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**FILED**

JAN 22 2015

**BUREAU OF REAL ESTATE**

By 

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

|  |   |                   |
|--|---|-------------------|
| In the Matter of the Accusation of             | ) | No. H-39716 LA    |
|  | ) |                   |
| MELONAS & ASSOCIATES, INC.; and                | ) |                   |
| JOHN KEVIN MELONAS, individually and           | ) | <u>ACCUSATION</u> |
| as designated officer of Melonas & Associates, | ) |                   |
| Inc.,  | ) |                   |
|  | ) |                   |
| Respondents.                                   | ) |                   |

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California for cause of Accusation against Respondents MELONAS & ASSOCIATES, INC. ("MAI") and JOHN KEVIN MELONAS ("MELONAS"), individually and as designated officer of Melonas & Associates, Inc., is informed and alleges as follows:

1.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

2.

All references to the "Code" are to the California Business and Professions Code, and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations unless otherwise specified.

1 3.

2 A. MELONAS & ASSOCIATES, INC.: From or about August 13, 2009  
3 through the present, Respondent MAI was licensed or had license rights under the Real Estate  
4 Law (Part 1 of Division 4 of the California Business and Professions Code) as a real estate  
5 corporation. At all times, Respondent MAI was authorized to act by and through Respondent  
6 MELONAS as its designated broker and officer who is responsible for ensuring compliance  
7 with the Real Estate Law pursuant to Code sections 10159.2 and 10211.

8 B. JOHN KEVIN MELONAS: From or about May 6, 2006 through the  
9 present, Respondent MELONAS was and still is licensed and/or has license rights under the  
10 Real Estate Law as a real estate broker. From or about November 6, 1997 to November 5, 2001  
11 and from or about December 28, 2001 to May 5, 2006, Respondent MELONAS was licensed  
12 and/or had license rights under the Real Estate Law as a real estate salesperson.

13  
14 FIRST CAUSE OF ACCUSATION

15 (SUSPENSION OF CORPORATE RIGHTS)

16 4.

17 On or about September 4, 2009, a Statement of Information for Respondent MAI  
18 was filed with the Secretary of State of the State of California. The Statement of Information  
19 named Respondent MELONAS as the chief executive officer, secretary, chief financial officer,  
20 and director of MAI.

21 5.

22 On or about January 2, 2013, the California Franchise Tax board suspended  
23 Respondent MAI's powers, rights, and privileges pursuant to the provisions of the California  
24 Revenue and Taxation Code.

25 6.

26 The suspension of corporate powers, rights, and privileges of Respondent MAI,  
27 as alleged above, are in violation of Regulation section 2742(c), and subjects its real estate

1 license and license rights to suspension or revocation pursuant to Code sections 10177(d),  
2 10177(f), and/or 10177(g).

3  
4 SECOND CAUSE OF ACCUSATION

5 (Failure to Supervise)

6 7.

7 The conduct, acts, and/or omissions of Respondent MELONAS, in allowing  
8 Respondent MAI to violate the Real Estate Law, as set forth above, constitutes a failure by  
9 Respondent MELONAS, as the officer designated by the corporate broker licensee, to exercise  
10 the supervision and control of the activities conducted on behalf of Respondent MAI by its  
11 offices and employees as required by Code section 10159.2 and Regulations section 2725, and  
12 is cause to suspend or revoke the real estate license and license rights of Respondent  
13 MELONAS pursuant to Code sections 10177(d) and/or 10177(g) and 10177(h).

14  
15 COSTS

16 8.

17 Code section 10106 provides, in pertinent part, that in any order issued in  
18 resolution of a disciplinary proceeding before the bureau, the Commissioner may request the  
19 administrative law judge to direct a licensee found to have committed a violation of this part to  
20 pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.

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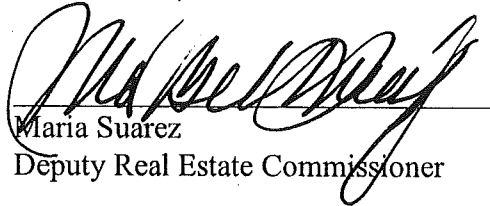
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1 WHEREFORE, Complainant prays that a hearing be conducted on the  
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing  
3 disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of  
4 Division 4 of the California Business and Professions Code) of Respondents MELONAS &  
5 ASSOCIATES, INC. and JOHN KEVIN MELONAS, individually and as designated officer of  
6 Melonas & Associates, Inc., for the cost of investigation and enforcement as permitted by law,  
7 and for such other and further relief as may be proper under applicable provisions of law.

8 Dated at Los Angeles, California: 14 November, 2014.

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11 Maria Suarez  
12 Deputy Real Estate Commissioner  
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25 cc: Melonas & Associates, Inc.  
26 John Kevin Melonas  
27 Maria Suarez  
Sacto.