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APR 07 2026

DEPARTMENT OF REAL ESTATE

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KYLE T. JONES, Attorney (SBN 300751)  
Department of Real Estate  
651 Bannon Street, Suite 507  
Sacramento, CA 95811

Telephone: (916) 737-4389 (Direct)  
(916) 263-3767 (Fax)  
(916) 576-8700

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of: )  
TRI-TAL REALTY, INC. ) No. H-3648 FR  
and KRISTIN DENISE MARIN ) ACCUSATION  
Respondents. )

The Complainant, RUBEN CORONADO, acting in his official capacity as a  
Supervising Special Investigator of the State of California, for this Accusation against TRI-TAL  
REALTY, INC. ("TTRI") and KRISTIN DENISE MARIN ("MARIN"), sometimes collectively  
referred to as Respondents, is informed and alleges as follows:

1

TTRI is presently licensed and/or has license rights under the Real Estate Law,  
Part 1 of Division 4 of the Business and Professions Code ("Code"), by the Department of Real  
Estate ("Department") as a corporate real estate broker, License No. 02105087.

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MARIN is presently licensed and/or has license rights under the Code as a real  
estate broker, License No. 01418817.

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2 At all times mentioned, MARIN was the designated broker-officer of TTRI. As  
3 the designated broker-officer, MARIN was responsible, pursuant to Section 10159.2 of the  
4 Code, for the supervision of the activities of officers, agents, real estate licensees and  
5 employees of TTRI for which a real estate license is required to ensure the compliance of the  
6 corporation with the Real Estate Law and the Regulations.

7 4

8 At all times mentioned, Respondents engaged in the business of, acted in the  
9 capacity of, advertised, or assumed to act as a real estate broker within the State of California  
10 within the meaning of Section 10131(b) of the Code, including the operation and conduct of a  
11 property management business with the public wherein, on behalf of others, for compensation or  
12 in expectation of compensation, Respondents leased or rented or offered to lease or rent, or  
13 placed for rent, or solicited listings of places for rent, or solicited for prospective tenants, or  
14 negotiated the sale, purchase or exchange of leases on real property, or on a business  
15 opportunity, or collected rents from real property, or improvements thereon, or from business  
16 opportunities.

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18 Whenever acts referred to below are attributed to Respondents, those acts are  
19 alleged to have been done by Respondents, acting by themselves, or by and/or through one or  
20 more known or unknown agents, associates, and/or co-conspirators.

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22 On or about October 30, 2025, the Department completed its audit (SC-24-0039)  
23 of the books and records of TTRI's property management activities described above in  
24 Paragraph 4. The auditor examined property management records for the period of November 1,  
25 2023, through October 31, 2024 ("the audit period").

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1 FIRST CAUSE OF ACTION

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3 Complainant refers to Paragraphs 1 through 6, above, and incorporates the same,  
4 herein.

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6 While acting as a real estate broker as described in Paragraph 4, above, and within  
7 the audit period, Respondents accepted or received funds in trust ("trust funds") from or on  
8 behalf of property owners, lessees and others in connection with property management activities,  
9 and deposited or caused to be deposited those funds into bank accounts maintained by  
10 Respondents at US Bank, 2008 McHenry Avenue, Modesto, CA 95350, as described below:

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|                              |                                   |
|------------------------------|-----------------------------------|
| 12 TRUST ACCOUNT #1 ("T/A1") |                                   |
| 13 Account No.:              | XXXXXXXX4772                      |
| 14 Entitled:                 | Tri-Tal Realty Inc. Trust Account |

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16 and thereafter from time to time made disbursements of said trust funds.

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18 In the course of the activities described in Paragraph 4, in connection with the  
19 collection and disbursement of trust funds, it was determined that:

- 20 (a) An accountability was performed on account T/A1, and as of  
21 September 30, 2024, a shortage of \$12,321.09 out of a total  
22 accountability of \$372,884.94 was revealed in violation of Section  
23 10145 (handling of trust funds) of the Code;
- 24 (b) Respondents failed to obtain written permission from the owners of the  
25 trust funds in account B/A1 to allow the balances to drop below  
26 accountability, in violation of Section 2832.1 (trust fund handling for  
27 multiple beneficiaries) of Title 10, Chapter 6, California Code of

Regulations (“Regulations”);

(c) Respondents failed to perform and maintain monthly reconciliations comparing the balance of all separate records to the balance of the control record in violation of Section 10145 of the Code and Section 2831.2 of the Regulations; and

(d) Respondents used an unlicensed DBA, “Tri-Tal Realty & Property Management,” in violation of Section 2731 of the Regulations.

## GROUNDS FOR DISCIPLINE

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The act and/or omissions described above constitute grounds for discipline under the aforementioned Section and/or Sections 10177(d) (willful disregard or violation of real estate laws), and 10177(g) (negligence/incompetence) of the Code.

## SECOND CAUSE OF ACTION

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Complainant refers to Paragraphs 1 through 10, above, and incorporates the same, herein.

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At times mentioned above, MARIN was responsible, as the supervising designated broker/officer for TTRI, for the supervision and control of the activities conducted on behalf of TTRI's business by its employees to ensure its compliance with the Real Estate Law and Regulations. MARIN failed to exercise reasonable supervision and control over the property management activities of TTRI. In particular, MARIN permitted, ratified and/or caused the conduct described above to occur, and failed to take reasonable steps, including but not limited to, the handling of trust funds, supervision of employees, and the implementation of policies, rules, and systems to ensure compliance of the business with the Real Estate Law and the Regulations.

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The above acts and/or omissions of MARIN violate Section 2725 (broker supervision) of the Regulations and Section 10159.2 (responsibility/designated officer) of the Code and constitute grounds for disciplinary action under the provisions of Sections 10177(d), 10177(g) and 10177(h) (broker supervision) of the Code.

COSTS OF INVESTIGATION AND ENFORCEMENT

Section 10106 of the Code 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.

The acts and/or omissions of Respondents as alleged above, entitle the Department to reimbursement of the costs of its audit pursuant to Section 10148(b) of the Code.

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 licenses and license rights of Respondent 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 provisions of law.

  
RUBEN CORONADO  
Supervising Special Investigator

Dated at Fresno, California,  
this 1<sup>st</sup> day of April, 2026.

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DISCOVERY DEMAND

Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the Department hereby makes demand for discovery pursuant to the guidelines set forth in the *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the exclusion of witnesses and documents at the hearing or other sanctions that the Office of Administrative Hearings deems appropriate.