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FILED

JUN 12 2019

DEPT. OF REAL ESTATE
By *Angela Danner*

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

No. H-41381 LA

12 RANCHO PLAZA REALTY INCORPORATED;)

ACCUSATION

13 BRADLEY PAUL DICKEY; and)

14 ISABELLA LOUISA STAMPER,)

15 Respondents.)
16)
17)

18 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
19 State of California, for cause of Accusation against RANCHO PLAZA REALTY
20 INCORPORATE, BRADLEY PAUL DICKEY, and ISABELLA LOUISA STAMPER
21 (collectively, "Respondents"), alleges as follows:

22 1.

23 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
24 State of California, makes this Accusation in her official capacity.
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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.

DEPARTMENT OF REAL ESTATE LICENSE HISTORY

3.

RANCHO PLAZA REALTY INCOPORATED

A. Respondent RANCHO PLAZA REALTY INCORPORATED ("RPRI") is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Code) as a real estate broker ("REB") (corporation), California Department of Real Estate ("DRE" or "Department") license ID 01121659.

B. RPRI was originally licensed by the DRE as a REB on or about November 27, 1991.

C. According to the DRE's records, RPRI's designated officers ("D.O.") of record history from July 1, 2017 up to and including the present is as follows:

(1) REB Jerry Paul Stamper (DRE license ID 00415785; deceased) from 2000 until March 12, 2018;

(2) REB BRADLEY PAUL DICKEY from July 16, 2018 until December 31, 2018 (canceled); and

(3) no designated officer of record from December 31, 2018 to the present.

D. RPRI's DRE license will expire on November 26, 2019.

4.

BRADLEY PAUL DICKEY

A. Respondent BRADLEY PAUL DICKEY ("DICKEY") is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Code) as a REB, DRE license ID 01436100.

1 B. DICKEY was originally licensed by the DRE as a real estate salesperson
2 (“RES”) on or about July 21, 2004 and as a REB on or about May 23, 2012.

3 C. According to the DRE’s records, DICKEY has one RES under his DRE
4 license, ISABELLA LOUISA STAMPER.

5 D. DICKEY’s DRE license will expire on May 22, 2020.

6 5.

7 ISABELLA LOUISA STAMPER

8 A. Respondent ISABELLA LOUISA STAMPER, f.k.a. Isabella Louisa Enthaler,
9 (“STAMPER”) is presently licensed and/or has license rights under the Real Estate Law (Part 1
10 of Division 4 of the Code) as a RES, DRE license ID 01301046.

11 B. STAMPER was originally licensed by the DRE as a RES on or about
12 December 16, 2000.

13 C. According to the DRE’s records, STAMPER’s employing REB of record
14 history is as follows:

15 (1) RPRI from March 14, 2001 until December 1, 2008;

16 (2) no employing REB from December 2, 2008 until August 20, 2018;

17 (3) RPRI from August 21, 2018 until December 30, 2018; and

18 (4) REB BRADLEY from March 5, 2019 up to and including the present.

19 D. STAMPER’s DRE license will expire on December 15, 2020.

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APPLICABLE SECTIONS OF THE REAL ESTATE LAW
Unlawful Employment or Payment of Compensation - Code Section 10137

6.

Pursuant to Code Section 10137 *Unlawful Employment or Payment of Compensation - Penalty:*

“It is unlawful for any licensed real estate broker to employ or compensate, directly or indirectly, any person for performing any of the acts within the scope of this chapter who is not a license real estate broker, or a real estate salesperson licensed under the broker employing or compensating him or her, or to employ or compensate, directly or indirectly, any licensee for engaging in any activity for which a mortgage loan originator license endorsement is required, if that licensee does not hold a mortgage loan originator license endorsement; provided, however, that a licensed real estate broker may pay a commission to a broker of another state. No real estate salesperson shall be employed by or accept compensation for activity requiring a real estate license from any person other than the broker under whom he or she is at the time licensed. It is unlawful for any licensed real estate salesperson to pay any compensation for performing any of the acts within the scope of this chapter to any real estate licensee except through the broker under whom he or she is at the time licensed. For a violation of any of the provisions of this section, the commissioner may temporarily suspend or permanently revoke the license of the real estate licensee, in accordance with the provisions of this part relating to hearings.”

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1 Trust Fund Handling –

2 Code Section 10145 and Regulations 2831.1, 2831.2, 2832, 2832.1, and 2834

3 7.

4 Pursuant to Code Section 10145 *Handling of Trust Funds* (selected portions):

5 “(a)(1): A real estate broker who accepts funds belonging to others in connection
6 with a transaction subject to this part shall deposit all those funds that are not immediately placed
7 into a neutral escrow depository or into the hands of the broker’s principal, into a trust fund
8 account maintained by the broker in a bank or recognized depository in this state. All funds
9 deposited by the broker in a trust account shall be maintained there until disbursed by the broker
10 in accordance with instructions from the person entitled to the funds.

11 (2) Withdrawals may be made from a trust fund account of an individual broker
12 only upon the signature of that broker, or in the case of a corporate broker, only upon the
13 signature of an officer through whom the corporation is licensed pursuant to Section 10158 or
14 10211, or one, or more, of the following persons if specifically authorized in writing by the
15 individual broker or officer:

16 (A) A real estate salesperson licensed to the broker.

17 (B) Another broker acting pursuant to a written agreement with the
18 individual broker that conforms to the requirements of this part and any
19 regulations promulgated pursuant to this part.

20 (C) An unlicensed employee of the individual broker, if the broker has
21 fidelity bond coverage equal to at least the maximum amount of the trust
22 funds to which the unlicensed employee has access at any time. For
23 purposes of this section, bonds providing coverage may be written with a
24 deductible of up to 5 percent of the coverage amount. For bonds with a
25 deductible, the employing broker shall have evidence of financial
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responsibility that is sufficient to protect members of the public against a loss subject to the deductible amount.

Evidence of financial responsibility shall include one or more of the following:

(i) Separate fidelity bond coverage adequate to cover the amount of the fidelity bond deductible.

(ii) A cash deposit held in a separate account, apart from other funds of the broker, the broker's employees, or the broker's principals, in a bank or recognized depository in this state adequate to cover the amount of the fidelity bond deductible and held exclusively and solely for the purpose of paying the fidelity bond deductible amount.

(iii) Any other evidence of financial responsibility approved by the commissioner.

(3) An arrangement under which a person enumerated in subparagraph (A),(B), or (C) of paragraph (2) is authorized to make withdrawals from a trust fund account of a broker shall not relieve an individual broker, nor the broker-officer of a corporate broker licensee, from responsibility or liability as provided by law in handling trust funds in the broker's custody.

...

(4)(b) A real estate broker acting as a principal pursuant to Section 10131.1¹ shall place all funds received from others for the purchase of real property sales contracts or promissory notes secured directly or collaterally by liens on real property in a neutral escrow

¹Code Section 10131.1 states, "(a) A real state broker within the meaning of this part is also a person who engages as a principal in the business of making loans or buying from, selling to, or exchanging with the public, real property sales contracts or promissory notes secured directly or collaterally by liens on real property..."

1 depository unless delivery of the contract or notes is made simultaneously with the receipt of the
2 purchase funds.

3 ...
4 (4)(g) The broker shall maintain a separate record of the receipt and disposition of
5 all funds described in subdivisions (a) and (b), including any interest earned on the funds..."

6 8.

7 Pursuant to Regulation 2831 *Trust Fund Records To Be Maintained:*

8 "(a) Every broker shall keep a record of all trust funds received, including
9 uncashed checks held pursuant to instructions of his or her principal. This record, including
10 records maintained under an automated data processing system, shall set forth in chronological
11 sequence the following information in columnar form:

12 (1) Date trust funds received.

13 (2) From whom trust funds received.

14 (3) Amount received.

15 (4) With respect to funds deposited in an account, date of said deposit.

16 (5) With respect to trust funds previously deposited to an account, check
17 number and date of related disbursement.

18 (6) With respect to trust funds not deposited in an account, identity of other
19 depository and date funds were forwarded.

20 (7) Daily balance of said account.

21 (b) For each bank account which contains trust funds, a record of all trust funds
22 received and disbursed shall be maintained in accordance with subdivision (a) or (c).

23 (c) Maintenance of journals of account cash receipts and disbursements, or similar
24 records, or automated data processing systems, including computer systems and electronic
25 storage and manipulation of information and documents, in accordance with generally accepted
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1 accounting principles, shall constitute compliance with subdivision (a) provided that such
2 journals, records, or systems contain the elements required by subdivision (a) and that such
3 elements are maintained in a format that will readily enable tracing and reconciliation in
4 accordance with Section 2831.2.

5 (d) Nothing in this section shall be construed to permit a violation of Section
6 10145 of the Code.

7 (e) A broker is not required to keep records pursuant to this section of checks
8 which are written by a principal, given to the broker and made payable to third parties for the
9 provision of services, including but not limited to escrow, credit and appraisal services, when
10 the total amount of such checks for any transaction from that principal does not exceed \$1,000.
11 Upon request of the Department or the maker of such checks, a broker shall account for the
12 receipt and distribution of such checks. A broker shall retain for three years copies of receipts
13 issued or obtained in connection with the receipt and distribution of such checks.”

14 9.

15 Pursuant to Regulation 2831.1 *Separate Record for Each Beneficiary or*
16 *Transaction:*

17 “(a) A broker shall keep a separate record for each beneficiary or transaction,
18 accounting for all funds which have been deposited to the broker’s trust bank account and
19 interest, if any, earned on the funds on deposit. The record shall include information sufficient to
20 identify the transaction and the parties to the transaction. Each record shall set forth in
21 chronological sequence the following information in columnar form:

22 (1) Date of deposit.

23 (2) Amount of deposit.

24 (3) Date of each related disbursement.

25 (4) Check number of each related disbursement.

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(5) Amount of each related disbursement.

(6) If applicable, dates and amounts of interest earned and credited to the account.

(7) Balance after posting transactions on any date.

(b) Maintenance of trust ledgers of separate beneficiaries or transactions, or similar records, or automated data processing systems, including computer systems and electronic storage and manipulation of information and documents, in accordance with generally accepted accounting principles will constitute compliance with subdivision (a), provided that such ledgers, records, or systems contain the elements required by subdivision (a) and that such elements are maintained in a format that will readily enable tracing and reconciliation in accordance with Section 2831.2.”

10.

Pursuant to Regulation 2831.2 *Trust Account Reconciliation*:

“The balance of all separate beneficiary or transaction records maintained pursuant to the provisions of Section 2831.1 must be reconciled with the record of all trust funds received and disbursed required by Section 2831, at least once a month, except in those months when the bank account did not have any activities. A record of the reconciliation must be maintained, and it must identify the bank account name and number, the date of the reconciliation, the account number or name of the principals or beneficiaries or transactions, and the trust fund liabilities of the broker to each of the principals, beneficiaries or transactions.”

11.

Pursuant to Regulation 2832 *Trust Fund Handling*:

“(a) Compliance with Section 10145 of the Code requires that the broker place funds accepted on behalf of another into the hands of the owner of the funds, into a neutral escrow depository or into a trust fund account in the name of the broker, or in a fictitious name if

1 the broker is the holder of a license bearing such fictitious name, as trustee at a bank or other
2 financial institution not later than three business days following receipt of the funds by the broker
3 or by the broker's salesperson.

4 (b) Except as expressly provided by subdivision (d) of Section 10145 of the Code
5 or by a regulation in this article, the account into which the trust funds are deposited shall not be
6 an interest-bearing account for which prior written notice can by law or regulation be required by
7 the financial institution as a condition to the withdrawal of funds.

8 (c) A check received from the offeror may be held uncashed by the broker until
9 acceptance of the offer if

10 (1) the check by its terms is not negotiable by the broker or if the offeror
11 has given written instructions that the check shall not be deposited nor cashed until acceptance of
12 the offer and

13 (2) the offeree is informed that the check is being so held before or at the
14 time the offer is presented for acceptance.

15 (d) In these circumstances if the offeror's check was held by the broker in
16 accordance with subdivision (c) until acceptance of the offer, the check shall be placed into a
17 neutral escrow depository or the trust fund account, or into the hands of the offeree if offeror and
18 offeree expressly so provide in writing, not later than three business days following acceptance of
19 the offer unless the broker receives written authorization from the offerree to continue to hold the
20 check.

21 (e) Notwithstanding the provisions of subdivisions (a) and (d), a real estate broker
22 who is not licensed under the Escrow Law (Section 17000, et seq., of the Financial Code) when
23 acting in the capacity of an escrow holder in a real estate purchase and sale, exchange or loan
24 transaction in which the broker is performing acts for which a real estate license is required shall
25 place all funds accepted on behalf of another into the hands of the owner of the funds, into a
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1 neutral escrow depository or into a trust fund account in the name of the broker, or in a fictitious
2 name if the broker is the holder of a license bearing such fictitious name, as trustee at a bank or
3 other financial institution not later than the next business day following receipt of the funds by
4 the broker or by the broker's salesperson."

5 12.

6 Pursuant to Regulation 2834 *Trust Account Withdrawals*:

7 "(a) Withdrawals may be made from a trust fund account of an individual broker
8 only upon the signature of the broker or one or more of the following persons if specifically
9 authorized in writing by the broker:

10 (1) a salesperson licensed to the broker.

11 (2) a person licensed as a broker who has entered into a written agreement
12 pursuant to Section 2726 with the broker.

13 (3) an unlicensed employee of the broker with fidelity bond coverage at least
14 equal to the maximum amount of the trust funds to which the employee
15 has access at any time.

16 (b) Withdrawals may be made from the trust fund account of a corporate broker
17 only upon the signature of:

18 (1) an officer through whom the corporation is licensed pursuant to Section
19 10158 or 10211 of the Code or

20 (2) one of the persons enumerated in paragraph (1), (2) or (3) of subdivision
21 (a) above, provided that specific authorization in writing is given by the officer through whom
22 the corporation is licensed and that the officer is an authorized signatory of the trust fund
23 account.

24 (c) An arrangement under which a person enumerated in paragraph (1), (2) or (3)
25 of subdivision (a) above is authorized to make withdrawals from a trust fund account of a broker
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1 shall not relieve an individual broker, nor the broker-officer of a corporate broker licensee, from
2 responsibility or liability as provided by law in handling trust funds in the broker's custody."

3 **Salesperson Employment and Termination – Code Section 10161.8 and Regulation 2752**

4 13.

5 Pursuant to Code Section 10161.8 *Salesperson Employment and Termination*:

6 "(a) Whenever a real estate salesperson or broker acting as a salesperson enters
7 the employ of a real estate broker, the responsible broker shall immediately notify the
8 commissioner thereof in writing.

9 (b) Whenever employment of a real estate salesperson or broker acting as a
10 salesperson is terminated, the responsible broker shall immediately notify the commissioner of
11 that termination in writing.

12 (c) Whenever a licensee acquires a business address different from the address
13 shown on his or her license the licensee shall mark out the former address on the face of the
14 license and type or write the new main office address in ink on the reverse side, and date and
15 initial the same.

16 (d) Whenever a real estate salesperson enters the employ of a new real estate
17 broker the salesperson shall mark out the name of his or her former broker on the face of the
18 license and type or write the name of the new employing broker in ink on the reverse side, and
19 date and initial the same.

20 (e) This section shall become operative January 1, 2018."

21 14.

22 Pursuant to Regulation 2752 *Notice of Change of Broker*:

23 "Whenever a real estate salesperson enters the employ of a real estate broker, the
24 broker shall notify the commissioner of that fact within five days. This notification shall be
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1 given on a form prepared by the Bureau and shall be signed by the broker and the salesperson.

2 The form of notification shall provide for the furnishing of at least the following information:

3 (1) Name and business address of the broker.

4 (2) Mailing address of the salesperson, if different from the business address.

5 (3) Date when the salesperson entered the employ of the broker.

6 (4) Certification by the salesperson that he has complied with the provisions of
7 Section 10161.8(d) of the Business and Professions Code.

8 (5) Name and business address of the real estate broker to whom the salesperson
9 was last licensed and the date of termination of that relationship.

10 (6) Certification by the salesperson that the predecessor broker has notice of the
11 termination of the relationship.

12 As an acceptable alternative to (5) and (6) above, the form may be utilized by the predecessor
13 broker to give notice of the termination of the broker/salesperson relationship as required by
14 Section 10161.8(b) of the Business and Professions Code if this notice is mailed to the
15 commissioner not more than ten days following such termination.”

16 **Broker Officers – Regulation 2740**

17 15.

18 Pursuant to Regulation 2740 *Broker Officers*: “No acts for which a real estate
19 license is required may be performed for, or in the name of, a corporation when there is no
20 officer of the corporation licensed under Section 10158 or 10211.”

21 16.

22 Pursuant to Code Section 10158 *Corporation License – Additional Licenses*:
23 “When a real estate license is issued to a corporation, if it desires any of its officers other than the
24 officer designated by it pursuant to Section 10211, to act under its license as a real estate broker,
25 it shall procure an additional license to so employ each of such additional officers.”

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17.

Pursuant to Code Section 10211 *Corporation License – Fee for Additional Officer(s)*: “If the licensee is a corporation, the license issued to it entitled on officer thereof, on behalf of the corporation, to engaged in the business of real estate broker without the payment of any further fee, such officer to be designated in the application of the corporation for a license. For each officer other than the officer so designated, through whom it engages in the business of real estate broker, the appropriate original or renewal fee is to be paid in addition to the fee paid by the corporation.”

Further Grounds for Disciplinary Action – Code Section 10177

18.

Pursuant to Code Section 10177, “The commissioner may suspend or revoke the license of a real estate licensee, delay the renewal of a license of a real estate licensee, or deny the issuance of a license to an applicant, who has done any of the following:

...

(d) Willfully disregarded or violated the Real Estate Law (Part 1 (commencing with Section 10000)) or Chapter 1 (commencing with Section 11000) of Part 2 or the rules and regulations of the commissioner for the administration and enforcement of the Real Estate Law and Chapter 1 (commencing with Section 11000) of Part 2.”

...

(g) Demonstrated negligence or incompetence in performing an act for which he or she is required to hold a license...”

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1 DRE AUDIT SD 180006: RANCHO PLAZA REALTY INCORPORATED'S
2 PROPERTY MANAGEMENT ACTIVITY

3 19.

4 On October 31, 2018, the DRE completed its audit examinations of the books and
5 records of Respondent RPRI pertaining to its property management and sales activities (SD
6 180006), which require a real estate license, pursuant to Code Sections 10131(a) and (b),
7 respectively. The audit examination covered a period of time beginning on July 1, 2017 and
8 ending on June 30, 2018 ("audit examination period" or "audit period"), and was performed
9 between September 11, 2018 and September 21, 2018. The final report of October 31, 2018
10 revealed violations of the Code and the Regulations as set forth in the following paragraphs, and
11 more fully discussed in the Audit Report for SD 180006.

12 20.

13 Designated Officers for RPRI During Audit Examination Period

14 REB Jerry Paul Stamper ("JPS") was the D.O. of RPRI from November 27, 2000
15 until March 11, 2018. REB JPS passed away on March 12, 2018. At the time of the DRE's audit
16 of RPRI, the D.O. was REB DICKEY, and RPRI had three (3) licensed employees under its
17 DRE license.

18 21.

19 Corporate Structure of RPRI

20 According to DICKEY, STAMPER was the CEO, CFO, Secretary and 100% owner
21 of RPRI as of June 30, 2018.

22 22.

23 RPRI's Property Management Activities

24 According to DICKEY and the records examined for the DRE audit examination,
25 RPRI managed about two hundred forty-six (246) properties (about 246 units) for about one
26

1 hundred seventy-one (171) owners and collected about \$4.9 million in trust funds annually in its
2 property management activities, and charged a management fee of 8% to 10% of monthly
3 collected rents or \$100.00 to \$150.00 flat fee. The DRE's Audit was limited to RPRI's property
4 management activity.

5 23.

6 RPRI's Sales Activities

7 According to DICKEY, during the last twelve (12) months of the audit period,
8 RPRI closed about four (4) sales transactions valued at about \$1.4 million. RPRI did not collect
9 any Earnest Money Deposits ("EMDs") by their Sales Division. RPRI did not maintain a trust
10 account and did not maintain a columnar record of trust funds received not placed in broker's
11 trust account in connection with its sales activity. According to DICKEY, the EMDs were held
12 and delivered directly to escrow by the buyers in connection with the sales activity.

13 24.

14 Bank Account

15 During the audit period, RPRI maintained one (1) bank account for multiple
16 beneficiaries for handling the receipts and disbursements of trust funds in connection with
17 RPRI's property management activity:

18 Account #####4639 ("B/A 1")

19 Bank: Wells Fargo Bank, 30186 Haun Road, Menifee, CA 92584

20 Date of Bank Reconciliation: June 30, 2018; no shortage or overage.

21 Adjusted Bank Balance: \$289.95 of unidentified funds.

22 During the audit period, RPRI maintained B/A 1 for handling the receipts and disbursements of
23 trust funds in connection with its property management activities.

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1 **AUDIT FINDINGS: VIOLATIONS OF THE REAL ESTATE LAW BY RPRI**

2 25.

3 In the course of property management activities described above in Paragraph 22
4 and during the audit examination period described in Paragraph 19, Respondent RPRI violated
5 the Code and the Regulations, as described below:

6 26.

7 **Trust Fund Records To Be Maintained**

8 **(Code Section 10145 and Regulation 2831)**

9 The control record (receipts and disbursements reports) maintained for B/A 1 was
10 incomplete, as it was missing the date(s) that trust funds were deposited and the daily balance(s),
11 in violation of **Code Section 10145 and Regulation 2831**.

12 27.

13 **Separate Record for Each Beneficiary or Transaction**

14 **(Code Section 10145 and Regulation 2831.1)**

15 A. The separate records maintained for B/A 1 were incomplete, as they were
16 missing the date(s) that trust funds were deposited and the balance(s) after posting transactions
17 on any date, in violation of **Code Section 10145 and Regulation 2831.1**.

18 B. RPRI failed to maintain a separate record for the “unidentified/unaccounted for
19 funds” held in B/A 1 totaling \$289.85 as of June 30, 2018, in violation of **Code Section 10145
20 and Regulation 2831.1**.

21 28.

22 **Trust Account Reconciliation**

23 **(Code Section 10145 and Regulation 2831.2)**

24 A. RPRI did not maintain the monthly reconciliation of all the separate records to
25 the control record of all trust funds received and disbursed for B/A 1 in connection with the
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1 property management activity during the audit period, in violation of **Code Section 10145 and**
2 **Regulation 2831.2.**

3 B. RPRI failed to reconcile the “unidentified/unaccounted for funds” held in B/A
4 1 totaling \$289.85 as of June 30, 2018, in violation of **Code Section 10145 and Regulation**
5 **2831.2.**

6 29.

7 **Trust Account Designation**

8 **(Code Section 10145(a) and Regulation 2832)**

9 According to the bank signature cards maintained at Wells Fargo Bank, B/A 1
10 was not designated as a trust account, in violation of **Code Section 10145 and Regulation 2832.**

11 30.

12 **Withdrawals from Bank Account Holding Trust Funds**

13 **(Code Section 10145 and Regulation 2834)**

14 According to the bank signature cards maintained at Wells Fargo Bank, RPRI
15 allowed STAMPER, who was not registered under, or licensed under RPRI during the audit
16 period, to be a signer on said account, in violation of **Code Section 10145 and Regulation 2834.**
17 Subsequent to the audit cut-off period, STAMPER was removed as a signer (July 24, 2018) and
18 DICKEY was added as a signer. On or about August 21, 2018, STAMPER became licensed
19 under RPRI’s DRE license.

20 31.

21 **Salesperson Employment and Termination/Notice of Change of Broker**

22 **(Code Section 10161.8 and Regulation 2752)**

23 A. RPRI did not notify the DRE of the employment of RES STAMPER, who was
24 employed by RPRI during the audit period, in violation of **Code Section 10161.8 and**

1 **Regulation 2752.** STAMPER was not registered or licensed under the DRE license of RPRI
2 during the audit period.

3 B. RPRI did not notify the DRE of the employment of REB DICKEY, who was
4 employed by RPRI as a broker-associate starting January 1, 2018, in violation of **Code Section**
5 **10161.8.**

6 32.

7 **Broker Officers (License Required/No Designated Officer)**

8 **Regulation 2740**

9 RPRI performed acts (property management) requiring a real estate license
10 without a D.O. of record from March 13, 2018 to June 30, 2018 (audit cut-off date). Prior to
11 March 13, 2018, the D.O. for RPRI was JPS, who passed away on March 12, 2018. During the
12 period beginning March 13, 2018 until June 30, 2018 (audit cut-off date), RPRI continued to
13 perform property management activity without a D.O. of record, in violation of **Regulation**
14 **2740.** On July 16, 2018, DICKY became the D.O. for RPRI. (The time period during which
15 RPRI operated without a D.O. of record was March 13, 2018 until July 15, 2018.)

16 **UNLAWFUL EMPLOYMENT : VIOLATIONS OF THE REAL ESTATE LAW BY**

17 **DICKEY & STAMPER**

18 32.

19 Between March 13, 2018 and August 20, 2018, STAMPER, who was not licensed
20 under any REB's license, performed activities which require a real estate license when she was
21 not licensed under any employing REB, in violation of **Code Section 10137.**

22 33.

23 Between March 13, 2018 and July 15, 2018, DICKEY performed activities which
24 require a real estate license while his employing broker (RPRI) had no D.O. of record, in
25 violation of **Code Section 10137.**

1 34.

2 **Additional Violations of the Real Estate Law**

3 The overall conduct of Respondents RPRI, DICKEY and STAMPER is violative
4 of the Real Estate Law and constitutes cause for the suspension or revocation of their real estate
5 licenses and license rights under the provisions of **Code Section 10177(g)** for negligence and
6 **Code Section 10177(d)** for willful disregard of the Real Estate Law.

7 **COSTS**

8 **Investigation and Enforcement Costs**

9 35.

10 **Code Section 10106** provides, in pertinent part, that in any order issued in
11 resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner
12 may request the administrative law judge to direct a licensee found to have committed a violation
13 of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement
14 of the case.

15 **Audit Costs**

16 36.

17 **Code Section 10148(b)** provides, in pertinent part, the Commissioner shall charge
18 a real estate broker for the cost of any audit, if the Commissioner has found in a final decision
19 following a disciplinary hearing that the broker has violated Code section 10145 or a regulation
20 or rule of the Commissioner interpreting said section.

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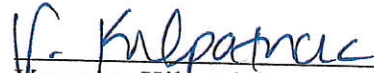
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1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
3 action against the license and license rights of Respondent RANCHO PLAZA REALTY
4 INCORPORATED, BRADLEY PAUL DICKEY, and ISABELLA LOUISA STAMPER under
5 the Real Estate Law (Part 1 of vision 4 of the Business and Professions Code), for the cost of
6 investigation and enforcement as permitted by law, and for such other and further relief as may
7 be proper under other provisions of law, and for costs of audit.

8 Dated at San Diego, California

9 this 29 day of May, 2019.

10
11 
12 Veronica Kilpatrick
Supervising Special Investigator

13
14
15 cc: RANCHO PLAZA REALTY INCORPORATED
16 BRADLEY PAUL DICKEY
17 ISABELLA LOUISA STAMPER
Enforcement – J. Hafen, V. Kilpatrick
18 Audits – Z. Wanis, J. Lin
19 Sacto.
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