

1 AMELIA V. VETRONE, SBN 134612
2 Bureau of Real Estate
3 320 West 4th Street, Ste. 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6940

FILED

JUN 27 2017

BUREAU OF REAL ESTATE

By *Jim Fan*

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

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11 In the Matter of the Accusation Against)

No. H-04912 SD

12 SIGNATURE REAL ESTATE, INC.;)
13 and JAMES PATRICK DUFFY,)
14 individually and as Designated)
15 Officer of Signature Real Estate, Inc.,)

A C C U S A T I O N

16 Respondents.)

17 The Complainant, Tony Fan, a Supervising Special Investigator of the State of
18 California, acting in his official capacity for cause of Accusation against SIGNATURE REAL
19 ESTATE, INC. and JAMES PATRICK DUFFY, individually and as designated officer of
20 Signature Real Estate, Inc., alleges as follows:

21 1.

22 All references to the "Code" are to the California Business and Professions Code,
23 all references to the "Real Estate Law" are to Part 1 of Division 4 of the California Business and
24 Professions Code, and all references to "Regulations" are to Title 10, Chapter 6, California Code
25 of Regulations.

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1 2.

2 Respondent SIGNATURE REAL ESTATE, INC. ("SREI") is presently licensed
3 and/or has license rights under the Real Estate Law as a corporate real estate broker. Respondent
4 SREI was originally licensed as a corporate real estate broker by the Bureau of Real Estate
5 ("Bureau") on or about November 12, 2013. Since that date and continuing to the present,
6 Respondent JAMES PATRICK DUFFY ("DUFFY") has been the designated officer of SREI.
7 The corporate real estate broker license of SREI is due to expire on November 11, 2017.

8 3.

9 Respondent DUFFY is licensed by the Bureau as a real estate broker. Respondent
10 DUFFY was originally licensed as a real estate salesperson on May 6, 2003, and as a real estate
11 broker on August 22, 2013. Respondent DUFFY's real estate broker license is due to expire on
12 August 21, 2017.

13 4.

14 In addition, Respondent DUFFY is a Managing Member and owner of
15 Washington Street Condos, LLC, the current owner or subdivider of a subdivision of real
16 property as defined in Section 11010 of the Code and described as WASHINGTON STREET
17 TOWNHOUSES, San Diego County, California.

18 5.

19 At all times herein relevant, Respondents engaged in the business of, acted in the
20 capacity of, advertised or assumed to act as real estate brokers in the State of California within
21 the meaning of Code Sections 10131(a). Their activities included the solicitation for listings of
22 and the negotiation of the purchase and sale of real property for and on behalf of others for
23 compensation.

24 6.

25 On August 20, 1982, the Bureau first issued Public Report No. 020115LA-F00 for
26 WASHINGTON STREET TOWNHOUSES ("the subdivision") to subdividers Donald E. and
27 Anne G. Baron ("Baron"). On January 13, 2011, the Bureau issued amended Public Report No.

1 020115LA-A01 to Baron with an expiration date of January 12, 2016. Effective September 29,
2 2015, ownership of the subdivision was transferred from Baron to Washington Street Condos,
3 LLC.

4 7.

5 On or about February 19, 2016, Respondents sold a unit in the subdivision to
6 Mary M. after the public report had expired in violation of Code Sections 11018.1(a), and
7 11018.2. Respondents have continued to sell interests in the subdivision. On or about October
8 11, 2016, Respondents sold a unit in the subdivision to Heladio L. and Liliana C., and on or
9 about March 20, 2017, Respondents sold a third unit in the subdivision to Marc. V., all after the
10 expiration of the public report. Respondents SREI and DUFFY acted as the listing real estate
11 brokers representing the seller in all three transactions.

12 8.

13 The conduct of Respondents, as alleged above, subjects the real estate licenses
14 and license rights of Respondents to suspension or revocation pursuant to Code Sections
15 10177(d) and/or 10177(g).

16 9.

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

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1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
3 action against all licenses and license rights of Respondents SIGNATURE REAL ESTATE,
4 INC. and JAMES PATRICK DUFFY under the Real Estate Law, for the costs of investigation
5 and enforcement as provided by law, and for such other and further relief as may be proper under
6 other applicable provisions of law.

7 Dated at Los Angeles, California, June 26th, 2017

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12 Tony Fan
13 Supervising Special Investigator
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25 cc: Signature Real Estate, Inc.
26 James Patrick Duffy
27 Tony Fan
Sacto.