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FILED

NOV 30 2020

DEPT. OF REAL ESTATE

By 

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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-41831 LA
13)
14 JOHNNY FELDMAN,) ACCUSATION
15 XQB MANAGEMENT, INC.,)
16 doing business as)
17 Max One Business Services,)
18 Property Management Specialists,)
19 ReMax Olson & Associates Inc,)
20 RE/MAX One, and)
21 RE/MAX One Commercial, and)
22 KEITH STEVEN MYERS,)
23 individually and as former designated)
24 officer of XQB Management, Inc.,)
25 Respondents.)

22 The Complainant, María Suárez, a Supervising Special Investigator of the State
23 of California, for cause of Accusation against JOHNNY FELDMAN, XQB MANAGEMENT,
24 INC., doing business as Max One Business Services, Property Management Specialists, ReMax
25 Olson & Associates Inc, RE/MAX One, and RE/MAX One Commercial, and KEITH STEVEN
26 MYERS, individually and as former designated officer of XQB Management, Inc.,
27 (“Respondents”), is informed and alleges as follows:

Accusation of Johnny Feldman, XQB Management, Inc., and Keith Steven Myers

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The Complainant, María Suárez, acting in her official capacity as a Supervising Special Investigator of the State of California, makes this Accusation against JOHNNY FELDMAN, XQB MANAGEMENT, INC., and KEITH STEVEN MYERS.

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.

At all times mentioned, Respondent JOHNNY FELDMAN (“FELDMAN”) was licensed and/or had license rights issued by the Department of Real Estate (“Department”) as a restricted real estate salesperson.

4.

At all times mentioned, Respondent XQB MANAGEMENT, INC. (“XQB MANAGEMENT”) was licensed and/or had license rights issued by the Department as a corporate real estate broker.

5.

At all times mentioned, Respondent KEITH STEVEN MYERS (“MYERS”) was licensed and/or had license rights issued by the Department as a real estate broker.

6.

From about September 14, 2015, through about March 16, 2020, Respondent XQB MANAGEMENT was licensed by the Department as a corporate real estate broker by and through MYERS, 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 XQB MANAGEMENT, or by XQB MANAGEMENT’S officers, agents and employees.

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1 PRIOR LICENSE DISCIPLINE

2 7.

3 On or about November 29, 1976, Respondent FELDMAN was convicted in the
4 Superior Court of California, County of Los Angeles, Case No. A325549, for violation of two
5 counts of California Penal Code section 211 (Robbery), a felony, Penal Code section 240
6 (Assault), a felony, and Penal Code section 245(a) (Assault with a Deadly Weapon), a felony.

7 8.

8 On or about April 27, 1987, Respondent FELDMAN was convicted in the
9 Municipal Court of California, County of Los Angeles, Case No. 87P02316, for violation of
10 California Penal Code section 484 (Theft), a misdemeanor.

11 9.

12 On or about August 18, 1988, Respondent FELDMAN was convicted in the
13 Superior Court of California, County of Los Angeles, Case No. A820251, for violation of
14 California Health and Safety Code section 11352 (Selling Narcotics), a felony.

15 10.

16 On or about September 29, 1988, Respondent FELDMAN was convicted in the
17 Municipal Court of California, County of Los Angeles, Case No. 88P01097, for violation of
18 California Health and Safety Code section 11500 (Use of a Controlled Substance), a
19 misdemeanor.

20 11.

21 On or about April 21, 1989, Respondent FELDMAN was convicted in the
22 Superior Court of California, County of Los Angeles, Case No. A712249, for violation of
23 California Penal Code section 459 (Burglary), a felony.

24 12.

25 On or about April 21, 1989, Respondent FELDMAN was convicted in the
26 Superior Court of California, County of Los Angeles, Case No. A712431, for violation of
27 California Penal Code section 459 (Burglary), a felony.

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On or about May 29, 1992, Respondent FELDMAN was convicted in the Municipal Court of California, County of Los Angeles, Case No. 92F04151, for violation of Los Angeles City Administrative Code section 8.77 (Curfew Violation), a misdemeanor.

14.

On or about January 27, 1993, Respondent FELDMAN was convicted in the Superior Court of California, County of Los Angeles, Case No. LA011263, for violation of California Health and Safety Code section 11352(a) with enhancement pursuant to Health and Safety Code section 11370.2 and Penal Code section 667.5(b) (Sale or Transportation of Cocaine), a felony.

15.

On or about July 13, 1993, Respondent FELDMAN was convicted in the Superior Court of California, County of Los Angeles, Case No. LA010160, for violation of California Penal Code section 12020(a) (Possession of a Dangerous Weapon), a felony.

16.

On or about October 28, 1996, Respondent FELDMAN was convicted in the Municipal Court of California, County of Los Angeles, Case No. 6PN07329-01, for violation of California Penal Code section 369I(b) (Trespassing on Transit-Related Property), a misdemeanor.

17.

The convictions described in Paragraphs 7 through 16 bear a substantial relationship under section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

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18.

On or about March 6, 2014, the Real Estate Commissioner in Case No. H-39377 LA adopted a Stipulation and Waiver and granted Respondent FELDMAN a restricted real estate salesperson license under terms and conditions. Within the Stipulation and Waiver, the Real Estate Commissioner found grounds to deny the issuance of an unrestricted real estate salesperson license pursuant to Code sections 475(a)(1), 475(a)(2), 480(a), 480(c), 10177(a), and 10177(b).

SELLER A. FLORES TRANSACTIONS

19.

On or about January 3, 2018, seller A. Flores ("Flores") entered into a Residential Listing Agreement with broker Respondent XQB MANAGEMENT through salesperson Respondent FELDMAN to sell real property at 1070 Walnut Grove Ave, Rosemead, California 91770 ("Rosemead property"). The Listing Terms in section 2(B) of the Residential Listing Agreement contained the contingency clause, "contingent upon seller find a home of choice".

20.

On or about February 27, 2018, seller A. Flores entered into a Residential Purchase Agreement for the sale of the Rosemead property ("Rosemead Residential Purchase Agreement"). Respondent FELDMAN failed to include a contingency clause in the Rosemead Residential Purchase Agreement for seller A. Flores to cancel the transaction if seller A. Flores did not find a home of choice, and failed to inform seller A. Flores that the Rosemead Residential Purchase Agreement did not include such a contingency clause.

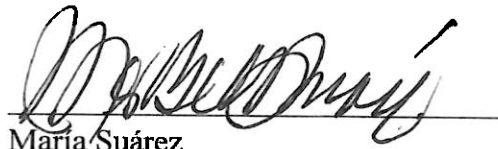
21.

On or about April 12, 2018, seller A. Flores entered into a Residential Purchase Agreement for the purchase of real property at 16979 Loma Vista Ct, Fontana, CA 92337 ("Fontana property")("Fontana Residential Purchase Agreement"). Section 12 of Fontana Residential Purchase Agreement contained a buyer's investigation contingency.

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 JOHNNY FELDMAN, XQB MANAGEMENT, INC., and KEITH STEVEN
5 MYERS under the Real Estate Law, for the cost of investigation and enforcement as permitted
6 by law, and for such other and further relief as may be proper under other applicable provisions
7 of law.

8
9 Dated at Los Angeles, California

10 this 18th day of November, 2020.

11 

12 María Suárez
13 Supervising Special Investigator

14
15 cc: JOHNNY FELDMAN
16 XQB MANAGEMENT, INC.
17 KEITH STEVEN MYERS
18 eXp Realty of California, Inc. DBA 626 Real Estate; Achieve Real Estate; Achieve Real
19 Estate Group; Agents Who Care Realty; Allegiance Real Estate Group; Atlas Realty;
20 Bay Area Real Estate Mom; BLVD Real Estate Group; CalHomeCo; The California
21 Home Company; California Homes Professionals; California Real Estate Internet
22 Group; DBN Properties; Digital Movement Realtors; Dream City Realty; Escondido
23 Realty; Exclusive Property Advisors; Executive Representation; EXP Realty; EXP
24 Realty CA; EXP Realty California; EXP Realty Commercial; EXP Realty of CA; EXP
25 Realty of California; Fast Real Estate; FCC Realty Group; Green Home Real Estate;
26 Harmony Grove Realty; HomeLink; Hometown Realty; The Income Innovators;
27 Invictus Real Estate Services; The J Group; Left Coast Listings; The Legacy Real Estate
Group; Live Love San Diego Homes; Live Love SD Homes; Mountain Living Real
Estate Group; Neighborly Realty; Networth Realty; Next Investment Realty; Platinum
Pinnacle Group; Polar Realty; Prestige Realty Advisors; Real Estate Market Masters;
REMM Realty; San Marcos Realty; Santa Cruz Beach Homes; Santa Cruz Beach
Homes Team; Santa Cruz Network Group; Santa Cruz Real Estate Group; Santa Cruz
Real Estate Team; Sierra Heritage Realty; Space Los Angeles; Space Realty Group; Surf
4 Homes; Think Real Estate; Your Westside; Z Team Real Estate
María Suárez

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