

Citation Order

Date: July 22, 2016
Name: Rita Michael
Address: 1219 Morningside Drive
Manhattan Beach, CA 90266
License Number: PF 217
Case Number: PF 2014-80

I, Tracy A. Montez, 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 PF 217 was issued to you, Rita Michael, on October 14, 2008, and will expire on December 31, 2016.

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 6560 of the Business and Professions Code to issue a citation for failure to provide client records to the Bureau.

Business and Professions Code section 6560 states "A licensee shall keep complete and accurate records of client accounts, and shall make those records available for audit by the bureau."

A letter with a request for client records for the [REDACTED] was mailed to you on June 13, 2016, and a second request on July 8, 2016. The Bureau has not received a response from you as of the date of this citation.

Order of Abatement and Corrective Action:

The Bureau hereby directs you to:

1. Provide a complete and accurate set of client records for the [REDACTED] [REDACTED] e.

Unless you are contesting the citation, failure to abate the violation charged within thirty (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.

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 \$500

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 thirty (30) days after the date of issuance of the citation. Payment must be made payable to the Professional Fiduciaries Bureau. Please indicate the citation number on the cashier's check, money order, or personal check 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 you desire 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.

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.**


Tracy A. Montez, Acting Bureau Chief

7/22/14
Date

DEPARTMENT OF CONSUMER AFFAIRS
PROFESSIONAL FIDUCIARIES BUREAU

Rita Michael
1219 Morningside Drive
Manhattan Beach, CA 90266

Re: License Number: PF 217
Case Number: PF 2014 80
Citation No: PF 2014 80

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 complete copy of client records for the [REDACTED]
[REDACTED].

____ *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 any payment at this time.**

Name: _____ Date: _____
Signature: _____ Telephone Number: _____
Title: _____ FAX No: _____