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FILED

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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-3660 FR
13 ECCLESTON & ASSOCIATES, INC.)
14 and VICTORIA ECCLESTON) ACCUSATION
Respondents.)

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
17 ECCLESTON & ASSOCIATES, INC. ("EAI") and VICTORIA ECCLESTON
18 ("ECCLESTON"), sometimes collectively referred to as Respondents, is informed and alleges as
19 follows:

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21 EAI is presently licensed and/or has license rights under the Real Estate Law, Part
22 1 of Division 4 of the Business and Professions Code ("Code"), by the Department of Real
23 Estate ("Department") as a corporate real estate broker, License No. 02120789.

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25 ECCLESTON is presently licensed and/or has license rights under the Code as a
26 real estate broker, License No. 01731443.

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

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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 February 3, 2026, the Department completed its audit (FR24-0057) of
23 the books and records of EAI's property management activities described above in Paragraph 4.
24 The auditor examined property management records for the period of October 1, 2023, through
25 March 31, 2025 ("the audit period").

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FIRST CAUSE OF ACTION

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

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While acting as a real estate broker as described in Paragraph 4, above, and within the audit period, Respondents accepted or received funds in trust (“trust funds”) from or on behalf of property owners, lessees and others in connection with property management activities, and deposited or caused to be deposited those funds into bank accounts maintained by

Respondents at various banks, as described below:

BANK ACCOUNT #1 (“B/A1”)- Mechanics Bank, Corona, CA	
Account No.:	XXXX1862
Entitled:	Stockdale Partners II LLC
TRUST ACCOUNT #1 (“T/A2”)- Mission Bank, Bakersfield, CA	
Account No.:	XXXX4107
Entitled:	Eccleston & Associates Inc. ITF Laurelwood Oak Investors, A CA L.P.
BANK ACCOUNT #1 (“B/A3”)- Tri-Counties Bank, Bakersfield, CA	
Account No.:	XXX8370
Entitled:	Eccleston & Associates Inc. DBA Kelly Real Estate
BANK ACCOUNT #1 (“B/A4”)- Tri-Counties Bank, Bakersfield, CA	
Account No.:	XXX9392
Entitled:	Eccleston & Associates Inc. DBA Kelly Real Estate

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

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

- (a) EAI's license was expired from on or about June 29, 2024, until February 26, 2026. Respondents continued to conduct licensed activity through EAI during the period that EAI's license was expired in violation of Section 10130 (license required) of the Code;
- (b) ECCLESTON's license was expired from on or about September 21, 2024, until March 20, 2025. ECCLESTON continued to perform licensed activity during the period that ECCLESTON's license was expired in violation of Section 10130 of the Code.
- (a) B/A1, B/A3, and B/A4 were not designated as trust accounts in violation of Section 10145 (trust fund handling) of the Code and Section 2832 (trust fund handling) of Title 10, Chapter 6, of the California Code of Regulations ("Regulations");
- (c) B/A3 and B/A4 had an unlicensed signer and Respondents did not have a fidelity bond or insurance coverage in violation of Section 10145 of the Code and Section 2834 (trust account withdrawals) of the Regulations;
- (d) Respondents failed to keep separate records for B/A3 and B/A4 in violation of Section 10145 of the Code and Section 2831.1 (separate record for each beneficiary or transaction) of the Regulations;
- (e) Respondents failed to perform and/or maintain a monthly reconciliation for B/A3 and B/A4 in violation of Section 10145 of the Code and Section 2831.2 (trust account reconciliation) of the Regulations; and
- (f) Respondents used an unlicensed fictitious business name in violation of Section 10159.5 (fictitious name) of the Code and Section 2731 (use of false or fictitious name) of the Regulations.

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/or 10177(g) (negligence/incompetence) of the Code.

SECOND CAUSE OF ACTION

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

At times mentioned above, ECCLESTON was responsible, as the supervising designated broker/officer for EAI, for the supervision and control of the activities conducted on behalf of EAI's business by its employees to ensure its compliance with the Real Estate Law and Regulations. ECCLESTON failed to exercise reasonable supervision and control over the property management activities of EAI. In particular, ECCLESTON 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.

The above acts and/or omissions of ECCLESTON 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

1 the Administrative Law Judge to direct a licensee found to have committed a violation of this
2 part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the
3 case.

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

7 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
8 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
9 action against all licenses and license rights of Respondent under the Real Estate Law, for the
10 cost of investigation and enforcement as permitted by law, and for such other and further relief
11 as may be proper under other provisions of law.

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13 RUBEN CORONADO
14 Supervising Special Investigator

15 Dated at Fresno, California,
16 this 19th day of May, 2026.
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20 DISCOVERY DEMAND

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