

FILED

JUL 11 2019

DEPT. OF REAL ESTATE

By *[Signature]*

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

11 * * *

12 In the Matter of the Accusation of) No. H-41406 LA
13 RICHARD SIN,) ACCUSATION
14 Respondent.)
15 _____)

16 The Complainant, María Suárez, a Supervising Special Investigator of the State
17 of California, for cause of Accusation against RICHARD SIN (“Respondent”), is informed and
18 alleges as follows:

19 1.

20 The Complainant, María Suárez, acting in her official capacity as a Supervising
21 Special Investigator of the State of California, makes this Accusation against Respondent
22 RICHARD SIN.

23 2.

24 All references to the “Code” are to the California Business and Professions Code
25 and all references to “Regulations” are to Title 10, Chapter 6, California Code of Regulations.

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Accusation of Richard Sin

1 LICENSE HISTORY

2 3.

3 At all times mentioned, Respondent RICHARD SIN was licensed and/or had
4 license rights issued by the Department of Real Estate ("Department") as a real estate broker.

5 BROKERAGE

6 RICHARD SIN

7 4.

8 At all times mentioned, in the City of Temple City, County of Los Angeles,
9 Respondent RICHARD SIN acted as a real estate broker, conducting licensed activities within
10 the meaning of Code section 10131(b) (leases or rents real property for others).

11 AUDIT

12 RICHARD SIN

13 5.

14 On March 29, 2018, the Department completed audit examinations of the books
15 and records of Respondent RICHARD SIN pertaining to the activities described in Paragraph 4
16 which require a real estate license. The audit examinations covered a period of time from
17 January 1, 2016, to December 29, 2017. The audit examinations revealed violations of the
18 Code and the Regulations as set forth in the following paragraphs, and as more fully discussed
19 in Audit Report LA170104 and the exhibits and workpapers attached to said audit report.

20 AUDIT VIOLATIONS OF THE REAL ESTATE LAW

21 6.

22 In the course of activities described in Paragraph 4 above and during the
23 examination periods described in Paragraph 5 above, Respondent RICHARD SIN acted in
24 violation of the Code and the Regulations in that:

25 6(a) The bank account used by Respondent for trust funds was not designated
26 as a trust account in violation of Code section 10145 and Regulations section 2832.

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Accusation of Richard Sin

1 SECOND CAUSE OF ACTION

2 FRAUD AND DISHONEST DEALING, NEGLIGENCE

3 8.

4 Respondent RICHARD SIN rented a home at 6 Greenbriar, Irvine,
5 California 92604 ("rental home") to Y. Greenfield from October 2013 to April 2017. Before
6 moving out of the rental home in April 2017, Y. Greenfield asked Respondent if Y. Greenfield
7 should hire cleaners to clean the rental home, and Respondent instructed Y. Greenfield not to
8 hire cleaners because Respondent was going to handle it himself. After Y. Greenfield moved
9 out of the rental home in April 2017, Respondent failed to return to Y. Greenfield the security
10 deposit in the amount of \$2,750 and failed to provide to Y. Greenfield with an itemized list of
11 each deduction from the security deposit. The foregoing conduct constitute cause for the
12 suspension or revocation of all the licenses, license endorsements, and license rights of
13 Respondent pursuant to the provisions of Code sections 10177(d), 10177(g), and/or 10177(j).

14 9.

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

19 10.

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

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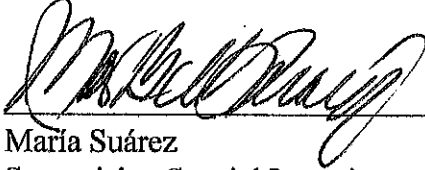
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Accusation of Richard Sin

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 the licenses, license endorsements, and license rights of
4 Respondent RICHARD SIN under the Real Estate Law, for the cost of audit, investigation, and
5 enforcement as permitted by law, and for such other and further relief as may be proper under
6 other applicable provisions of law.

7
8 Dated at Los Angeles, California

9 this 2nd day of July, 2019.

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11 
12 María Suárez
13 Supervising Special Investigator

14 cc: RICHARD SIN

15 Evergreen Realty & Associates Inc DBA Akason Realty Consulting Group; Apex Realty
16 Group; The ARC Group; The Collective Real Estate Group; Complete Real Estate Solutions;
17 Energized Agents; Evergreen Realty; Evergreen Realty & Associates; Evergreen Realty,
18 HomeSmart; Everyday Luxury Group; The Everyday Luxury Group; Everyday Luxury Living;
19 Everyday Luxury Real Estate; Everyday Luxury Real Estate Group; The Everyday Luxury Real
20 Estate Group; Excel Real Estate Group; Home Rewards Group; HomeSmart; HomeSmart
21 Evergreen; HomeSmart, Evergreen Realty; Homesmart NCG; HomeSmart Professional
Partners; HomeSmart Professional Partners Realty; Homesmart Real Estate; Iron Oak Escrow,
A Non Independent Broker Escrow; JAS Real Estate Group; Ladera Realty; Luxury Estates
Collection; The Luxury Estates Team; MMAG Commercial Properties; Orange County Real
Estate Shoppe; Property Solutions; PR Real Estate Experts; RMV Real Estate; Short Sale
Relief Group; and Smart Referral Network

22 María Suárez
23 Sacto.
24 Audits
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26
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Accusation of Richard Sin