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FILED

OCT 11 2018

DEPARTMENT OF REAL ESTATE
By X. Koops

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:)
12 FRANKIE LEROY THORNTON,) No. H-6743 SAC
13 Respondent.) ACCUSATION
14)

15 The Complainant, TRICIA D. PARKHURST, in her official capacity as a
16 Supervising Special Investigator of the State of California, Department of Real Estate
17 ("Department"), brings this Accusation against FRANKIE LEROY THORNTON ("Respondent"),
18 and is informed and alleges as follows:

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20 Respondent is presently licensed by the Department and/or has license rights under
21 the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code
22 ("Code"), as a real estate salesperson. Respondent has never been licensed as a real estate broker.

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24 From September 1, 2010, to February 28, 2018, Respondent was licensed under the
25 corporate real estate broker license of Allison James of California, Inc., CREB No. 01885684.

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Starting on March 1, 2018, Respondent was licensed under the corporate real estate license of Vestira, Inc., CREB No. 01493412.

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At all relevant times herein, Respondent was doing business through the fictitious business name of Thornton Property Management ("TPM") and was a partner and owner of TPM.

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At all relevant times herein, Respondent and TPM engaged in property management activities including acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of Section 10131(b) (A real estate broker is a person who, for compensation or in expectation of a compensation, regardless of the form or time of payment, does or negotiates to do one or more of the following acts for another or others: Leases or rents or offers to lease or rent, or places for rent, or solicits listings of places for rent, or solicits for prospective tenants, or negotiates the same, purchase or exchange of leases on real property, or on a business opportunity, or collects rents from real property, or improvements thereon, or from business opportunities.).

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On or about May 26, 2017, the Department received an Enforcement Online Complaint from Nicholl M. who rented a unit in one of the properties manages by Respondent in Sacramento, CA. Nicholl M. alleged that Respondent evicted her after she made two housing complaints for poor living conditions.

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At all relevant times herein, Respondent advertised his property management services through the website www.thorntonpropertymanagement.net, which provides that Respondent and TPM: "Work with just about any configuration, including single-family homes, townhomes, churches, multi-plexes and small apartment buildings... We have leased and managed a

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1 number of these types of properties in Northern California and Nevada with resounding success. Let
2 us put our experienced team of professional property managers to work for you.”

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5 Complainant is informed, believes, and thereon alleges that neither Allison James of
6 California, Inc. nor Vestira, Inc. have operated under the fictitious business name of TPM.

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8 Complainant is informed, believes, and thereon alleges that Allison James of
9 California, Inc. has never engaged in the business of property management.

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11 Complainant is informed, believes, and thereon alleges that Respondent has
12 unlawfully engaged in property management activities, without the knowledge and consent of his
13 licensing real estate brokers Allison James of California, Inc. and Vestira, Inc., since on or before
14 September 2015.

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16 As of June 13, 2018, a search of the website www.thorntonpropertymanagement.net
17 revealed that Respondent continues to advertise his property management services to California and
18 Nevada consumers.

19 GROUNDS FOR DISCIPLINE

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21 The acts and/or omissions of Respondent, as alleged above in Paragraphs 1 through
22 11, constitute grounds for the suspension or revocation of the license and license rights of
23 Respondent under Sections 10130 (license requirement), 10131 (broker activities defined),
24 10176(a) (making a substantial misrepresentation), 10176(i) (conduct that constitutes fraud or
25 dishonest), 10177(c) (knowingly authorizing, directing, conniving , 10177(d) (willful disregard or
26 violation of Real Estate Law), 10177(g) (negligence) and 10177(j) (conduct that constitutes fraud
27 or dishonest dealings) of the Code.

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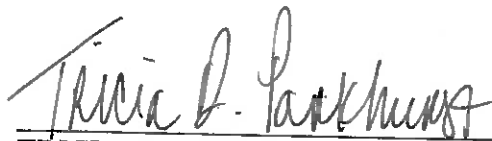
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COST RECOVERY

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Section 10106 of the Code provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, 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 revoking 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 investigation and enforcement of this matter as permitted by law, and for such other and further relief as may be proper under other provisions of law.



TRICIA D. PARKHURST
Supervising Special Investigator

Dated at Sacramento, California,
this 10th day of October, 2018.

DISCOVERY DEMAND

Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the Department hereby makes demand for discovery pursuant to the guidelines set forth in the *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the exclusion of witnesses and documents at the hearing or other sanctions that the Office of Administrative Hearings deems appropriate.