

Citation Order

Date: May 15, 2018
Name: O'Hare, Cynthia M.
Address: 55 Kendall Lane, Danville, CA 94526
License Number: PF-778
Case Number: PF-2017-130

I, Rebecca May, hereby issue this citation solely in my official capacity as Bureau Chief of the Professional Fiduciaries Bureau (Bureau) for the Department of Consumer Affairs.

License History:

The Bureau's records show that license number PF 675 was issued to you on February 6, 2013, and will expire on October 31, 2018, unless renewed.

Citation:

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

Cause for Violation:

Cause exists under Section 6538 of the BPC to issue a citation for failure to complete continuing education requirements, in violation of Division 41, Title 16, California Code of Regulations (CCR) Section 4452(c).

BPC Section 6538(b) states, *"To renew a license, or to restore a license from retired status to active status, a licensee shall complete 15 hours of approved continuing education courses each year"*

Professional Code of Ethics, Title 16, CCR Section 4452(c) states "Each licensee shall provide any information requested by the Bureau within ten (10) business day of the request, to determine compliance with the continuing education requirements for license renewal."

On December 8, 2017, you were randomly selected to provide documentation evidencing completion of the Professional Fiduciaries Bureau's continuing education requirements for

the renewal period of November 1, 2016 through October 31, 2017. You failed to reply to the Bureau.

Order of Abatement and Corrective Action:

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 BPC against a professional fiduciary who has committed any acts or omissions which are in violation of the Professional Fiduciaries Act or the regulations contained in Division 41, Title 16, CCR.

The Bureau hereby directs you to:

1. Provide proof of completion of 15 hours of continuing education, including 2 hours in ethics for fiduciaries.

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 a violation of the Professional Fiduciaries Act.

Under the provisions of Title 16, CCR Section 4610(b), if the order of abatement is not contested or if the order is appealed and the person or entity cited does not prevail, failure to abate the violation charged within the time specified in the citation shall constitute a violation and failure to comply with the order of abatement. Failure to timely comply with an order of abatement may result in disciplinary action being taken by the Bureau or other appropriate judicial relief being taken against you.

Administrative Fine Assessed: NONE

In accordance with the BPC Section 125.9, failure to pay a fine within thirty (30) days of the date of assessment, unless the citation is being appealed, may result in disciplinary action being taken by the Bureau.

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 and fine.

Payment must be made payable to the Professional Fiduciaries Bureau at 1625 North Market Blvd., Suite S-209, Sacramento, CA 95834. Please indicate the citation number on the cashier's check, money order, or personal check.

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

A citation that is not contested will become a final order of the Bureau thirty (30) days after the date of issuance of the citation.

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.



Rebecca May, Bureau Chief
Professional Fiduciaries Bureau
Department of Consumer Affairs

5/15/18

Date