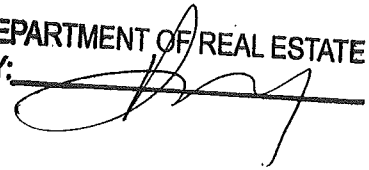


FILED

FEB 26 2014

DEPARTMENT OF REAL ESTATE
BY: _____



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2 Bureau of Real Estate
3 320 West Fourth Street, Ste. 350
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4 Telephone: (213) 576-6982
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6
7
8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12)
13 CAPITAL REAL ESTATE GROUP,)
14 a corporate real estate broker, and)
15 BRUCE KEICHO KUSADA, individually and as)
16 designated broker officer of)
Capital Real Estate Group,)
Respondents.)

No. H-39334 LA

ACCUSATION

17
18 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State
19 of California, for cause of Accusation against CAPITAL REAL ESTATE GROUP, a corporate
20 real estate broker, and BRUCE KEICHO KUSADA, individually and as designated broker-
21 officer of Capital Real Estate Group, is informed and alleges as follows:

22 1.

23 The Complainant, Maria Suarez makes this Accusation in her official capacity.

24 2.

25
26 At all times relevant herein Respondent CAPITAL REAL ESTATE GROUP
27 ("CAPITAL"), was licensed and/or had license rights under the Real Estate Law, Part 1 of

1 Division 4 of the California Business and Professions Code (hereinafter "Code") as a corporate
2 real estate broker. At all times relevant, CAPITAL was authorized to act by and through
3 Respondent BRUCE KEICHO KUSADA as the designated officer and broker responsible,
4 pursuant to the provisions of Code Section 10159.2 for the supervision and control of the
5 activities conducted on behalf of CAPITAL by CAPITAL's officers and employees. CAPITAL
6 has been licensed as a corporate real estate broker since 1995.

7
8 3.

9 Respondent BRUCE KEICHO KUSADA (hereinafter "KUSADA") is presently
10 licensed, and/or has license rights under the Code, as a real estate broker. KUSADA has been
11 licensed by the Department as a real estate broker since 1998, and was licensed as a salesperson
12 prior to that time.

13
14 4.

15 Respondent CAPITAL is a California corporation. KUSADA is the Chief
16 Executive Officer of the corporation. As set forth more fully below, CAPITAL's corporate
17 rights and privileges were suspended effective on or about December 1, 2009. CAPITAL's
18 corporate status has remained suspended, and it is not currently a corporation in good standing in
19 the State of California.

20
21 5.

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

25 ///

26 ///

27 ///

FIRST CAUSE OF ACCUSATION
(Suspension of Corporate Powers)

6.

On or about December 1, 2009, pursuant to the provisions of Section 23302 of the California Revenue and Taxation Code, the corporate rights and privileges of Respondent CAPITAL 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 CAPITAL have remained suspended since that time.

7.

The suspension of the corporate powers of Respondent CAPITAL's corporate rights and privileges, as set forth in paragraph 6 above, constitutes grounds to suspend or revoke Respondent CAPITAL'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 CAPITAL 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 KUSADA 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)

9.

On or about September 6, 2011, Respondent KUSADA submitted a license renewal application to the Bureau as the officer of Respondent CAPITAL.

///

10.

1 In response to Question #17 in CAPITAL's renewal application, to wit: "Is the
2 corporation currently in good standing with the Office of the Secretary of State," Respondent
3 KUSADA marked the box, "Yes."

11.

4 In truth and fact, as Respondent KUSADA knew, as of the date of the renewal
5 application, CAPITAL was not a corporation in good standing with the Office of the Secretary of
6 State.

12.

7 In reliance on the renewal application submitted by Respondent KUSADA,
8 CAPITAL's corporate real estate broker license was renewed.

13.

9 In falsely answering Question #17 of CAPITAL's renewal application,
10 Respondent KUSADA made a material misstatement of fact.

14.

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

15 ///

16 ///

17 ///

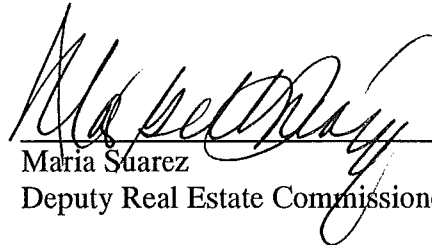
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19 ///

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 CAPITAL REAL ESTATE
4 GROUP and BRUCE KEICHO KUSADA under the Real Estate Law (Part 1 of Division 4 of the
5 Business and Professions Code), for the cost of investigation and enforcement as permitted by
6 law, and for such other and further relief as may be proper under other provisions of law.

7 Dated at Los Angeles, California,

8 this 24th day of February, 2014
9

10
11 
12 Maria Suarez
13 Deputy Real Estate Commissioner
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16
17
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19
20
21

22 cc: Capital Real Estate Group
23 Bruce Keicho Kusada
24 Maria Suarez
25 Sacto.
26
27