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**FILED**

MAY 20 2021

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-41909 LA
	)	
13 ALAN ROGERS STONEMAN and	)	<u>FIRST AMENDED</u>
14 ALICIA MAI ROCCISANO,	)	<u>ACCUSATION</u>
	)	
15 Respondents.	)	
	)	

17 This First Amended Accusation amends the Accusation filed on  
18 March 23, 2021. The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of  
19 the State of California, for cause of Accusation against ALAN ROGERS STONEMAN and  
20 ALICIA MAI ROCCISANO ("Respondents"), 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 Respondents ALAN ROGERS STONEMAN and ALICIA MAI ROCCISANO.

25 2.

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

1 LICENSE HISTORY

2 3.

3 Respondent ALAN ROGERS STONEMAN ("STONEMAN") presently has  
4 license rights under the Real Estate Law, Part 1 of Division 4 of the Code as a restricted real  
5 estate broker.

6 4.

7 Respondent ALICIA MAI ROCCISANO ("ROCCISANO") presently has  
8 license rights as a real estate salesperson.

9 5.

10 On or about September 30, 1991, the Real Estate Commissioner in Case  
11 No. H-721 SA adopted as his Decision effective October 24, 1991, a Stipulation and Agreement  
12 revoking Respondent STONEMAN'S real estate license but granting STONEMAN the right to  
13 a restricted real estate broker license on terms and conditions. STONEMAN stipulated that  
14 cause existed for the suspension or revocation of STONEMAN'S real estate license on the  
15 grounds of a conviction for violation of Title 18, United States Code section 371 (Conspiracy to  
16 Commit Mail Fraud and Interstate Transportation in Aid of Racketeering), a felony, and on the  
17 grounds of disbarment from the practice of law by the California Supreme Court.

18 BROKERAGE

19 ALAN ROGERS STONEMAN

20 6.

21 At all times mentioned, in the City of Cathedral City, County of Riverside,  
22 Respondent STONEMAN acted as a real estate broker, conducting licensed activities within the  
23 meaning of Code sections 10131(a) (sells or buys real property for others) and 10131(b) (leases  
24 or rents real property for others).

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1 INVESTIGATION

2 ALAN ROGERS STONEMAN

3 7.

4 The Department investigated Respondents STONEMAN and ROCCISANO  
5 pertaining to the activities described in Paragraph 6 which require a real estate license.

6 8.

7 Respondents STONEMAN and ROCCISANO accepted or received funds in  
8 trust ("trust funds"). Thereafter, Respondent made deposits and or disbursements of such trust  
9 funds.

10 VIOLATIONS OF THE REAL ESTATE LAW

11 9.

12 In the course of activities described in Paragraph 6 above, Respondents  
13 STONEMAN and ROCCISANO acted in violation of the Code and the Regulations in that:

14 9(a) A bank account used by Respondents STONEMAN for trust funds was  
15 not designated as a trust account, and was not in the name of Respondent as trustee or a  
16 fictitious name held by Respondent's real estate license as trustee, in violation of Code  
17 section 10145 and Regulations section 2832.

18 9(b) Respondents STONEMAN and ROCCISANO used the unlicensed  
19 fictitious business names "Desert Cities RV Properties", and "Desert Cities", in violation of  
20 Code section 10159.5 and Regulations section 2731.

21 9(c) The conduct, acts, or omissions of Respondent STONEMAN, as  
22 described in Paragraph 9, in failing to ensure compliance of the Real Estate Law by Respondent  
23 STONEMAN'S officers, agents and employees, including Respondent ROCCISANO, is in  
24 violation of Code section 10159.2 and Regulations section 2725.

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10.

The conduct, acts, or omissions of Respondents STONEMAN and ROCCISANO, described in Paragraph 9 above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
9(a)	Code section 10145 and Regulations section 2832 (STONEMAN)
9(b)	Code section 10159.5 and Regulations section 2731 (STONEMAN and ROCCISANO)
9(c)	Code section 10159.2 and Regulations section 2725 (STONEMAN)

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

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

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 Respondents ALAN ROGERS STONEMAN and ALICIA MAI ROCCISANO under the Real  
5 Estate Law, for the cost of investigation and enforcement as permitted by law, and for such  
6 other and further relief as may be proper under other applicable provisions of law.  
7

8 Dated at San Diego, California

9 this 19 day of May, 2021

11   
12 Veronica Kilpatrick  
13 Supervising Special Investigator

14 cc: ALAN ROGERS STONEMAN  
15 ALICIA MAI ROCCISANO  
16 Veronica Kilpatrick  
17 Sacto.  
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