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FILED

SEP 22 2020

DEPT. OF REAL ESTATE

By John Aguirre

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-41785 LA
13 WIN WIN INVESTMENT, INC., and)
14 YI-WEN YANG,) ACCUSATION
15 individually and as designated officer of)
16 Win Win Investment, Inc.,)
17 Respondents.)

18 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
19 State of California, for cause of Accusation against WIN WIN INVESTMENT, INC. and YI-
20 WEN YANG, individually and as designated officer of Win Win Investment, Inc.
21 (“Respondents”), is informed and alleges as follows:

22 1.

23 The Complainant, Veronica Kilpatrick, acting in her official capacity as a
24 Supervising Special Investigator of the State of California, makes this Accusation against
25 Respondents WIN WIN INVESTMENT, INC. and YI-WEN YANG.

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Accusation of Win Win Investment, Inc. and Yi-Wen Yang

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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.

LICENSE HISTORY

3.

Respondent WIN WIN INVESTMENT, INC. ("WIN WIN INVESTMENT") presently has license rights under the Real Estate Law, Part 1 of Division 4 of the Code as a corporate real estate broker. On October 28, 2018, WIN WIN INVESTMENT'S license expired. Pursuant to Code section 10201, WIN WIN INVESTMENT retains renewal rights for two years. The Department of Real Estate ("Department") holds jurisdiction over the lapsed license, pursuant to Code section 10103.

4.

Respondent YI-WEN YANG ("YANG") presently has license rights as a real estate broker.

5.

Respondent WIN WIN INVESTMENT is licensed by the Department as a corporate real estate broker by and through Respondent YANG, as the designated officer and broker responsible, pursuant to Code section 10159.2, for supervising the activities requiring a real estate license conducted on behalf of WIN WIN INVESTMENT, or by WIN WIN INVESTMENT'S officers, agents and employees.

BROKERAGE

WIN WIN INVESTMENT, INC.

6.

At all times mentioned, in the City of Fontana, County of San Bernardino, Respondent WIN WIN INVESTMENT acted as a real estate broker, conducting licensed activities within the meaning of Code section 10131(b) (leases or rents real property for others).

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AUDIT

WIN WIN INVESTMENT, INC.

7.

On September 27, 2019, the Department completed audit examinations of the books and records of Respondent WIN WIN INVESTMENT pertaining to the activities described in Paragraph 6 which require a real estate license. The audit examinations covered a period of time from May 1, 2016, to April 30, 2019. The audit examinations revealed violations of the Code and the Regulations as set forth in the following paragraphs, and as more fully discussed in Audit Report LA180100 and the exhibits and workpapers attached to said audit report.

8.

Respondent WIN WIN INVESTMENT accepted or received funds in trust ("trust funds") including, but not limited to, rental security deposits and rents. Thereafter, Respondent made deposits and or disbursements of such trust funds. During the examination period described in Paragraph 7 above, Respondent deposited or maintained trust funds in the following bank accounts:

Bank Account 1: Chase Bank account ending in 657.

FIRST CAUSE OF ACTION

AUDIT VIOLATIONS OF THE REAL ESTATE LAW

9.

In the course of activities described in Paragraph 6 above and during the examination period described in Paragraph 7 above, Respondent WIN WIN INVESTMENT acted in violation of the Code and the Regulations in that:

9(a) Respondent WIN WIN INVESTMENT did not maintain a complete and accurate control record or general ledger of all trust funds received and disbursed, in violation of Code section 10145 and Regulations section 2831.

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SECOND CAUSE OF ACTION
SUPERVISION AND COMPLIANCE

11.

The conduct, acts, or omissions of Respondent YANG, as described in Paragraphs 9 and 10 above, in failing to ensure compliance of the Real Estate Law by Respondent WIN WIN INVESTMENT, is in violation of Code section 10159.2 and Regulations section 2725, and subjects all the licenses, license endorsements, and license rights of YANG to suspension or revocation pursuant to Code sections 10177(d), 10177(g), and/or 10177(h).

12.

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

13.

Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department of Real Estate, 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.

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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 the licenses, license endorsements, and license rights of
4 Respondents WIN WIN INVESTMENT, INC. and YI-WEN YANG under the Real Estate Law,
5 for the cost of audit, investigation, and enforcement as permitted by law, and for such other and
6 further relief as may be proper under other applicable provisions of law.
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8 Dated at San Diego, California

9 this 20 day of May, 2020

11 
12 Veronica Kilpatrick
13 Supervising Special Investigator

14 cc: WIN WIN INVESTMENT, INC.
15 YI-WEN YANG
16 Veronica Kilpatrick
17 Sacto.
18 Audits
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