

MARY F. CLARKE, Counsel (SBN 186744)
Bureau of Real Estate
1651 Exposition Blvd.
P. O. Box 137007
Sacramento, CA 95813-7007

Telephone: (916) 263-8670
-or- (916) 263-7303 (Direct)
-or- (916) 263-3767 (Fax)

FILED

DEC - 3 2014

BUREAU OF REAL ESTATE

By B. Contreras

BEFORE THE
BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	NO. H-6190 SAC
GREGORY KEITH CHING,)	
)	<u>ACCUSATION</u>
Respondent.)	
_____)	

The Complainant, TRICIA D. PARKHURST, a Deputy Real Estate Commissioner of the State of California, makes this Accusation for cause against GREGORY KEITH CHING (herein "Respondent") dba "Village Property Management Services" and "Village Properties," and is informed and alleges as follows:

1

At all times herein mentioned, Respondent was and now is licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) (herein "the Code").

2

At all times herein mentioned, Respondent was and now is licensed by the State of California Bureau of Real Estate (herein the "Bureau") as a real estate broker.

///

At all times herein mentioned, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the State of California on behalf of others, for compensation or in expectation of compensation within the meaning of Section 10131(b) of the Code, the operation and conduct of a property management business, which included leasing or renting and offering to lease or rent, and placing for rent, and soliciting listings of places for rent, and soliciting for prospective tenants of real property or improvements thereon, and collecting rents from real property or improvements thereon.

On or about April 17, 2014, to about June 6, 2014, an audit was conducted of the records of Respondent. The auditor herein examined the records for the period of about January 1, 2013, to about March 31, 2014.

In so acting as a real estate broker, as described in Paragraph 3, Respondent accepted or received funds in trust (herein "trust funds") from or on behalf of owners, tenants, and others in connection with leasing, renting, and collection of rents on real property or improvements thereon.

The aforesaid trust funds accepted or received by Respondent were deposited or caused to be deposited by Respondent into one or more bank accounts (herein "trust fund accounts") maintained by Respondent for the handling of trust funds at the following financial institutions including but not necessarily limited to:

- (a) American River Bank in Fair Oaks, CA 95628, in the name of "Village Property Management Services Trust Account 1," account number xxxxx0847 (herein "Trust Account #1"); and,
- (b) El Dorado Savings Bank in Carmichael, CA 95608, in the name of "Village Property Management Services Trust Gregory K Ching", account number xxxxx3967 (herein "Trust Account #2").

Between about January 1, 2013 to about March 31, 2014, in connection with the collection and disbursement of said trust funds, Respondent:

- (a) caused, suffered or permitted the balance of funds in Trust Account #1 to be reduced to amounts less than the liability of Respondent resulting in a trust fund shortage of about \$162,073.24 on about March 31, 2014, in violation of Section 10145 of the Code and Section 2832.1 of Chapter 6, Title 10, California Code of Regulations (herein "the Regulations"); and
- (b) failed to reconcile at least once a month, the balance of all separate beneficiary or transaction records with Trust Account #1, as required by Section 2831.2 of the Regulations.

The facts alleged above are grounds for the suspension or revocation of the license and license rights of Respondent under the following provisions of the Code and/or the Regulations:

- (a) as to Paragraph 7(a) under Section 10145 of the Code and Section 2832.1 of the Regulations, in conjunction with Section 10177(d) of the Code; and
- (b) as to Paragraph 7(b) under Section 2831.2 of the Regulations, in conjunction with Section 10177(d) of the Code.

COST RECOVERY

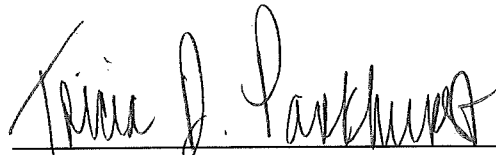
Audit Costs

The acts and/or omissions of Respondent alleged above entitle the Bureau to reimbursement of the costs of its audit pursuant to Section 10148(b) of the Code.

Investigation and Enforcement Costs

Section 10106 of the Code provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the Administrative Law Judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of Respondent under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of the investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.



TRICIA D. PARKHURST
Deputy Real Estate Commissioner

Dated at Sacramento, California

this 20th day of November, 2014.