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**FILED**

OCT 20 2020

DEPT. OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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11 In the Matter of the Accusation of ) No. H-41804 LA  
12 )  
13 BEVERLY G ALVAREZ, and ) ACCUSATION  
14 VERLIN LIM SANCIANGCO, )  
15 Respondents. )

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the  
17 State of California, for cause of Accusation against BEVERLY G ALVAREZ and VERLIN  
18 LIM SANCIANGCO (collectively "Respondents") alleges as follows:

19 1.

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

22 2.

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

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1 c. SANCIANGCO's license is scheduled to expire on February 24, 2022, unless  
2 renewed.

3 d. SANCIANGCO is allegedly the sole owner of Westrend Realty, Inc.

4 e. From July 8, 2013 through December 17, 2018, SANCIANGCO's responsible  
5 broker was ALVAREZ.

6 f. From May 6, 2014, SANCIANGCO was registered as ALVAREZ's branch  
7 manager at the office located at 8880 Benson Avenue, Ste 108, Monclair, CA 91763.

8 LICENSED ACTIVITIES

9 5.

10 At all times mentioned herein, Respondents engaged in the performance of  
11 activities requiring a real estate license pursuant to Code Section 10130.

12 FACTS DISCOVERED BY THE DEPARTMENT

13 6.

14 In September 2016, Sellers Violet W. and Kevin L. on behalf of CLC Capital  
15 LLC (collectively "Sellers") verbally agreed to have SANCIANGCO and Westrend Realty, Inc.  
16 to list the property located at 203 Via Alegre in Orange County (the "Property") for sale.

17 7.

18 On or about October 21, 2017, a buyer submitted an offer to purchase the  
19 Property for \$800,000.

20 8.

21 On or about November 1, 2017, after a counter-offer of \$845,000 by the Sellers,  
22 the buyer counter offered with \$830,000. Buyer's counter-offer was accepted by the Sellers.

23 9.

24 On or about November 30, 2017, Sellers sent SANCIANGCO a grant deed to  
25 transfer the Property to buyer at the close of escrow.

26 10.

27 On or about December 15, 2017, escrow closed for the sale of the Property.

1 11.

2 Thereafter, Escrow issued a proceeds check to the Sellers in the amount of  
3 \$760,039.34, which was mailed to Westrend Realty, Inc.'s mailing address at 3610 Central  
4 Avenue, Ste 400, Riverside, CA 92506. SANCIANGCO deposited the proceeds check into an  
5 account that he had set up for CLC Capital LLC in 2016. SANCIANGCO was the sole  
6 signatory for said account.

7 12.

8 SANCIANGCO then transferred the majority of the proceeds funds into his  
9 other bank accounts. SANCIANGCO also deposited the commission for Westrend Realty, Inc.  
10 in the amount of \$9,501.00 into his account.

11 13.

12 At this time, Sellers had no knowledge that the escrow had closed or that the  
13 Property had been sold.

14 14.

15 At no point during this transaction was SANCIANGCO given any authority to  
16 sign any of the sales documents on behalf of Sellers.

17 15.

18 In January 2018, SANCIANGCO informed Sellers that the buyer had died and  
19 that the transaction for the sale of the Property was cancelled.

20 16.

21 On or about March 2, 2018, SANCIANGCO presented an offer in the amount of  
22 \$830,000 from a false buyer for the Property to the Sellers. After approximately two months,  
23 SANCIANGCO informed Sellers that the buyer had backed out. SANCIANGCO offered to  
24 purchase the Property from Sellers.

25 17.

26 In November 2018, Sellers attempted to pay the property tax for the Property and  
27 discovered that the Property did not belong to Sellers anymore.

1 18.

2 Thereafter, Sellers confronted SANCIANGCO about the sale of the Property. At  
3 first, SANCIANGCO informed Sellers that a title company had made a mistake. When Sellers  
4 threatened to sue SANCIANGCO, he agreed to pay Sellers back the funds. At the filing of this  
5 Accusation, SANCIANGCO did not return the funds to Sellers.

6 19.

7 ALVAREZ claims that she had no knowledge about the sale of the Property  
8 conducted by SANCIANGCO and Westrend Realty Inc. ALAVAREZ further claims that she  
9 had no knowledge regarding the real estate activities conducted by ALVAREZ and Westrend  
10 Realty Inc. In fact, ALVAREZ could not produce the broker-salesperson agreement she  
11 allegedly had with SANCIANGCO.

12 APPLICABLE SECTIONS OF THE REAL ESTATE LAW

13 License Required - Code Section 10137

14 20.

15 Pursuant to Code Section 10137, "It is unlawful for any licensed real estate  
16 broker to retain, compensate, directly or indirectly, any person for performing any of the acts  
17 within the scope of this chapter who is not a licensed real estate broker, or a real estate  
18 salesperson licensed under the responsible broker retaining or compensating him or her, or to  
19 retain or compensate, directly or indirectly, any licensee for engaging in any activity for which a  
20 mortgage loan originator license endorsement is required, if that licensee does not hold a  
21 mortgage loan originator license endorsement; provided, however, that a licensed real estate  
22 broker may pay a commission to a broker of another state. No real estate salesperson shall  
23 accept compensation for activity requiring a real estate license from any person other than the  
24 broker under whom he or she is at the time licensed. It is unlawful for any licensed real estate  
25 salesperson to pay any compensation for performing any of the acts within the scope of this  
26 chapter to any real estate licensee except through the broker under whom he or she is at the time  
27 licensed. A licensee may enter into an agreement with another licensee to share that

1 compensation provided that any compensation is paid through the responsible broker.

2 For a violation of any of the provisions of this section, the commissioner may temporarily  
3 suspend or permanently revoke the license of the real estate licensee, in accordance with the  
4 provisions of this part relating to hearings.”

5 Broker Supervision – Code Section 10159.2

6 21.

7 Pursuant to Code Section 10159.2(a), “The officer designated by a corporate  
8 broker licensee pursuant to Section 10211 shall be responsible for the supervision and control  
9 of the activities conducted on behalf of the corporation by its officers and employees as  
10 necessary to secure full compliance with the provisions of this division, including the  
11 supervision of salespersons licensed to the corporation in the performance of acts for which a  
12 real estate license is required.”

13 Grounds for Disciplinary Action – Code Section 10176

14 22.

15 The commissioner may, upon his or her own motion, and shall, upon the verified  
16 complaint in writing of any person, investigate the actions of any person engaged in the  
17 business or acting in the capacity of a real estate licensee within this state, and he or she may  
18 temporarily suspend or permanently revoke a real estate license at any time where the licensee,  
19 while a real estate licensee, in performing or attempting to perform any of the acts within the  
20 scope of this chapter has been guilty of any of the following:

21 (a) Making any substantial misrepresentation.

22 . . .

23 (c) A continued and flagrant course of misrepresentation or making of false  
24 promises through licensees.

25 . . .

26 (e) Commingling with his or her own money or property the money or other  
27 property of others which is received and held by him or her.

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...

(i) Any other conduct, whether of the same or of a different character than specified in this section, which constitutes fraud or dishonest dealing. . .”

Further Grounds for Disciplinary Action – Code Section 10177

23.

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.

(h) As a broker licensee, failed to exercise reasonable supervision over the activities of that licensee’s salespersons, or, as the officer designated by a corporate broker licensee, failed to exercise reasonable supervision and control of the activities of the corporation for which a real estate license is required.

...

(j) Engaged in any other conduct, whether of the same or of a different character than specified in this section, that constitutes fraud or dishonest dealing. . .”

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1 VIOLATIONS OF THE REAL ESTATE LAW – CAUSES FOR DISCIPLINE

2 24.

3 In the course of the activities described above in Paragraph 5, and based on the  
4 facts discovered by the Bureau in Paragraphs 6 through 10, above, Respondents acted in  
5 violation of the Code and Regulations, as described below.

6 25.

7 On or about December 15, 2017, SANCIANGCO took the proceeds from the  
8 sale of the Property in the amount of \$760,039.34 and the commission to Westrend Realty, inc.  
9 in the amount of \$9,501.00 without the knowledge or consent of the Sellers in violation of  
10 **Code Sections 10137, 10176(e), (i) and 10177(d).**

11 26.

12 In or about December 2017, SANCIANGCO falsified the signatures of the  
13 Sellers and facilitated the close of escrow for the sale of the Property without the knowledge or  
14 consent of the Sellers in violation of **Code Sections 10176(a), (c), (i) and 10177(d).**

15 27.

16 In or about January 2018, SANCIANGCO made misrepresentations to Sellers  
17 regarding the death of buyer and the cancelation of the sale of the Property, despite knowing the  
18 that escrow had closed in December 2017, in violation of **Code Sections 10176(a), (c), (i) and**  
19 **10177(d).**

20 28.

21 On or about March 2, 2018, SANCIANGCO presented an offer in the amount of  
22 \$830,000 from a false buyer for the Property to the Sellers and backed out after approximately  
23 two months in violation of **Code Sections 10176(a), (c), (i) and 10177(d).**

24 29.

25 At the filing of this Accusation, SANCIANGCO did not return the funds to  
26 Sellers in violation of **Code Sections 10176(a), (c), (i) and 10177(d).**

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PRAYER

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code) of Respondents BEVERLY G ALVAREZ and VERLIN LIM SANCIANGCO, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under applicable provisions of law.

Dated at San Diego, California this 15 day of October, 2020.

  
\_\_\_\_\_  
Veronica Kilpatrick  
Supervising Special Investigator

cc: BEVERLY G ALVAREZ  
VERLIN LIM SANCIANGCO  
Veronica Kilpatrick  
Sacto.