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FILED

JUL 13 2022

DEPT. OF REAL ESTATE
By *[Signature]*

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of)	No. H-41864 LA
)	
13 ALLAN CHARLES MANN,)	FIRST AMENDED
)	<u>ACCUSATION</u>
14 doing business as Time Realty,)	
)	
15 Respondent.)	
)	

17 This First Amended Accusation amends the Accusation filed on January 7, 2021.
18 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of
19 California, for cause of Accusation against ALLAN CHARLES MANN, doing business as
20 Time Realty (“Respondent”), is informed and alleges as follows:

21 1.

22 The Complainant, Veronica Kilpatrick, acting in her official capacity as a
23 Supervising Special Investigator of the State of California, makes this Accusation against
24 Respondent ALLAN CHARLES MANN.

25 2.

1 LICENSE HISTORY

2 3.

3 Respondent ALLAN CHARLES MANN ("MANN") presently has license rights
4 under the Real Estate Law, Part 1 of Division 4 of the Code as a real estate broker.

5 4.

6 On or about October 31, 1984, the Real Estate Commissioner in Case
7 No. H-22081 LA adopted as his Decision effective November 21, 1984, a Stipulation and
8 Waiver denying Respondent MANN'S application for a real estate salesperson license but
9 granting MANN the right to a restricted real estate salesperson license on terms and conditions.
10 MANN stipulated that cause existed to deny MANN'S application for a real estate salesperson
11 license on the grounds of a conviction for violation of California Vehicle Code section 20
12 (Making False Statement), a misdemeanor.

13 BROKERAGE

14 ALLAN CHARLES MANN

15 5.

16 At all times mentioned, in the City of Simi Valley, County of Los Angeles,
17 Respondent MANN acted as a real estate broker, conducting licensed activities within the
18 meaning of Code section 10131(b) (leases or rents real property for others).

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1 8(b) Bank account 1 used by Respondent MANN for trust funds was not
2 designated as a trust account, and was not in the name of Respondent as trustee or a fictitious
3 name held by Respondent's real estate license as trustee, in violation of Code section 10145 and
4 Regulations section 2832.

5 8(c) Respondent MANN failed to deposit trust funds into a trust account
6 within three business days following receipt of the trust funds by MANN, in violation of Code
7 section 10145 and Regulations section 2832.

8 8(d) Respondent MANN did not maintain a complete and accurate control
9 record or general ledger of all trust funds received and disbursed, in violation of Code
10 section 10145 and Regulations section 2831.

11 8(e) Respondent MANN did not maintain a complete and accurate separate
12 record of all trust funds received and disbursed for each beneficiary in connection with
13 Respondent's broker activities, in violation of Code section 10145 and Regulations
14 section 2831.1.

15 8(f) Respondent MANN did not perform and maintain a monthly
16 reconciliation of all the separate records with the control record of all trust funds received and
17 disbursed, in violation of Code section 10145 and Regulations section 2831.2.

18 8(g) The conduct, acts, or omissions of Respondent MANN, as described in
19 Paragraph 8, in failing to ensure compliance of the Real Estate Law by Respondent MANN'S
20 officers, agents and employees, is in violation of Regulations section 2725.

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The conduct, acts, or omissions of Respondent MANN, described in Paragraph 8 above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
8(a)	Code section 10145 and Regulations section 2832.1
8(b)	Code section 10145 and Regulations section 2832
8(c)	Code section 10145 and Regulations section 2832
8(d)	Code section 10145 and Regulations section 2831
8(e)	Code section 10145 and Regulations section 2831.1
8(f)	Code section 10145 and Regulations section 2831.2
8(g)	Regulations section 2725

The foregoing violations constitute cause for the suspension or revocation of all the licenses, license endorsements, and license rights of Respondent MANN under the Real Estate Law pursuant to the provisions of Code sections 10177(d), 10177(g), and/or 10177(h).

10.

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.

11.

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 Respondent ALLAN CHARLES MANN under the Real Estate Law, for the cost of audit,
5 investigation, and enforcement as permitted by law, and for such other and further relief as may
6 be proper under other applicable provisions of law.

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8 Dated at San Diego, California

9 this 13 day of July, 20 22

10
11 *Veronica Kilpatrick*

12 Veronica Kilpatrick
13 Supervising Special Investigator

14 cc: ALLAN CHARLES MANN
15 Veronica Kilpatrick
16 Sacto.
17 Audits
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