

FILED

MAR 18 2021

DEPT. OF REAL ESTATE

By *Zri-g*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:)	DRE No. H-41804 LA
)	
BEVERLY G ALVAREZ, and <u>VERLIN LIM</u>)	
<u>SANCIANGCO,</u>)	
)	
Respondent(s).)	
<hr/>		

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on January 14, 2021, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent VERLIN LIM SANCIANGCO ("Respondent"); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses on the grounds of the violation of the Real Estate Law, Part 1 commencing with Section 10000 of the Business and Professions Code ("Code") and/or the Regulations of the Real Estate Commissioner, Title 10, Chapter 6 of the California Code of Regulations ("Regulations").

Pursuant to Government Code Section 11521, the California Department of Real Estate ("the Department") may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On October 15, 2020, Veronica Kilpatrick made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondents' last known mailing address on file with the Department on October 20, 2020.

On January 14, 2021, no Notices of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondents' default were entered herein.

2.

Respondent VERLIN LIM SANCIANGCO is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("the Code") as a real estate salesperson. The Department originally issued Respondent's real estate license on or about January 17, 2006. Respondent's license is due to expire on February 24, 2022.

3.

At all times mentioned, Respondent was licensed and/or had licensing rights issued by the Department of Real Estate as a real estate salesperson.

4.

At all times relevant herein Respondent was engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate salesperson, within the meaning of Section 10131(b) of the Code.

5.

To date, the Department of Real Estate has incurred investigation costs of \$2,852.60.

6.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on October 20, 2020, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

The allegations contained in the Accusation, incorporated herein by reference made in Paragraph 6, above, constitute cause for the suspension or revocation of all the licenses,

license endorsements, and license rights of Respondent under the provisions of Sections 10130, 10137, 10176(a), 10176(c), 10176(e), 10176(i), and/or 10177(d).

2.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondent VERLIN LIM SANCIANGCO under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on APR 19 2021.

DATED: 3.9.21.

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

Douglas R. McCauley

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105

FILED

JAN 14 2021

DEPT. OF REAL ESTATE

By *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

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

16 Respondent VERLIN LIM SANCIANGCO, having failed to file a Notice of
17 Defense within the time required by Section 11506 of the Government Code, is now in default.
18 It is, therefore, ordered that a default be entered on the record in this matter.


19 IT IS SO ORDERED JAN 14 2021

20
21 DOUGLAS R. McCAULEY
22 Real Estate Commissioner

23
24 *[Signature]*
25 CHIKA SUNQUIST
26 Assistant Commissioner, Enforcement
27

EXHIBIT A

1 Kevin H. Sun, Counsel (SBN 276539)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6982
6 Fax: (213) 576-6917
7 Email: Kevin.Sun@dre.ca.gov
8 Attorney for Complainant

FILED
OCT 20 2020
DEPT. OF REAL ESTATE
By 

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

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

3.

(BEVERLY G ALVAREZ)

a. Respondent BEVERLY G ALVAREZ ("ALVAREZ") is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code, as a real estate broker ("REB"), Department of Real Estate¹ ("Department") license ID 01263030.

b. The Department originally issued ALVAREZ's REB license on or about December 17, 2008.

c. ALVAREZ's license is scheduled to expire on December 16, 2020, unless renewed.

d. From February 19, 2014 through February 18, 2018, ALVAREZ was the designated officer for Westrend Realty, Inc. (real estate corporation ("REC") ID 01263030, expired February 19, 2018). During this time, Westrend Realty, Inc. employed 28 salespersons.

e. From June 20, 2015 through June 19, 2019, ALVAREZ was the designated officer for BiltmoreWest, Inc. (REC ID 01983716, expired June 19, 2019).

4.

(VERLIN LIM SANCIANGCO)

a. Respondent VERLIN LIM SANCIANGCO ("SANCIANGCO") is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code, as a real estate salesperson ("RES"), Department license ID 01707290.

b. The Department originally issued SANCIANGCO's RES license on or about January 17, 2006.

¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

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.

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11.

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

12.

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

13.

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

14.

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

15.

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

16.

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

17.

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

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18.

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

19.

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

APPLICABLE SECTIONS OF THE REAL ESTATE LAW

License Required - Code Section 10137

20.

Pursuant to Code Section 10137, "It is unlawful for any licensed real estate broker to retain, compensate, directly or indirectly, any person for performing any of the acts within the scope of this chapter who is not a licensed real estate broker, or a real estate salesperson licensed under the responsible broker retaining or compensating him or her, or to retain 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 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. 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.