

1 JOHN W. BARRON, Counsel (SBN 171246)
2 Department of Real Estate
3 P. O. Box 187007
4 Sacramento, CA 95818-7007

5 Telephone: (916) 227-0792 (Direct)
6 -or- (916) 227-0789 (Main)

FILED
FEB 14 2013

DEPARTMENT OF REAL ESTATE
By R. Mar

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

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12 In the Matter of the Accusation of)
13) NO. H-4457 SD
14 CAROLYN MARIE CERWONKA,)
15) ACCUSATION
Respondent.)
_____)

16 The Complainant, VERONICA KILPATRICK, in her official capacity as a
17 Deputy Real Estate Commissioner of the State of California, ("Complainant"), for Accusation
18 against CAROLYN MARIE CERWONKA ("Respondent"), individually and doing business as
19 "Mountain Time Resort and RE, Inc." and "All Mountain Property Management Inc." is
20 informed and alleges as follows:

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22 At all times relevant, Respondent was and now is licensed by the State of
23 California Department of Real Estate, ("the Department"), as a real estate broker.

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25 At no time has Mountain Time Resort and RE, Inc. been licensed to conduct real
26 estate activity in the State of California.

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2 All Mountain Property Management Inc. was not licensed to conduct real estate
3 activity in the State of California as a corporate real estate broker until October 29, 2010.

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5 On or about August 27, 2007, Respondent, representing Mountain Time Resort
6 Rentals and Real Estate, Inc., entered into an agreement with Melanie C. to manage Melanie
7 C.'s rental property located at 987 Bear Mountain Road, Big Bear City, California. That
8 agreement expired on August 31, 2009. However, Respondent continued to provide property
9 management services to Melanie C. for the Bear Mountain Road Property, using the unlicensed
10 business name of All Mountain Property Management Inc. until that relationship was terminated
11 by Melanie C. on July 30, 2010.

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13 The acts and/or omissions of Respondent described in Paragraphs 2 through 4,
14 above, are grounds for the revocation or suspension of all of Respondent's license and/or license
15 rights under Sections 10159.5 (use of fictitious business name), 10176(a) (misrepresentation),
16 10176(i) (fraud or dishonest dealing), and 10177(d) (willful disregard/violation of real estate law)
17 and/or 10177(g) (negligence or incompetence) of the Code, and Section 2731 (use of fictitious
18 business name) of Title 10 of the California Code of Regulations ("the Regulations").

19 COST RECOVERY

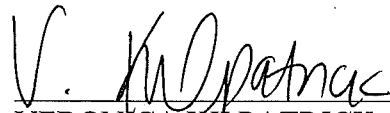
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21 Section 10106 of the Code provides, in pertinent part, that in any order issued in
22 resolution of a disciplinary proceeding before the Department, the Commissioner may request
23 the Administrative Law Judge to direct a licensee found to have committed a violation of this
24 part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the
25 case.

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1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all licenses and license rights of Respondents under the Code, for the
4 reasonable cost of investigation and prosecution of this case, including agency attorney's fees,
5 and for such other and further relief as may be proper under other provisions of law.

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8 VERONICA KILPATRICK
9 Deputy Real Estate Commissioner

10 Dated at San Diego, California,
11 this 12 day of February, 2013.
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