

FILED

JUN 12 2014

DEPARTMENT OF REAL ESTATE
BY: [Signature]

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7
8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-04644 SD
12)
13 SAN VICENTE REAL ESTATE SERVICES, INC.,)
14 a corporate real estate broker, and) ACCUSATION
15 ARNOLD KRISTIAN FRY, individually and as)
16 designated broker officer of)
San Vicente Real Estate Services Inc.,)
Respondents.)

17
18 The Complainant, Veronica Kilpatrick, a Deputy Real Estate Commissioner of the
19 State of California, for cause of Accusation against SAN VICENTE REAL ESTATE
20 SERVICES, INC., a corporate real estate broker, and ARNOLD KRISTIAN FRY, individually
21 and as designated broker-officer of San Vicente Real Estate Services Inc., is informed and
22 alleges as follows:

23 1.

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25 The Complainant, Veronica Kilpatrick makes this Accusation in her official
26 capacity.

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2.

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2 At all times relevant herein Respondent SAN VICENTE REAL ESTATE
3 SERVICES, INC. ("SAN VICENTE"), was licensed and/or had license rights under the Real
4 Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter
5 "Code") as a corporate real estate broker. At all times relevant, SAN VICENTE was authorized
6 to act by and through Respondent ARNOLD KRISTIAN FRY as the designated officer and
7 broker responsible, pursuant to the provisions of Code Section 10159.2 for the supervision and
8 control of the activities conducted on behalf of SAN VICENTE by SAN VICENTE's officers
9 and employees. SAN VICENTE has been licensed as a corporate real estate broker since 1988.
10

11 3.

12 Respondent ARNOLD KRISTIAN FRY (hereinafter "FRY") is presently
13 licensed, and/or has license rights under the Code, as a real estate broker. FRY has been licensed
14 by the Bureau as a real estate broker since 1992, and was licensed as a salesperson prior to that
15 time.
16

17 4.

18 Respondent SAN VICENTE is a California corporation. FRY is the Secretary
19 and Agent for Service of Process for the corporation. As set forth more fully below, SAN
20 VICENTE's corporate rights and privileges were suspended effective on or about October 1,
21 2003. SAN VICENTE's corporate status has remained suspended, and it is not currently a
22 corporation in good standing in the State of California.
23

24 5.

25 All further references to "Respondents" include the parties listed in Paragraphs 2
26 through 4 above, as well as the officers, agents, affiliates and employees of the parties listed in
27 Paragraphs 2 through 4.

FIRST CAUSE OF ACCUSATION
(Suspension of Corporate Powers)

6.

On or about October 1, 2003, pursuant to the provisions of Section 23302 of the California Revenue and Taxation Code, the corporate rights and privileges of Respondent SAN VICENTE were suspended by the California Franchise Tax Board and by the Secretary of State for failure to pay taxes. The corporate rights and privileges of Respondent SAN VICENTE have remained suspended since that time.

7.

The suspension of the corporate powers of Respondent SAN VICENTE's corporate rights and privileges, as set forth in paragraph 6 above, constitutes grounds to suspend or revoke Respondent SAN VICENTE's corporate real estate broker license pursuant to Code Sections 10177(d), 10177(f) and/or 10177(g) in conjunction with Regulation 2742.

8.

The suspension of the corporate powers of Respondent SAN VICENTE by the California Franchise Tax Board and Secretary of State for failure to pay taxes is grounds to suspend or revoke the license and/or license rights of Respondent FRY for failure to supervise the activities of the corporation, in violation of Code Sections 10159.2, 10177(h), 10177(d) and/or 10177(g).

SECOND CAUSE OF ACCUSATION
(Material misrepresentation of fact in license renewal application)

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On or about January 13, 2012, Respondent FRY submitted a license renewal application to the Bureau as the officer of Respondent SAN VICENTE.

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In response to Question #17 in SAN VICENTE's renewal application, to wit: "Is the corporation currently in good standing with the Office of the Secretary of State," Respondent FRY marked the box, "Yes."

11.

In truth and fact, as Respondent FRY knew, as of the date of the renewal application, SAN VICENTE was not a corporation in good standing with the Office of the Secretary of State.

12.

In reliance on the renewal application submitted by Respondent FRY, SAN VICENTE's corporate real estate broker license was renewed.

13.

In falsely answering Question #17 of SAN VICENTE's renewal application, Respondent FRY made a material misstatement of fact.

14.

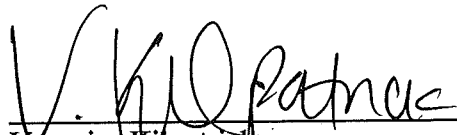
Respondent FRY'S material misstatement of fact in SAN VICENTE's renewal application, as described above, constitutes grounds to revoke or suspend Respondent FRY and Respondent SAN VICENTE's real estate broker licenses and license rights pursuant to Code Section 10177(a).

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1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
3 action against all licenses and/or license rights of Respondents SAN VICENTE REAL ESTATE
4 SERVICES, INC. and ARNOLD KRISTIAN FRY under the Real Estate Law (Part 1 of Division
5 4 of the Business and Professions Code), for the cost of investigation and enforcement as
6 permitted by law, and for such other and further relief as may be proper under other provisions of
7 law.

8 Dated at Los Angeles, California,

9 this 10 day of June, 2014

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13 
14 Veronica Kilpatrick
15 Deputy Real Estate Commissioner
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23
24 cc: San Vicente Real Estate Services Inc.
25 Arnold Kristian Fry
26 Veronica Kilpatrick
27 Sacto.