

FILED

APR 07 2022

DEPT. OF REAL ESTATE

By _____

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8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11	In the Matter of the Accusation of)	No. H-42134 LA
)	
12	TRILLIANT;)	
)	
13	CHRISTIAN ALEXANDER MARDELLI,)	
14	individually and as designated officer of)	<u>A C C U S A T I O N</u>
	Trilliant; and)	
15)	
16	MASSIEH SAYED HASHIMI, individually)	
	and as designated officer of Trilliant)	
17)	
	Respondents.)	
18)	

19 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
20 State of California, acting in her official capacity, for cause of Accusation against TRILLIANT,
21 CHRISTIAN ALEXANDER MARDELLI ("MARDELLI"), individually and as designated
22 officer of Trilliant, and MASSIEH SAYED HASHIMI ("HASHIMI"), individually and as
23 designated officer of Trilliant, is informed and alleges as follows:

24 1.

25 The Complainant, Veronica Kilpatrick, acting in her official capacity as
26 Supervising Special Investigator of the State of California, makes this Accusation.

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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 unless otherwise specified.

(License History: TRILLIANT, MARDELLI, and HASHIMI)

3.

a. TRILLIANT is presently licensed by the Department Real Estate as a real estate corporation (license no. 01978323). TRILLIANT was so licensed on or about May 16, 2015 through May 15, 2019 and from or about December 26, 2019 through the present. At no time has TRILLIANT had a fictitious business name registered with the Department of Real Estate. From on or about May 16, 2015 to January 2, 2020, TRILLIANT’s designated officer was MARDELLI. From on or about January 2, 2020 to March 4, 2021, TRILLIANT’s designated officer was HASHIMI. From on or about March 4, 2021 through the present, TRILLIANT’s designated officer has been Wolf V. Parlar (license no. 01797917).)

b. MARDELLI is presently licensed and/or issued by the Department of Real Estate as a real estate broker (license no. 01834969). MARDELLI was originally licensed as a real estate broker on or about November 1, 2007, and has been so licensed since then. At no time has MARDELLI had a fictitious business name registered with the Department of Real Estate. MARDELLI was TRILLIANT’s designated officer from on or about May 16, 2015 to January 2, 2020.

c. HASHIMI is presently licensed and/or issued by the Department of Real Estate as a real estate broker (license no. 01720032). HASHIMI was originally licensed as a real estate broker on or about May 17, 2008, and has been so licensed since then. HASHIMI was licensed as a real estate salesperson from on or about November 18, 2006 to May 16, 2008. HASHIMI’s fictitious business name has been “Americhoice Properties” from on or about

1 April 10, 2017 through the present, “MGS Properties” from on or about October 16, 2017 to
2 October 12, 2020, and “Property Management 415” from on or about September 13, 2018 to
3 April 21, 2019. HASHIMI was TRILLIANT’s designated officer from on or about January 2,
4 2020 to March 4, 2021.

5 4.

6 Whenever acts referred to below are attributed to TRILLIANT, MARDELLI,
7 and/or HASHIMI, those acts are alleged to have been done by TRILLIANT, MARDELLI,
8 and/or HASHIMI, acting by itself/herself/themselves, or by and/or through one or more agents,
9 associates, affiliates, and/or co-conspirators.

10 5.

11 At all times mentioned, in the County of Los Angeles, TRILLIANT,
12 MARDELLI, and HASHIMI were engaged in the business of a real estate broker conducting
13 licensed activities within the meaning of Code section 10131(b) (“[l]eases or rents or offers to
14 lease or rent, or places for rent, or solicits listings of places for rent, or solicits for prospective
15 tenants, or negotiates the sale, purchase, or exchanges of leases on real property, or on a
16 business opportunity, or collects rents from real property, or improvements thereon, or from
17 business opportunities”).

18
19 (Property Management Audit)

20 6.

21 On or about September 28, 2021, the Department of Real Estate completed an
22 audit examination of the books and records of TRILLIANT to determine whether TRILLIANT,
23 MARDELLI, and HASHIMI handled and accounted for trust funds and conducted their real
24 estate activities in accordance with the Real Estate Law and Regulations. The audit
25 examination covered a period of time beginning on January 1, 2019 and ending on February 28,
26 2021. The audit examination revealed violations of the Code and the Regulations set forth in
27

1 the following paragraphs, and more fully discussed in Audit Report LA200109 and the exhibits
2 and work papers attached to said audit report.

3
4 Bank Accounts

5 7.

6 At all times mentioned, in connection with the activities described in Paragraph
7 5, above, TRILLIANT, MARDELLI, and HASHIMI accepted or received funds including
8 funds in trust (“trust funds”) from or on behalf of actual or prospective parties, such
9 as owners of real property, and thereafter made deposits and/or disbursements of such
10 funds. From time to time herein mentioned, during the audit period, said trust funds were
11 deposited and/or maintained by TRILLIANT, MARDELLI, and HASHIMI in the following
12 bank accounts:

13 *****7653

14 Chase Bank

14 P.O. Box 182051

15 Columbus, OH 43218

B/A 1

(MARDELLI from January 1, 2019 to January 2, 2020)

16 (HASHIMI from January 3, 2020 to February 28, 2021)

17 *****7377

18 Chase Bank

18 P.O. Box 182051

19 Columbus, OH 43218

B/A 2

(MARDELLI from January 1, 2019 to January 2, 2020)

20 (HASHIMI from January 3, 2020 to February 28, 2021)

21 *****3833

22 Chase Bank

22 P.O. Box 182051

23 Columbus, OH 43218

B/A 3

(MARDELLI from January 1, 2019 to January 2, 2020)

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*****3791
Chase Bank
P.O. Box 182051
Columbus, OH 43218 B/A 4
(MARDELLI from January 1, 2019 to January 2, 2020)

*****7195
Chase Bank
P.O. Box 182051
Columbus, OH 43218 B/A 5
(HASHIMI from January 3, 2020 to February 28, 2021)

*****7211
Chase Bank
P.O. Box 182051
Columbus, OH 43218 B/A 6
(HASHIMI from January 3, 2020 to February 28, 2021)

8.

In the course of activities described in Paragraphs 5 and 7, above, and during the audit examination period in Paragraph 6, above, Respondents TRILLIANT, MARDELLI, and HASHIMI acted in violation of the Code and the Regulations as set forth below:

(a)(1) From on or about January 1, 2019 to January 2, 2020, TRILLIANT and MARDELLI failed to maintain a complete columnar record of all trust funds received and disbursed (control record) for B/A 1, in violation of Code section 10145 and Regulations section 2831. For example, the record did not have the dates of receipt of the trust funds.

(a)(2) From on or about January 3, 2020 to February 28, 2021, TRILLIANT and HASHIMI failed to maintain a complete columnar record of all trust funds received and disbursed (control record) for B/A 1, in violation of Code section 10145 and Regulations section 2831. For example, the record did not have the dates of receipt of the trust funds.

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1 (b)(1) From on or about January 1, 2019 to January 2, 2020, TRILLIANT and
2 MARDELLI failed to designate B/A 1, B/A 2, B/A 3, and B/A 4 as trust accounts even though
3 they held trust funds, in violation of Code section 10145 and Regulations section 2832.

4 (b)(2) From on or about January 3, 2020 to February 28, 2021, TRILLIANT
5 and HASHIMI failed to designate B/A 1, B/A 2, B/A 3, and B/A 5 as trust accounts even
6 though they held trust funds, in violation of Code section 10145 and Regulations section 2832.

7 (c)(1) From on or about January 1, 2019 to January 2, 2020, TRILLIANT and
8 MARDELLI permitted Meighan Howard, an unlicensed and unbonded person, to be an
9 authorized signatory for B/A 2, in violation of Code section 10145 and Regulations section
10 2834.

11 (c)(2) From on or about January 3, 2020 to February 28, 2021, TRILLIANT
12 and HASHIMI permitted Meighan Howard, Josef Nikolas Kanapi, and Luana Kaye Parker
13 (secretary of TRILLIANT and 50 percent shareholder of TRILLIANT¹), all unlicensed and
14 unbonded persons, to be authorized signatories for B/A 2 and B/A 5, in violation of Code
15 section 10145 and Regulations section 2834.

16 (d)(1) From on or about January 1, 2019 to January 2, 2020, the overall conduct
17 of Respondent TRILLIANT constitutes a failure on Respondent MARDELLI's part, as officer
18 designated by a corporate broker licensee, to exercise the reasonable supervision and control
19 over the licensed activities of TRILLIANT as required by Code section 10159.2 and
20 Regulations section 2725.

21 (d)(2) From on or about January 3, 2020 to February 28, 2021, the overall
22 conduct of Respondent TRILLIANT constitutes a failure on Respondent HASHIMI's part, as
23 officer designated by a corporate broker licensee, to exercise the reasonable supervision and
24 control over the licensed activities of TRILLIANT as required by Code section 10159.2 and
25 Regulations section 2725.

26
27 ¹ Lisa Collins is the president and the other 50 percent shareholder of TRILLIANT.

1 9.

2 The conduct of Respondents TRILLIANT, MARDELLI, and HASHIMI
3 described in Paragraph 8, above, violated the Code and the Regulations as set forth below:

4 <u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
5 8(a)	Code section 10145 and Regulations section 2831
6 8(b)	Code section 10145 and Regulations section 2832
7 8(c)	Code section 10145 and Regulations section 2834
8 8(d)	Code section 10159.2 and Regulations section 2725

9 The foregoing violations constitute cause for discipline of the real estate license and license
10 rights of Respondents TRILLIANT, MARDELLI, and HASHIMI under the provisions of Code
11 sections 10177(d), 10177(g), and 10177(h).

12
13 (COSTS)

14 10.

15 Code section 10106 provides, in pertinent part, that in any order issued in
16 resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner
17 may request the administrative law judge to direct a licensee found to have committed a
18 violation of this part to pay a sum not to exceed the reasonable costs of investigation and
19 enforcement of the case.

20 11.

21 Code section 10148(b) provides, in pertinent part, that the Commissioner shall
22 charge a real estate broker for the cost of any audit, if the Commissioner has found in a final
23 decision following a disciplinary hearing that the broker has violated Code section 10145 or a
24 regulation or rule of the Commissioner interpreting said section.

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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 the license and license rights of TRILLIANT, CHRISTIAN
4 ALEXANDER MARDELLI, individually and as designated officer of Trilliant, and MASSIEH
5 SAYED HASHIMI, individually and as designated officer of Trilliant, under the Real Estate
6 Law (Part 1 of Division 4 of the California Business and Professions Code), for the cost of
7 investigation and enforcement pursuant to Code section 10106 and as permitted by law, and for
8 such other and further relief as may be proper under other applicable provisions of law,
9 including, but not limited to, costs of audit pursuant to Code section 10148(b).

10 Dated at San Diego, California: April 6, 2022

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12 *V Kilpatrick*

13 _____
14 Veronica Kilpatrick
15 Supervising Special Investigator
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23 cc: Trilliant
24 Christian Alexander Mardelli
25 Massieh Sayed Hashimi
26 Veronica Kilpatrick
27 Sacto
Enforcement
Audits – Raymond Chow