



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



Citation Order

Date: June 19, 2013
Name: Mary M. Pynenburg
Address: P.O. Box 6628
 Albany, CA 94706

License Number: PF 380
Case/Citation Numbers: PF-2012-20 and PF-2012-21

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 license number PF380 was issued to you, Mary M. Pynenburg, on October 13, 2009 and will expire on July 31, 2013.

Citation:

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

Cause for Violation:

Cause exists under section 6520 of the Business and Professions Code (B&P) and California Code of Regulations (CCR) 4470(b) to issue a citation for willful violation of duty for your failure to notify the court of the deaths of two clients as more specifically detailed below.

Violation #1: On or about October 28, 2002, you assumed the position as Conservator for client DF. DF died on or about February 14, 2011. As the Conservator for DF, you failed to notify the Alameda County Superior Court of DF's death, and the subsequent opening of a new bank account in the conservatorship on June 22, 2011 which you are required to file notice pursuant to Alameda County Superior Court Rule 7.870.

Violation #2: On or about December 15, 2001, you assumed the position as Conservator for client EC. EC died on or about March 27, 2012. As the Conservator for EC, you failed to notify the Alameda County Superior Court of EC's death which you are required to do pursuant to Alameda County Superior Court Rule 7.870. The Court subsequently learned of the death of EC when the Court Investigator phoned the residential care facility where EC lived on June 27, 2012.

Order of Abatement and Corrective Action:

The Bureau hereby directs you to comply with all laws, rules and regulations governing the practice of a fiduciary in California including all local rules of the courts that oversee clients assigned to 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 Violation #1 is: \$1,000.00
The fine for Violation #2 is: \$1,000.00

Total Fine: \$2,000.00

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.

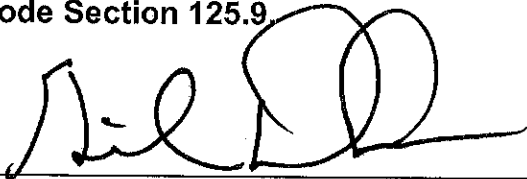
If the citation, including any fine levied or order of abatement, is modified, the citation originally issued shall be considered withdrawn and a new citation issued. If the cited person desires a

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 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

6-19-13

Date