



Professional Fiduciaries Bureau
 Post Office Box 989005
 West Sacramento, CA 95798-9005
 Telephone: (916) 574-7340 FAX (916) 574-8645
 Website: www.fiduciary.ca.gov



Citation Order

Date: April 9, 2013
Name: Richard Dier
Address: 9018 Balboa Blvd., #296
 Northridge, CA 91325

License Number: Unlicensed
Case Number: PF 2012-74

I, Gil DeLuna, hereby issue this citation solely in my official capacity as Acting Bureau Chief of the Professional Fiduciaries Bureau of California, hereinafter referred to as the "Bureau."

License History:

The records of the Bureau show that **Richard Dier** is not licensed as a Professional Fiduciary with the Professional Fiduciaries Bureau.

Citation:

A citation is hereby issued to you in accordance with sections 125.9, 6580(b)(1) and 6583 of the Business and Professions Code for the violation(s) described below.

Cause for Violation:

Cause exists under Section 6530(a) of the Business and Professions Code to issue a citation for falsely representing yourself to the public on your business cards and letterhead as a Professional Fiduciary.

Section 6530(a) of the Business and Professions Code states, "On or after January 1, 2009, no person shall act or hold himself or herself out to the public as a professional fiduciary unless that person is licensed as a professional fiduciary in accordance with the provisions of this chapter."

Order of Abatement and Corrective Action:

The Bureau hereby directs you to cease and desist from holding yourself out as a licensed professional fiduciary without having at the time a valid, unexpired, license issued by the Professional Fiduciaries Bureau.

Unless you are contesting the citation, failure to abate the violation charged within 30 days of the date of your receipt of this document may be deemed to constitute a violation of the Professional Fiduciaries Act. Failure to comply may result in disciplinary action being taken by the Bureau or other appropriate judicial relief being taken against you.

Fine:

The Bureau is authorized to issue citations containing orders of abatement and/or administrative fines pursuant to Sections 125.9 or 6580(b)(1) of the Business and Professions Code against a professional fiduciary who has committed any acts or omissions which are in violation of the Act or the regulations contained in Division 41, Title 16, California Code of Regulations.

The fine for this violation is \$2,500.00

Payment of the administrative fine, if any and abatement will be considered satisfactory resolution of the violation(s) cited.

The citation will become a final order of the Bureau 30 days after the date of issuance of the citation. Payment must be made by cashier's check or money order only, payable to the Professional Fiduciaries Bureau. A personal or business check will not be accepted. Please indicate the citation number on the cashier's check or money order and mail it to the Bureau at 1625 North Market Blvd., Suite S-209, Sacramento, CA 95834.

Appeal of Citation:

If you desire a hearing to contest the finding of the violation, the request must be made in writing within thirty (30) days of the issuance of this citation.

In addition to requesting an administrative hearing as provided for in subdivision (b)(4) of Section 125.9 of the Business and Professions Code, you may request an informal conference to review the acts charged in the citation. Your request for an informal conference must be made in writing, within ten (10) days after the issuance of the citation. If the conference is requested, the Bureau will hold the conference within sixty (60) days from the receipt of your request.

At the conclusion of the informal conference, the Bureau may affirm, modify or dismiss your citation, including any fine levied or order of abatement issued. The Bureau will issue a written decision explaining the reasons for its action. The decision will be deemed to be a final order of the Bureau with regard to the citation issued; including any administrative fine levied or order of abatement.

If the citation, including any fine levied or order of abatement, is modified, the citation originally issued shall be considered withdrawn and a new citation issued. If the cited person desires a formal hearing to contest the new citation or to contest the Bureau's affirmation of the citation, you must make a new request in writing, within thirty (30) days of receipt of the informal conference decision, to the Bureau. The hearing will be conducted as provided for in subdivision (b)(4) of Section 125.9. You may not request an informal conference for a citation which has been modified following an informal conference.

If a hearing is not requested, payment of any fine will not constitute an admission of the violation charged. Issuance of a citation is subject to public disclosure. Notwithstanding any other provision of law, if a fine is paid to satisfy an assessment based on the finding of a violation, payment of the fine will be represented as a satisfactory resolution of the matter for purposes of public disclosure. **Where a citation is not contested and a fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the license. A license shall not be renewed without payment of the renewal fee in accordance with the Business and Professions Code Section 125.9.**



Gil DeLuna, Acting Chief

4-9-13

Date

DEPARTMENT OF CONSUMER AFFAIRS
PROFESSIONAL FIDUCIARIES BUREAU

Richard Dier
9018 Balboa Blvd., #296
Northridge, CA 91325

Re: License Number: Unlicensed
Case Number: PF 2012 74
Citation No: Pf 2012 74

I hereby acknowledge receipt of the above referenced citation and notification of my rights to contest the citation pursuant to Business and Professions Code Section 125.9 and Title 16, California Code of Regulations Sections 4600.

___ Enclosed is a cashier's check or money order in the amount of \$_____ as payment for the citation and fine assessment.

___ *I hereby contest the citation and request an informal office conference. I understand that I am not waving my right to a formal hearing pursuant to Chapter 5 (commencing with Section 11500) of Part 1, Division 3 of Title 2 of the Government Code.

___ *I request a formal hearing pursuant to Chapter 5 (commencing with Section 11500) of Part 1, Division 3 of title 2 of the Government Code.

___ *I request an informal conference, however in lieu of personally attending, I am enclosing information and/or documents for use in re-evaluating the circumstances surrounding the issuance of the citation.

The citation, order of abatement and/or administrative fine is contested for the following reasons:

***No administrative fines are due while a citation is under appeal. If appealing, do not submit and payment at this time.**

Name: _____

Date: _____

Signature: _____

Telephone Number: _____

Title: _____

FAX No: _____