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FILED

SEP 30 2015

BUREAU OF REAL ESTATE

By 

7 BEFORE THE BUREAU OF REAL ESTATE

8 STATE OF CALIFORNIA

9 * * *

10 In the Matter of the Accusation of)

No. H-04748 SD

11 MONI MONI, INC.)
12 and SANDY LEE ROBBINS)
13 individually and as)
designated officer of)
14 Moni Moni, Inc.,)

A C C U S A T I O N

15 Respondents,)
16)

17 The Complainant, Veronica Kilpatrick, a Supervising
18 Special Investigator of the State of California, for cause of
19 accusation against MONI MONI, INC. and SANDY LEE ROBBINS
20 individually and as designated officer of Moni Moni, Inc.,
21 alleges as follows:
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23 1. The Complainant, Veronica Kilpatrick, acting in her
24 official capacity as a Supervising Special Investigator of the
25 State of California, makes this Accusation against MONI MONI,
26 INC. and SANDY LEE ROBBINS.

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1 2. MONI MONI, INC. and SANDY LEE ROBBINS individually
2 and as designated officer of Moni Moni, Inc. (hereinafter
3 referred to as "Respondents") are presently licensed and/or have
4 license rights under the Real Estate Law (Part 1 of Division 4 of
5 the Business and Professions Code, hereinafter Code).

6 3. At all times herein mentioned, Respondents MONI
7 MONI, INC. and SANDY LEE ROBBINS were licensed as real estate
8 brokers. Respondent ROBBINS was the designated officer and
9 pursuant to Code Section 10159.2 was responsible for the
10 supervision and control of the activities conducted on behalf of
11 the corporation by its officers and employees as necessary to
12 secure full compliance with the provisions of the real estate law
13 including supervision of salespersons licensed to the corporation
14 in the performance of acts for which a real estate license is
15 required.

16 4. At all times material herein, Respondents engaged
17 in the business of, acted in the capacity of, advertised or
18 assumed to act as real estate brokers in the State of California
19 within the meaning of Section 10131(b) of the Code including
20 soliciting owners and renters, negotiating the lease and rental
21 of real property, and collecting rents from real property.

22 5. On or about June 29, 2015, the Bureau completed an
23 examination of Respondent MONI MONI, INC.'s books and records,
24 pertaining to the activities described in Paragraph 4 above,
25 covering a period from April 1, 2013, through October 31, 2014,
26 which examination revealed violations of the Code and of Title
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1 10, Chapter 6, California Code of Regulations (hereinafter
2 Regulations) as set forth below.

3 6. The examination described in Paragraph 5, above,
4 determined that, in connection with the activities described in
5 Paragraph 4 above, Respondents accepted or received funds,
6 including funds in trust (hereinafter "trust funds") from or on
7 behalf of principals, and thereafter made deposit or disbursement
8 of such funds.

9 7. In the course of activities described in Paragraphs
10 4 through 6 and during the examination period described in
11 Paragraph 5, Respondents MONI MONI, INC. and SANDY LEE ROBBINS
12 acted in violation of the Code and the Regulations as follows,
13 and as more specifically set forth in Audit Report No. SD 140027
14 and related exhibits:

15 a. Violated Code Section 10145 and Regulation 2832.1
16 by maintaining as of October 31, 2014 a trust account shortage of
17 \$23,899.81.

18 b. Violated Code Section 10145 and Regulation 2831 by
19 failing to maintain a control record that was accurate and
20 complete for each trust account. There was an unidentified
21 shortage of \$3,712.82 in the trust accounts.

22 c. Violated Code Section 10145 and Regulation 2831.1
23 by failing to maintain complete and accurate separate records for
24 trust funds received and disbursed.

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1 d. Violated Code Section 10145 and Regulation 2831.2
2 by not maintaining complete and accurate monthly reconciliations
3 of all the separate records to the control record.

4 e. Violated Code Sections 10176(e) and 10145 and
5 Regulation 2832 by commingling trust funds with broker's own
6 funds.

7 f. Violated Code Section 10145 and Regulation 2832 in
8 that not all accounts used to hold trust funds were designated as
9 trust accounts.

10 g. Violated Code Section 10145 and 2834 by having
11 unauthorized signatories on the trust accounts. There was no
12 fidelity bond coverage.

13 h. Violated Code Section 10162 by failing to notify
14 the Bureau timely of the change of the main business address to
15 680 Fletcher Pkwy. Suite 206, El Cajon.

16 i. Violated Section 10148 by failing to maintain
17 records for the period April 1, 2013 through October 31, 2014.
18 Not all records requested by the Bureau were provided for
19 examination as requested by the Bureau.

20 j. Violated Regulation 2725 by failing to establish
21 policies, rules, procedures and systems to review, oversee and
22 inspect the handling of trust funds by licensees and employees.

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27 The Accusation of Moni Moni, Inc.

1 8. The conduct, acts and/or omissions of Respondents
2 MONI MONI, INC., and SANDY LEE ROBBINS, as alleged above,
3 subjects their real estate licenses and license rights to
4 suspension or revocation pursuant to Sections 10176(e), 10177(d)
5 and 10177(g) of the Code.

6
7 FAILURE TO SUPERVISE

8 9. The conduct, acts and/or omissions of Respondent
9 ROBBINS, in failing to ensure full compliance with the Real
10 Estate Law is in violation of Code Section 10159.2 and subjects
11 her real estate licenses and license rights to suspension or
12 revocation pursuant to Sections 10177(d), 10177(g), and 10177(h)
13 of the Code.

14 COST RECOVERY

15 Code Section 10106 provides, in pertinent part, that in
16 any order issued in resolution of a disciplinary proceeding
17 before the bureau, the commissioner may request the
18 administrative law judge to direct a licensee found to have
19 committed a violation of this part to pay a sum not to exceed the
20 reasonable costs of the investigation and enforcement of the
21 case.

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27 The Accusation of Moni Moni, Inc.

1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and license rights of Respondents
5 MONI MONI, INC. and SANDY LEE ROBBINS individually and as
6 designated officer of Moni Moni, Inc. under the Real Estate Law
7 (Part 1 of Division 4 of the Business and Professions Code), for
8 the cost of investigation and enforcement as permitted by law,
9 and for such other and further relief as may be proper under
10 other applicable provisions of law.

11 Dated at San Diego, California

12 this 28th day of September, 2015.

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15 VERONICA KILPATRICK
16 Supervising Special Investigator
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24 cc: Moni Moni, Inc.
25 Sandy Lee Robbins
26 Veronica Kilpatrick
27 Sacto.

Accusation of Moni Moni, Inc.