

1 KYLE T. JONES, Counsel (SBN 300751)
2 Department of Real Estate
3 P.O. BOX 137007
4 Sacramento, CA 95813-7007

4 Telephone: (916) 576-8700
5 (916) 263-3767 (Fax)
6 (916) 576-7840 (Direct)

FILED

NOV 08 2023

DEPARTMENT OF REAL ESTATE
By B. Nicholas

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12) No. H-12681 SF
13 TOTAL PROPERTY SOLUTIONS, INC.)
14 and HUNTER ROBERT MILEY) ACCUSATION
Respondents.)
_____)

15 The Complainant, STEPHANIE YEE, acting in her official capacity as a
16 Supervising Special Investigator of the State of California, for this Accusation against TOTAL
17 PROPERTY SOLUTIONS, INC. (“TPSI”) and HUNTER ROBERT MILEY (“MILEY”),
18 sometimes collectively referred to as Respondents, is informed and alleges as follows:

19 1

20 TPSI is presently licensed and/or has license rights under the Real Estate Law,
21 Part 1 of Division 4 of the Business and Professions Code (“Code”), by the Department of Real
22 Estate (“Department”) as a corporate real estate broker.

23 2

24 MILEY is presently licensed and/or has license rights under the Code as a real
25 estate broker.

26 ///

27 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

3

At all times mentioned, MILEY was the designated broker-officer of TPSI. As the designated broker-officer, MILEY was responsible, pursuant to Section 10159.2 of the Code, for the supervision of the activities of officers, agents, real estate licensees and employees of TPSI for which a real estate license is required to ensure the compliance of the corporation with the Real Estate Law and the Regulations.

4

On or about April 5, 2019, MILEY informed the Department that his main office address changed to 171 Mayhew Way, #220, Pleasant Hill, CA 94523 (“Mayhew Way”).

5

At no time to the date of the filing of this Accusation has the Department received notice from MILEY that his main office address has changed from Mayhew Way.

6

On or about April 10, 2019, MILEY informed the Department that TPSI’s main office address changed to Mayhew Way.

7

At no time to the date of the filing of this Accusation has the Department received notice from MILEY that TPSI’s main office address has changed from Mayhew Way.

8

On or about February 10, 2023, a Special Investigator from the Department visited Mayhew Way, the office location was closed with an Unlawful Detainer posted on the door to the Respondents’ office.

9

On or about May 10, 2023, a Special Investigator from the Department visited Mayhew Way and it appeared that Respondents had abandoned the location.

///
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

GROUNDS FOR DISCIPLINE

10

The acts and/or omissions of Respondents as described above violate Section 10162(a) (maintain a definite place of business) of the Code and Section 2715 (notification of change in principal place of business) of Title 10, California Code of Regulations, and are grounds for the revocation or suspension of all Respondent's licenses and/or license rights under Section 10177(d) (willful violation of real estate law) of the Code.

11

The above acts and/or omissions of MILEY violate Section 2725 (broker supervision) of the Regulations and Section 10159.2 (responsibility/designated officer) of the Code and constitute grounds for disciplinary action under the provisions of Sections 10177(d), 10177(g) (negligence), and 10177(h) (broker supervision) of the Code.

COSTS OF INVESTIGATION AND ENFORCEMENT

12

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 imposing disciplinary action against all licenses and license rights of Respondent under the Real Estate Law, for the

///
///
///
///
///

1 cost of investigation and enforcement as permitted by law, and for such other and further relief
2 as may be proper under other provisions of law.

3
4 

5
6 STEPHANIE YEE
Supervising Special Investigator

7
8 Dated at Oakland, California,
9 this 12th day of October, 2023.

10
11 DISCOVERY DEMAND

12
13 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
14 Department hereby makes demand for discovery pursuant to the guidelines set forth in the
15 *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the
16 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
17 Administrative Hearings deems appropriate.