

**FILED**

SEP 14 2016

BUREAU OF REAL ESTATE

By                     *g dew*                    

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7  
8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of )  
12 )  
13 J V HOLDINGS INC and )  
14 JASON DAVID CROUCH, )  
15 Respondents. )

NO. H-12007 SF

ACCUSATION

16 The Complainant, ROBIN S. TANNER, a Supervising Special Investigator of  
17 the State of California, makes this Accusation in her official capacity against J V  
18 HOLDINGS INC ("JVHI") and JASON DAVID CROUCH ("CROUCH"), (collectively  
19 "Respondents"), and is informed and alleges as follows:

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21 At all times herein mentioned, Respondents were and now are licensed and/or  
22 have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and  
23 Professions Code) ("Code").

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At all times herein mentioned, JVHI was and now is licensed by the State of California Bureau of Real Estate ("Bureau") as a corporate real estate broker, by and through CROUCH as designated officer-broker of JVHI, to qualify said corporation and to act for said corporation as a real estate broker.

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At all times herein mentioned, CROUCH was and now is licensed by the Bureau, individually as a real estate broker, and as the designated officer-broker of JVHI. As said designated officer-broker, CROUCH was at all times mentioned herein responsible pursuant to Section 10159.2 of the Code for the supervision of the activities of the officers, agents, real estate licensees, and employees of JVHI for which a license is required.

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Whenever reference is made in an allegation in this Accusation to an act or omission of JVHI, such allegation shall be deemed to mean that the officers, directors, employees, agents and/or real estate licensees employed by or associated with JVHI committed such act or omission while engaged in the furtherance of the business or operations of such corporate respondent and while acting within the course and scope of their authority and employment.

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At all times herein mentioned, Respondents engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers wherein, on behalf of others, for compensation or in expectation of compensation within the State of California, within the meaning of Section 10131(b) of the Code, including the operation and conduct of a property management business with the public wherein Respondents leased or rented or offered to lease or rent, or placed for rent, or solicited listings or places for rent, or solicited for prospective tenants, or negotiated the sale, purchase, or exchange of leases on real property or on a business opportunity, or collected rents from real property, or improvements thereon, or from business opportunities.

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2 In so acting as real estate brokers as described in Paragraph 5, above,  
3 Respondents accepted or received funds in trust ("trust funds") from or on behalf of tenants,  
4 owners, and others in connection with renting and the collection of rents on real property or  
5 improvements thereon, and thereafter from time-to-time made disbursements of said funds.

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7 The aforesaid trust funds accepted or received by Respondents were deposited  
8 or caused to be deposited by Respondents into one or more bank accounts maintained by  
9 Respondents for the handling of trust funds at the following financial institutions:

- 10 a) Bank of Marin, Oakland, CA, 94612, account name "JV Holdings, Inc dba All  
11 Emeryville Properties dba All East Bay Properties Prop. Mgmt. Trust  
12 Account" account number xxxxxx0768 ("Trust Account #1"); and,  
13 b) Bank of Marin, Oakland, CA, 94612, account name "JV Holdings, Inc dba All  
14 Emeryville Properties dba All East Bay Properties Alameda Commercial Prop,  
15 LLC Trust" account number xxxxxx2476 ("Trust Account #2").

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17 Between about October 29, 2015, and about November 13, 2015, an audit was  
18 conducted of the records of Respondents in connection with the activities described in  
19 Paragraphs 5, 6, and 7, above. The auditor herein examined the records for the period  
20 between about October 1, 2013, and about September 30, 2015, and found Respondents:

- 21 a) caused, suffered, or permitted the balance of funds in Trust Account #1  
22 and Trust Account #2 to be reduced to an amount, which as of September 30, 2015, was  
23 approximately \$146,780.23 less than the aggregate liability of JVHI to all owners of such  
24 funds, without the prior written consent of the owners of such funds, in violation of Sections  
25 10145 and 10159.2 of the Code and in conjunction with Sections 2832.1 and 2725 of Chapter  
26 6, Title 10, of the California Code of Regulations ("Regulations");

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COST RECOVERY

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Audit Costs

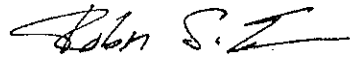
The acts and/or omissions of Respondent as alleged above entitle the Bureau to reimbursement of the costs of its audit pursuant to Section 10148(b) of the Code.

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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, for the cost of the audit as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.



ROBIN S. TANNER  
Supervising Special Investigator

Dated at Oakland, California  
this 13<sup>th</sup> day of September 2016.