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FILED

MAY 16 2025

DEPARTMENT OF REAL ESTATE
By B. Nicholas

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:)
12) No. H-3602 FR
DANIEL ORTIZ JR.,)
13) ACCUSATION
Respondent.)
14)

15 The Complainant, RUBEN CORONADO, acting in his official capacity as a
16 Supervising Special Investigator of the State of California, for this Accusation against DANIEL
17 ORTIZ JR. ("Respondent"), is informed and alleges as follows:

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19 At all times mentioned herein, Respondent was and is presently licensed and/or
20 has license rights by the Department of Real Estate ("Department"), under the California
21 Business and Professions Code ("Code") as a real estate salesperson, License No. 01800886.

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23 At all times mentioned herein, Respondent was a salesperson employed by SEAN
24 CONWAY ("Conway"), a licensed real estate broker, License No. 01450340, doing business as
25 Central California Realty.

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2 At all times mentioned, Respondent engaged in the business within the meaning
3 of Section 10131(a) of the Code, including the operation and conduct of a real property resale
4 brokerage wherein Respondent bought, sold, or offered to buy or sell, solicited or obtained
5 listings of, and negotiated the purchase, sale or exchange of real property or business
6 opportunities, all for or in expectation of compensation.

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8 Whenever acts referred to below are attributed to Respondent, those acts are
9 alleged to have been done by Respondent, acting by himself, or by and/or through one or more
10 known or unknown agents, associates, and/or co-conspirators.

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12 On or about April 1, 2019, Respondent and Conway executed an Independent
13 Contractor Agreement ("ICA") to employ Respondent as a real estate salesperson. The ICA
14 provided that Conway would retain ten percent (10%) of any commission earned by Respondent.
15 At all times mentioned below, the ICA was in effect.

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17 On or about May 27, 2022, Respondent executed a Commission Agreement with
18 K.P. and A.P., the trustees of the KHP...Trust, for a prospective sale of the property located at
19 12344 26 Mile Road, Oakdale CA ("26 Mile Road"). The agreement provided Respondent's
20 broker, Conway, with a commission of 2.5% of the sales price for 26 Mile Road.

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22 On or about June 14, 2022, Respondent, as a dual agent, presented K.P. with an
23 offer from Serenity Communities, LLC ("Serenity LLC"). The offer was for \$5,500,000.

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25 On or about June 24, 2022, K.P. and A.P. accepted the offer from Serenity LLC.
26 At some point prior to the close of escrow, the purchase agreement was assigned to Casa De
27 Amigos Manufactured Housing Community, LLC (Casa De Amigos).

On or about August 22, 2022, escrow closed, and 26 Mile Road was transferred to Casa De Amigos with a final price of \$5,000,000. Conway signed a commission demand to be paid \$125,000 through the close of escrow.

On or about September 7, 2022, Respondent was paid an additional \$50,000 commission for the sale of 26 Mile Road directly from the buyer, Casa De Amigos, in violation of Section 10137 (unlawful compensation) of the Code.

As of April 18, 2025, Respondent has not paid Conway his ten percent (10%) commission split of \$5,000 for the \$50,000 Respondent received directly from Casa De Amigos.

GROUND FOR DISCIPLINE

The acts and/or omissions as described above constitute grounds for the suspension or revocation of the license and license rights of Respondents pursuant to Sections 10137, 10177(d) (willfully disregard or violate real estate law), 10177(g) (negligence or incompetence), and/or 10177(j) (fraud or dishonest dealing) of the Code.

COST RECOVERY

The Department will seek to recover the costs of the investigation and prosecution of this case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, 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 allegations
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
3 action against all licenses and license rights of Respondent under the Real Estate Law, for the
4 cost of investigation and enforcement as permitted by law, and for such other and further relief
5 as may be proper under other provisions of law.

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8 RUBEN CORONADO
9 Supervising Special Investigator

10 Dated at Fresno, California,
11 this 13th day of May, 2025.
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13 DISCOVERY DEMAND
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15 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
16 Department hereby makes demand for discovery pursuant to the guidelines set forth in the
17 *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the
18 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
19 Administrative Hearings deems appropriate.
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