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8	BEFORE THE BUREAU OF REAL ESTATE
9	STATE OF CALIFORNIA
10	In the Matter of the Accusation of) No. H-04726 SD
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12	$\begin{array}{c} \text{DELCORP MANAGEMENT CO., INC.;} \\ \text{RAYMOND KEITH WILLIAMSON,} \\ \text{individually, and as designated officer} \end{array}$
13	of Delcorp Management Co., Inc.; and) TRACY SCOTT DELBUONO,)
14	Respondents.
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17	The Complainant, Veronica Kilpatrick, a Deputy Real Estate Commissioner of
18	the State of California, acting in her official capacity, for cause of Accusation against
19	DELCORP MANAGEMENT CO., INC., RAYMOND KEITH WILLIAMSON, individually
20	and as designated officer of Delcorp Management Co., Inc., and TRACY SCOTT
21	DELBUONO ("Respondents") alleges as follows: 1.
22	All references to the "Code" are to the California Business and Professions Code
23	and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.
24 25	2.
25	Respondent DELCORP MANAGEMENT CO., INC. ("DMCI") is presently
20	licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the
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California Business and Professions Code as a corporate real estate broker. Respondent was 2 originally licensed as a corporate real estate broker by the Bureau of Real Estate ("Bureau") on or about March 5, 2008, with real estate broker Lynn Galligan as its designated officer. 3 Beginning September 16, 2011, and continuing to the present, the designated officer of DMCI 4 5 has been Respondent RAYMOND KEITH WILLIAMSON.

3.

7 Respondent RAYMOND KEITH WILLIAMSON ("WILLIAMSON") is 8 presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code as a real estate broker. Respondent 9 10 WILLIAMSON was originally licensed by the Bureau as a real estate broker on June 14, 1968, and his license is due to expire on June 5, 2016. 11

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13 Respondent TRACY SCOTT DELBUONO ("DELBUONO") is presently 14 licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code as a real estate salesperson. Respondent 15 16 DELBUONO was originally licensed by the Bureau as a real estate salesperson on October 27, 2008, and his license is due to expire on October 26, 2016. From July 22, 2011, until June 15, 17 2014, Respondent DELBUONO was licensed with the Bureau in the employ of DMCI. 18 Beginning August 29, 2014, and continuing to the present, DELBUONO has been licensed with 19 the Bureau in the employ of Respondent WILLIAMSON. 20

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5.

At all times herein relevant, Respondents engaged in the business of, acted in the 22 capacity of, advertised or assumed to act as real estate brokers in the State of California within 23 the meaning of Code Sections 10131(b). Their activities included soliciting listings of places 24 for rent, soliciting for prospective tenants, and/or management of residential rental real property 25 for and on behalf of others for compensation. 26

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FIRST CAUSE OF ACCUSATION

(Failure to Retain Records – DMCI, WILLIAMSON)

6.

On or about May 30, 2014, the Bureau made a written request for documents to Respondent WILLIAMSON as part of an investigation to examine, audit, inspect and copy Respondents' books, records and accounts regarding Respondents' real estate transactions as part of a Bureau audit of DMCI and WILLIAMSON.

7.

Respondents DMCI and WILLIAMSON failed to retain the books, accounts,
and records regarding any real estate transactions and refused to make such records available to
the Real Estate Commissioner's representative, to wit: the auditor, in violation of Code Section
10148.

8.

The conduct of Respondents DMCI and WILLIAMSON, as alleged above, is in
 violation of Code Section 10148, and subjects the real estate licenses and license rights of
 Respondents DMCI and WILLIAMSON to suspension or revocation pursuant to Code Sections
 10177(d) and/or 10177(g).

SECOND CAUSE OF ACCUSATION

(Conversion of Trust Funds – DELBUONO & DMCI)

9.

On or about February 23, 2013, homeowner Vivian B. entered into a property
management agreement with Respondent DELBUONO as an agent for DMCI, for the
management of rental property located in the city of Rancho Bernardo, California. Among
other duties, Respondent DELBUONO agreed to collect rents for the location, hold all rents
collected in a trust account, and forward the proceeds to the property owner, Vivian B., on a
monthly basis.

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2	Beginning March 1, 2013, and continuing to December 31, 2013, Respondent
3	DELBUONO collected rental income from the above-referenced property management
4	activities as a licensed employee of DMCI. However, for the months September, 2013, and
5	November, 2013, Respondent DELBUONO paid Vivian B. her rental proceeds using a
6	cashier's check from DELBUONO's personal account, and not from the account of DMCI in
7	violation of Code Section 10145. In December, 2013, Respondents DELBUONO and DMCI
8	collected rental income from the above-referenced property management activities, but failed to
9	pay any rental proceeds to the property owner. Respondents DELBUONO and DMCI currently
10	owe proceeds to the property owner in excess of \$1,525.00.
11	11.
12	Respondents DELBUONO's and DMCI's activities constitute a course of
13	conduct which includes the activities described in paragraphs 9 and 10, above, by way of
14	example, but is by no means limited to that named consumer and her experience.
15	12.
16	The conduct of Respondents DELBUONO and DMCI, as alleged above, is in
17	violation of Code Sections 10145, 10176(e), and 10176(i) and subjects the real estate licenses
18	and license rights of Respondents DELBUONO and DMCI to suspension or revocation
19	pursuant to Code Sections 10176(e), 10176(i), 10177(d) and/or 10177(g).
20	THIRD CAUSE OF ACCUSATION
21	(Suspension of Corporation Status – DMCI)
22	13.
23	On or about July 2, 2012, the Franchise Tax Board of the State of California
24	suspended the powers, rights and privileges of Respondent DMCI pursuant to the provisions of
25	the California Revenue and Taxation Code. The corporate powers, rights and privileges of
26	Respondent DMCI remain suspended to date.
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2	The conduct of Respondent DMCI as alleged above, is in violation of Section
3	2742(c) of Title 10, Chapter 6, California Code of Regulations, and subjects its real estate
4	license and license rights to suspension or revocation pursuant to Code Section 10177(d) and
5	10177(f).
6	FOURTH CAUSE OF ACCUSATION
7	(Failure to Supervise – WILLIAMSON)
8	15.
9	Based on the conduct alleged in paragraphs 6, 7, 9, 10, and 11, above,
10	Respondent WILLIAMSON failed to exercise reasonable supervision over the activities of
11	DMCI to ensure compliance with the Real Estate Laws and the Commissioner's Regulations in
12	violation of Code Sections 10159.2, 10177(g), and 10177(h) and Regulation 2725.
13	16.
14	The conduct, acts and omissions of Respondent WILLIAMSON as set forth
15	above, are cause for the suspension or revocation of the license and license rights of
16	Respondent WILLIAMSON pursuant to Code Sections 10177(d), 10177(g), and/or 10177(h).
17	17.
18	California Business and Professions Code Section 10106 provides, in pertinent
19	part, that in any order issued in resolution of a disciplinary proceeding before the Bureau, the
20	Commissioner may request the administrative law judge to direct a licensee found to have
21	committed a violation of this part to pay a sum not to exceed the reasonable costs of
22	investigation and enforcement of the 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 the licenses and license rights of Respondents DELCORP
4	MANAGEMENT CO., INC., RAYMOND KEITH WILLIAMSON, individually and as
5	designated officer of Delcorp Management Co., Inc., and TRACY SCOTT DELBUONO under
6	the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the costs of
7	investigation and enforcement as provided by law, and for such other and further relief as may
8	be proper under other applicable provisions of law.
9	Dated at San Diego, California: May 22, 2015.
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12	V-KILpatnet
13	Veronica Kilpatrick Deputy Real Estate Commissioner
14	Deputy Real Estate Commissioner
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24	cc: Delcorp Management Co., Inc. Raymond Keith Williamson
25	Tracy Scott Delbuono
26	Veronica Kilpatrick Audits – Dorcas Cheng
27	Sacto.
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