

**FILED**

JUN 21 2016

BUREAU OF REAL ESTATE

By           *h dew*          

BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of  
  
ALV PROPERTY MANAGEMENT INC.,  
and ADRIAN SUZAN HARRELL,  
  
Respondents.

No. H-3006 FR  
  
(as to Respondent ALV Property  
Management Inc. only)

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on June 1, 2016, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent ALV PROPERTY MANAGEMENT INC.'s (Respondent) express admissions; (2) affidavits; and (3) other evidence.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1

On March 18, 2016, Brenda Smith made the Accusation in her official capacity as a Supervising Special Investigator of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified and regular mail, to Respondent's last known mailing address on file with the Bureau of Real Estate (Bureau) on March 24, 2016.

On June 1, 2016, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2

Respondent is presently licensed and/or have license rights under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code (Code) as a real estate broker corporation.

3

At all times mentioned, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers in the State of California, within the meaning of Section 10131(b) of the Code in the operation and conduct of a property management business with the public wherein, on behalf of others, for compensation or in expectation of compensation, Respondents leased or rented and offered to lease or rent, and placed for rent, and solicited listings of places for rent, and solicited for prospective tenants of real property or improvements thereon, and collected rents from real property or improvements thereon.

4

On or about October 7, 2014, and continuing intermittently through October 20, 2014, an audit was conducted of the records of Respondent . The auditor herein examined the records for the period of July 1, 2013, through August 31, 2014.

5

While acting as a real estate broker as described in Paragraph 3, Respondent accepted or received funds in trust (trust funds) from or on behalf of owners and tenants in connection with the leasing, renting, and collection of rents on real property or improvements thereon, as alleged herein, and thereafter from time to time made disbursements of said trust funds.

6

The trust funds accepted or received by Respondent as described in Paragraph 5 were deposited or caused to be deposited by Respondent into trust accounts which were maintained by Respondent for the handling of trust funds, and thereafter from time-to-time Respondent made disbursements of said trust funds, identified as follows:

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BANK ACCOUNT # 1	
Bank Name and Location:	F&M Bank 2340 Geer Road Turlock, CA 95382
Account No.:	XXXXXX4701
Entitled:	ALV Property Management Inc.

TRUST ACCOUNT # 1	
Bank Name and Location:	F&M Bank 2340 Geer Road Turlock, CA 95382
Account No.:	XXXXXX801
Entitled:	ALV Property Management Inc.

7

In the course of the activities described in Paragraph 3, Respondent:

- (a) commingled with its own money or property, the money or property of others which was received or held by Respondents in trust in violation of Section 10176(e) of the Code;
- (b) failed to deposit trust funds into one or more trust funds accounts in the name of ALV as trustee at a bank or other financial institution, in conformance with Section 10145 of the Code and Section 2832 of the Title 10 of the California Code of Regulations (Regulations);
- (c) failed to keep accurate separate records for each beneficiary or transaction, accounting therein for all funds which were deposited into Bank Account #1 and Trust Account #1 containing all of the information required by Section 2831.1 of the Regulations;
- (d) failed to reconcile the balance of separate beneficiary or transaction records with the control record of trust funds received and disbursed at least once a month, and/or failed to maintain a record of such reconciliations for each account as required by Section 2831.2 of the Regulations; and
- (e) caused, permitted, and/or allowed, the possible withdrawal of trust funds from Account #1 by a person who was not licensed by the Bureau and not covered by a fidelity bond in violation of Section 2834 of the Regulations.

DETERMINATION OF ISSUES

1

Cause for disciplinary action against Respondent exists pursuant to Sections 10176(e) and 10177(d) of the Code in conjunction with Section 10145 of the Code and Sections 2832, 2831.1, 2831.2, and 2834 of the Regulations.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

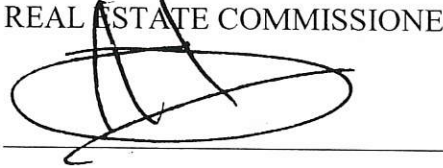
ORDER

All licenses and licensing rights of Respondent ALV PROPERTY MANAGEMENT INC. under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on  
JUL 12 2016

DATED: June 16, 2016

WAYNE S. BELL  
REAL ESTATE COMMISSIONER



**By: JEFFREY MASON**  
**Chief Deputy Commissioner**

**FILED**

JUN 01 2016

BUREAU OF REAL ESTATE

By S. Black

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of

ALV PROPERTY MANAGEMENT INC.,  
and ADRIAN SUZAN HARRELL,  
Respondents.

No. H-3006 FR

DEFAULT ORDER

(as to Respondent ALV Property  
Management Inc. only)

Respondent, ALV PROPERTY MANAGEMENT INC., having failed to file a  
Notice of Defense within the time required by Section 11506 of the Government Code, is now in  
default. It is, therefore, ordered that a default be entered on the record in this matter.

JUN 01 2016

IT IS SO ORDERED \_\_\_\_\_

WAYNE BELL  
REAL ESTATE COMMISSIONER

By: Joseph M. Carrillo  
JOSEPH M. CARRILLO  
Regional Manager