

FILED

FEB 10 2023

DEPT. OF REAL ESTATE

By *[Signature]*

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9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-42520 LA
13)
14 RL COMMUNITIES INC,) ACCUSATION
15 doing business as Lafferty Communities, and)
16 RICHARD SAMUEL LAFFERTY,)
17 individually and as designated officer of)
18 RL Communities Inc,)
19 Respondents.)
20)

21 The Complainant, Joseph D. Aiu, a Supervising Special Investigator of the State
22 of California, for cause of Accusation against RL COMMUNITIES INC, doing business as
23 Lafferty Communities, and RICHARD SAMUEL LAFFERTY, individually and as designated
24 officer of RL Communities Inc, ("Respondents"), is informed and alleges as follows:

25 1.

26 The Complainant, Joseph D. Aiu, acting in his official capacity as a Supervising
27 Special Investigator of the State of California, makes this Accusation against Respondents
RL COMMUNITIES INC and RICHARD SAMUEL LAFFERTY.

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Accusation of RL Communities Inc and Richard Samuel Lafferty

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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.

LICENSE HISTORY

3.

Respondent RL COMMUNITIES INC ("RL COMMUNITIES") presently has license rights under the Real Estate Law, Part 1 of Division 4 of the Code as a corporate real estate broker.

4.

Respondent RICHARD SAMUEL LAFFERTY ("LAFFERTY") presently has license rights as the designated officer of RL COMMUNITIES.

5.

From about August 14, 2008, to the present, Respondent RL COMMUNITIES is licensed by the Department of Real Estate ("Department") as a corporate real estate broker by and through Respondent LAFFERTY, 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 RL COMMUNITIES, or by RL COMMUNITIES'S officers, agents and employees.

UNLICENSED ENTITIES

6.

Oakwood LT Ventures II, LLC ("subdivider Oakwood") and Omnibus LT Ventures, LLC are not now, and have never been, licensed by the Department in any capacity.

7.

On or about August 12, 2009, Articles of Organization were filed with the Secretary of State for Oakwood LT Ventures II, LLC.

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On or about September 24, 2019, a Statement of Information was filed with the Secretary of State for Oakwood LT Ventures II, LLC. Oakwood LT Ventures II, LLC's manager or member and Chief Executive Officer was listed as LAFFERTY.

9.

On or about March 25, 2021, a Statement of Information was filed with the Secretary of State for Oakwood LT Ventures II, LLC. Oakwood LT Ventures II, LLC's manager or member was listed as Omnibus LT Ventures, LLC. Oakwood LT Ventures II, LLC's Chief Executive Officer was listed as LAFFERTY.

10.

On or about June 17, 2008, Articles of Organization were filed with the Secretary of State for Omnibus LT Ventures, LLC.

11.

On or about May 19, 2021, a Statement of Information was filed with the Secretary of State for Omnibus LT Ventures, LLC. Omnibus LT Ventures, LLC's manager or member was listed as LAFFERTY.

SALE OF LOTS WITHOUT VALID PUBLIC REPORT

12.

On or about October 10, 2012, in the matter of the application of Oakwood LT Ventures II, LLC, File No. 139316SA-F00, the Department issued a Final Subdivision Public Report Planned Development ("2012 Public Report") expiring on or about October 9, 2017, on Oakwood Lake, Unit No. 2, Tract No. 3475, Oakwood Lake, Unit No. 3, Tract No. 3476, Oakwood Lake, Unit No. 5, Tract No. 3685, collectively advertised as Oakwood Lake (Phase 4) ("Oakwood Shores Phase 4").

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On or about October 9, 2017, the 2012 Public Report expired.

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14.

On or about March 5, 2018, the Department received a Public Report Amendment/Renewal Application (“2018 Public Report Application”), File No. 139316SA-A01, for Oakwood Lake, Units 2, 3, and 5, Tract Numbers 3475, 3476, and 3478, collectively advertised as Oakwood Shores (Phase 4). Respondent LAFFERTY signed the 2018 Public Report Application on or about September 19, 2017, as Managing Member for Oakwood LT Ventures II, L.L.C and Omnibus LT Ventures, L.L.C. The 2018 Public Report Application listed the subdivider as Oakwood LT Ventures II, LLC, attention Greg Garchar, and the single responsible party as VierraMoore, Inc., attention Jim Scheiber.

15.

On or about June 18, 2018, a Department Special Investigator sent a letter to VierraMoore, Inc. and Jim Scheiber regarding Oakwood Shores Phase 4 asking if any lots have been sold.

16.

On or about June 26, 2018, VierraMoore, Inc. and Jim Scheiber sent a letter to the Department regarding Oakwood Shores Phase 4 with the following information, “Lots 101 and 102 in Unit 2 and Lot 5 in Unit 3 were sold and closed in April 2018” and “Lot 101 was executed on 10/20/17; Lot 102 was executed on 8/27/17 and Lot 5 was executed on 10/1/17.”

17.

On or about July 19, 2022, the Department issued a Denial of the 2018 Public Report Application.

18.

Respondent RL COMMUNITIES and LAFFERTY sold and/or closed escrow on 19 lots within Oakwood Shores Phase 4 after the expiration of 2012 Public Report:

(18)(a) Tract number 3475. lot 101. address 3550 Levanto Way, selling contract was signed on October 20, 2017, escrow closed on April 17, 2018, and Respondent LAFFERTY signed the grant deed.

1 (18)(b) Tract number 3475, lot 102, address 3558 Levanto Way, selling contract
2 was signed on August 27, 2017, escrow closed on April 19, 2018, and Respondent LAFFERTY
3 signed the grant deed.

4 (18)(c) Tract number 3475, lot 103, address 3564 Levanto Way, selling contract
5 was signed on November 18, 2017, escrow closed on April 24, 2018, and Respondent
6 LAFFERTY signed the grant deed.

7 (18)(d) Tract number 3475, lot 104, address 3572 Levanto Way, selling contract
8 was signed on March 16, 2018, escrow closed on May 2, 2018, and Respondent LAFFERTY
9 signed the grant deed on January 15, 2018.

10 (18)(e) Tract number 3475, lot 105, address 3586 Levanto Way, selling contract
11 was signed on April 7, 2018, escrow closed on May 30, 2018, and Respondent LAFFERTY
12 signed the grant deed on January 15, 2018.

13 (18)(f) Tract number 3475, lot 106, address 3602 Levanto Way, selling contract
14 was signed on October 20, 2017, escrow closed on April 17, 2018, and Respondent
15 LAFFERTY signed the grant deed on January 15, 2018.

16 (18)(g) Tract number 3475, lot 107, address 3550 Levanto Way, selling contract
17 was signed on September 2, 2018, escrow closed on December 11, 2018, and Respondent
18 LAFFERTY signed the grant deed on January 15, 2018.

19 (18)(h) Tract number 3476, lot 3, address 1603 Como Drive, selling contract was
20 signed on April 23, 2018, escrow closed on November 9, 2018, and Respondent LAFFERTY
21 signed the grant deed on January 15, 2018.

22 (18)(i) Tract number 3476, lot 4, address 1587 Como Drive, selling contract was
23 signed on April 8, 2018, escrow closed on November 8, 2018, and Respondent LAFFERTY
24 signed the grant deed on January 15, 2018.

25 (18)(j) Tract number 3476, lot 5, address 1575 Como Drive, selling contract was
26 signed on October 1, 2017, and escrow closed on November 6, 2018.

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1 (18)(k) Tract number 3476, lot 23, address 1327 Como Drive, selling contract
2 was signed on June 15, 2018, escrow closed on November 20, 2018, and Respondent
3 LAFFERTY signed the grant deed on January 15, 2018.

4 (18)(l) Tract number 3478, lot 1, address 4318 Chiavari Way, selling contract
5 was signed on November 6, 2021, escrow closed on July 14, 2022, and Respondent
6 LAFFERTY signed the grant deed on June 21, 2021.

7 (18)(m) Tract number 3478, lot 2, address 1422 Riva Trigoso Drive,
8 selling contract was signed on May 2, 2022, escrow closed on May 31, 2022, and Respondent
9 LAFFERTY signed the grant deed on June 21, 2021.

10 (18)(n) Tract number 3478, lot 3, address 1434 Riva Trigoso Drive, selling
11 contract was signed on May 23, 2022, escrow closed on July 6, 2022, and Respondent
12 LAFFERTY signed the grant deed on June 21, 2021.

13 (18)(o) Tract number 3478, lot 17, address 1536 Riva Trigoso Drive, selling
14 contract was signed on April 25, 2021, escrow closed on May 24, 2022, and Respondent
15 LAFFERTY signed the grant deed on June 21, 2021.

16 (18)(p) Tract number 3478, lot 111, address 1457 Riva Trigoso Drive, selling
17 contract was signed on July 10, 2021, escrow closed on May 19, 2022, and Respondent
18 LAFFERTY signed the grant deed on June 21, 2021.

19 (18)(q) Tract number 3478, lot 112, address 1445 Riva Trigoso Drive, selling
20 contract was signed on March 18, 2022.

21 (18)(r) Tract number 3478, lot 113, address 1437 Riva Trigoso Drive, selling
22 contract was signed on April 9, 2022.

23 (18)(s) Tract number 3478, lot 114, address 1425 Riva Trigoso Drive, selling
24 contract was signed on March 26, 2022.

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1 FIRST CAUSE OF ACTION

2 SALE OF LOTS WITHOUT VALID PUBLIC REPORT

3 19.

4 The conduct, acts, and omissions of Respondents RL COMMUNITIES and
5 LAFFERTY, as described in Paragraphs 12 through 18 above, are in violation of Code section
6 11018.2 and Regulations section 2800 and constitute cause under Code sections 10177(d)
7 and/or 10177(g) for the suspension or revocation of all the licenses, license endorsements, and
8 license rights of RL COMMUNITIES and LAFFERTY.

9 SECOND CAUSE OF ACTION

10 FRAUD AND DISHONEST DEALING

11 20.

12 The conduct, acts, and omissions of Respondents RL COMMUNITIES and
13 LAFFERTY, as described in Paragraphs 12 through 18 above, are in violation of Code section
14 10176(a), 10176(c), 10176(i), 10177(d), 10177(g), and/or 10177(j) and constitute cause under
15 Code sections 10176(a), 10176(c), 10176(i), 10177(d), 10177(g), and/or 10177(j) for the
16 suspension or revocation of all the licenses, license endorsements, and license rights of
17 RL COMMUNITIES and LAFFERTY.

18 THIRD CAUSE OF ACTION

19 FAILURE TO SUPERVISE

20 21.

21 The conduct, acts, or omissions of Respondent LAFFERTY, as described in
22 Paragraphs 12 through 18 above, in failing to ensure compliance of the Real Estate Law by
23 Respondent RL COMMUNITIES, are in violation of Code section 10159.2 and Regulations
24 section 2725 and constitute cause under Code sections 10177(d), 10177(g), and/or 10177(h) for
25 the suspension or revocation of all the licenses, license endorsements, and license rights of
26 LAFFERTY.

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22.

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.

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 the licenses, license endorsements, and license rights of Respondents RL COMMUNITIES INC and RICHARD SAMUEL LAFFERTY under the Real Estate Law, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 9 day of February, 2012



Joseph D. Aiu
Supervising Special Investigator

cc: RL COMMUNITIES INC
RICHARD SAMUEL LAFFERTY
Joseph D. Aiu
Sacto.