, in that Respondents' falsely state or imply successful
2 completion of CAREER COMPASS seminars would support renewals of California real estate
3 licenses, CAREER COMPASS seminars fulfill the continuing education requirements
4 necessary for renewal of a California real estate license, and CAREER COMPASS has the
5 ability to issue valid continuing education certificates. Furthermore, Respondents advertising
6 "lifetime" or "full" license renewals are also false or misleading factual statements and
7 representations relating to continuing education.

8 11. On or about February 28, 2015, Respondents made arrangements with
9 CyberCE, a sponsor of approved correspondence CE courses, wherein CAREER COMPASS
10 would provide its members with a no cost referral to CyberCE and its CE courses to enable
11 CAREER COMPASS members to earn continuing education credit hours and continuing
12 education certificates which meet the requirements for the renewal of a California real estate
13 license.

14 12. In or about September 2017, Barbara B., a California real estate licensee,
15 attended a CAREER COMPASS live seminar held in Temecula, California. During the
16 seminar, Barbara B. was administered a written examination of real estate questions in the form
17 of multiple choice and true or false questions by CAREER COMPASS. At the conclusion of
18 the seminar and upon completion of the examination, Barbara B. received a continuing
19 education certificate from CAREER COMPASS. The continuing education certificate falsely
20 indicates: (1) Barbara B. had attended and completed CyberCE approved correspondence CE
21 courses entitled, "Trust Funds", "Escrow", "Ethics", "Agency", "Risk Management", "Fair
22 Housing", "Home Inspections" and "Management and Supervision"; (2) Barbara B. completed
23 the approved correspondence CE courses online and continuing education credit hours were
24 earned; (3) Barbara B. passed each of the CyberCE approved correspondence CE courses' final
25 examinations with a score of 70 percent or better; and (4) the continuing education certificate
26 was issued by CyberCE.

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1 13. In or about September 2017, Richard B., a California real estate licensee,
2 attended a CAREER COMPASS live seminar held in Temecula, California. During the
3 seminar, Richard B. was administered a written examination of real estate questions by
4 CAREER COMPASS. After the seminar ended, Richard B. received a continuing education
5 certificate from CAREER COMPASS by email. The continuing education certificate falsely
6 indicates: (1) Richard B. had attended and completed CyberCE approved correspondence CE
7 courses entitled, “Trust Funds”, “Escrow”, “Ethics”, “Agency”, “Risk Management”, “Fair
8 Housing”, “Home Inspections” and “Management and Supervision”; (2) Richard K. completed
9 the approved correspondence CE courses online and continuing education credit hours were
10 earned; (3) Richard K. passed each of the CyberCE approved correspondence CE courses’ final
11 examinations with a score of 70 percent or better; and (4) the continuing education certificate
12 was issued by CyberCE.

13 14. In or about December 2017, Desiree E., a California real estate licensee,
14 attended a CAREER COMPASS live seminar held in Anaheim, California. During the seminar,
15 Desiree E. was administered a written examination of real estate questions in the form of
16 multiple choice and true or false questions by CAREER COMPASS. After the seminar ended,
17 Desiree E. received a continuing education certificate from CAREER COMPASS by email.
18 The continuing education certificate falsely indicates: (1) Desiree E. had attended and
19 completed CyberCE approved correspondence CE courses entitled, “Trust Funds”, “Escrow”,
20 “Ethics”, “Agency”, “Risk Management”, “Fair Housing”, “Home Inspections” and
21 “Management and Supervision”; (2) Desiree E. completed the approved correspondence CE
22 courses online and continuing education credit hours were earned; (3) Desiree E. passed each
23 of the CyberCE approved correspondence CE courses’ final examinations with a score of 70
24 percent or better; and (4) the continuing education certificate was issued by CyberCE.

25 15. In or about December 2017, Richard K., a California real estate licensee,
26 attended a CAREER COMPASS live seminar held in Anaheim, California. During the seminar,
27 Richard K. was administered a written examination of real estate questions in the form of

1 multiple choice and true or false questions by CAREER COMPASS. After the seminar ended,
 2 Richard K. received a continuing education certificate from CAREER COMPASS by email.
 3 The continuing education certificate falsely indicates: (1) Richard K. had attended and
 4 completed CyberCE approved correspondence CE courses entitled, “Trust Funds”, “Escrow”,
 5 “Ethics”, “Agency”, “Risk Management”, “Fair Housing”, “Home Inspections” and
 6 “Management and Supervision”; (2) Richard K. completed the approved correspondence CE
 7 courses online and continuing education credit hours were earned; (3) Richard K. passed each
 8 of the CyberCE approved correspondence CE courses’ final examinations with a score of 70
 9 percent or better; and (4) the continuing education certificate was issued by CyberCE.

10 16. Between 2017 and 2018, CAREER COMPASS provided to licensees false
 11 continuing education certificates indicating CyberCE approved correspondence CE courses had
 12 been completed and continuing education credit hours were earned, when the event attended
 13 was a CAREER COMPASS live seminar in which continuing education credit hours could not
 14 be earned, including, but not limited to:

Licensee	Date of Continuing Education Certificate
Lydia A.	December 14, 15, and 16, 2017
Guadalupe ‘Lupe’ A.	December 14, 15, and 16, 2017
Ruby A.	December 14, 15, and 16, 2017
Linda A.	January 19, 20, 21, and 22, 2018
Stella A.	February 2, 2018, July 30, and 31, 2018, and August 2, 2018
Nuray A.	September 22, 2017
Maria B.	January 19, 20, 21, and 22, 2018
D’Angelo B.	March 14 and 15, 2017; July 5 and 6, 2017
Teri B.	December 14, 15, and 16, 2017
Harvey B.	December 14, 15, and 16, 2017

Jacolyn B.	December 14 ⁵ , 15, 16, and 17, 2017
Mary 'Patty' C.	September 22, 2017 (1 st certificate); September 21, 23, and 24, 2017 (2 nd certificate)
Guadalupe C.	December 14, 15, and 16, 2017
Barbara C.	January 19, 20, 21, and 22, 2018
Sharon C.	January 19, 20, 21, and 22, 2018
Ryan C.	March 14 and 15, 2017, and July 5 and 6, 2017
Maruja F.	January 19, 20, 21, and 22, 2018
Derrick F.	September 22, 2017 (1 st certificate); September 21, 23, and 24, 2017 (2 nd certificate)
Diane E.G.	September 22, 2017 (1 st certificate); September 21, 23, and 24, 2017 (2 nd certificate); November 17, 21 and 25, 2017, and December 1, 2017 (3 rd certificate)
Diane C.G.	December 14, 15, and 16, 2017
Martha H.	December 14, 15, and 16, 2017
Michelle H.	December 14 ⁶ , 15, and 16, 2017
Lori H.	March 14 and 15, 2017, and July 5 and 6, 2017
Carol 'Carrie' H.	January 19, 20, 21, and 22, 2018
Sandra J.	December 14, 15, and 16, 2017
Marianne K.	September 22, 2017 (1 st certificate); September 21, 23, and 24, 2017 (2 nd certificate)
Patti K.	December 14, 15, and 16, 2017
Shawn Cam L.	December 14, 15, and 16, 2017
Martha M.	January 19, 20, 21, and 22, 2018
Wilfrido M.	December 14, 15, 16 and 17, 2017
Hernan O.	January 19, 20, 21, and 22, 2018

⁵ The continuing education certificate provided to Jacolyn B. indicates the Home Inspections course was completed on December 14, 2018. However, the continuing education certificate was provided to the licensee prior to December 2018. This is most likely a typographical error. It is assumed the date should have indicated December 14, 2017.

⁶ The continuing education certificate provided to Michelle H. indicates the Risk Management course was completed on December 14, 2018. However, the continuing education certificate was provided to the licensee prior to December 2018. This is most likely a typographical error. It is assumed the date should have indicated December 14, 2017.

Jana P.	January 19, 20, 21, and 22, 2018
Ronald 'Ron' P.	December 14, 15, and 16, 2017
Deborah 'Debbie' P.	September 22, 2017
Kayla R.	December 14, 15, and 16, 2017
Karen R.	December 14, 15, and 16, 2017
Rickey 'Rick' S.	September 22, 2017 (1 st certificate); September 21, 23, and 24, 2017 (2 nd certificate)
Debra S.	December 14, 15, and 16, 2017
James S.	December 14, 15, and 16, 2017
Charles V.	January 19, 20, 21, and 22, 2018
Kenny W.	September 22, 2017 (1 st certificate); September 21, 23, and 24, 2017 (2 nd certificate)
Michele W.	September 21, 22, 23, and 24, 2017
Katherine W.	September 22, 2017 (1 st certificate); September 21, 23, and 24, 2017 (2 nd certificate)
Linda W.	December 14, 15, and 16, 2017
Chin Y.	January 13, 15, and 31, 2018, and February 5 and 6, 2018
Pauline Z.	March 12, 13 and 14, 2017
Trey Z.	December 14, 15, and 16, 2017

17. Respondents' imply CAREER COMPASS is approved by the Department to act as a sponsor of CE courses by providing continuing education certificates to licensees which falsely indicate licensees have fulfilled the continuing education requirements necessary for renewal of a California real estate license after attending a CAREER COMPASS seminar.

18. Respondents' have violated the statutory and regulatory standards required for approved CE courses, in that: (1) CAREER COMPASS was not an approved sponsor for CE courses and did not meet the criteria for approval of CE courses, as described in Section 3006 of the Regulations; (2) licensees, described above, had not completed the instructional portion of the CyberCE approved correspondence CE courses prior to final examination;

1 (3) licensees, described above, had not spent the requisite number of hours navigating through
2 the content and completing the incremental assessments prior to final examination; (4)
3 licensees, described above, had not taken the appropriate form of final examination for the
4 CyberCE approved correspondence CE courses; (5) licensees, described above, had not taken
5 the final examination administered by a proctor designated by CyberCE and (6) the continuing
6 education certificates contained false information, as described above in Paragraphs 14 through
7 18. Furthermore, the continuing education certificates provided by CAREER COMPASS
8 falsely reflect completion of an approved correspondence CE course, when, in fact, the event
9 attended was an unapproved live presentation, which constitutes a material change and a
10 significant deviation from the CE courses originally approved by the Department.

11 19. Based on the findings set forth above, Respondents have violated Section
12 10170.4 of the Code, Article 25 of the Regulations, Sections 3006, 3007, 3007.2, 3007.3, and
13 3007.6 of the Regulations, and the DRO.

14 20. A Bar Order is in the public interest in that Respondents violated the
15 Regulations and order of the Commissioner, which violations were known to Respondents, or
16 should have been known to them.

17 21. A Bar Order is in the public interest in that Respondents violated
18 the Regulations and order of the Commissioner, which violations have caused material damage
19 to the public.

20 CONCLUSIONS OF LAW

21 Based on the findings set forth above, the Commissioner has determined that:

- 22 1. A Bar Order is in the public interest;
- 23 2. Respondents committed violations of the Real Estate Law and order of
24 the Commissioner, which violations was either known or should have been known; and
- 25 3. The violations of Real Estate Law and order of the Commissioner by
26 Respondents have caused material damage to the public.

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1 ORDER

2 NOW, THEREFORE, IT IS ORDERED, pursuant to the authority of Section
3 10087 of the Code, that WELLINGTON D. PENDELL and THE CAREER COMPASS, INC.,
4 are hereby barred and prohibited for a period of thirty-six (36) months from the effective date of
5 this Bar Order, from engaging in any of the following activities in the State of California:

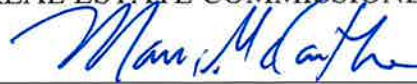
- 6 (A) Engaging in any business activity involving real estate that is subject to
7 regulation under Division 4 (Sections 10000 through 11288) of the Code;
- 8 (B) Participating in any activity for which a real estate salesperson or a real
9 estate broker license is required;
- 10 (C) Engaging in any real estate-related business activity which requires a real
11 estate license;
- 12 (D) Participating in any real estate-related business activity of a finance
13 lender, residential mortgage lender, bank, credit union, escrow company,
14 title company, or underwritten title company; and
- 15 (E) Holding any position of employment, management, control, or ownership
16 as a real estate broker, a real estate salesperson, or an unlicensed person,
17 in any business involving any of the activities mentioned in
18 subparagraphs (A) through (D) above.

19 THIS BAR ORDER IS EFFECTIVE IMMEDIATELY.

20 It is so ordered on

11/1/2022

21 DOUGLAS R. McCAULEY
22 REAL ESTATE COMMISSIONER

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NOTICE

Pursuant to Section 10185 of the Business and Professions Code: Any person, including officers, directors, agents or employees of corporations, who willfully violates or knowingly participates in the violation of this (Bar Order) shall be guilty of a misdemeanor punishable by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the county jail not exceeding six months, or by a fine and imprisonment.

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