

FILED

NOV 07 2022

DEPT. OF REAL ESTATE
By Adma Ruy

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	DRE No. H-05288 SD
)	
JAMES MATTHEW HALL,)	
)	
Respondent(s).)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on October 14, 2022, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, JAMES MATTHEW HALL ("Respondent"); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses on the grounds of the violation of the Real Estate Law, Part 1 commencing with Section 10000 of the Business and Professions Code ("Code") and/or the Regulations of the Real Estate Commissioner, Title 10, Chapter 6 of the California Code of Regulations ("Regulations").

Pursuant to Government Code Section 11521, the California Department of Real Estate ("the Department") may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

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FINDINGS OF FACT

1.

On September 15, 2022, Veronica Kilpatrick made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on September 19, 2022.

2.

On October 14, 2022, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

3.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("the Code") as a real estate broker.

4.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on September 19, 2022, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

The allegations contained in the Accusation, incorporated herein by reference in Paragraph 4, above, are in violation of Code sections 10159.5, 10162, 10176(a), 10176(b), 10176(c), 10176(i), 10177(d), 10177(g), and 10177(j) and Regulations sections 2715 and 2731 and constitute cause for the suspension or revocation of all the licenses, license endorsements, and license rights of Respondent JAMES MATTHEW HALL under the Real Estate Law pursuant to the provisions of Code sections 10165, 10176(b), 10176(c), 10176(i), 10177(d), 10177(g), and 10177(j).

2.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

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ORDER

All licenses and licensing rights of Respondent JAMES MATTHEW HALL under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on 11/28/2022.

DATED: 11/1/2022.

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

Marcus L. McCarther

By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner

1 STEVE CHU, Counsel (SBN 238155)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

4 Telephone: (213) 620-6430
5 Fax: (213) 576-6917

FILED

SEP 19 2022

DEPT. OF REAL ESTATE
By *[Signature]*

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-05288 SD
13 JAMES MATTHEW HALL,) ACCUSATION
14 Respondent.)
15 _____)

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
17 State of California, for cause of Accusation against JAMES MATTHEW HALL
18 (“Respondent”), is informed and alleges as follows:

19 1.

20 The Complainant, Veronica Kilpatrick, acting in her official capacity as a
21 Supervising Special Investigator of the State of California, makes this Accusation against
22 JAMES MATTHEW HALL.

23 2.

24 All references to the “Code” are to the California Business and Professions Code
25 and all references to “Regulations” are to Title 10, Chapter 6, California Code of Regulations.

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3.

Respondent JAMES MATTHEW HALL presently has license rights under the Real Estate Law, Part 1 of Division 4 of the Code as a real estate broker.

SAN DIEGO PROPERTY TRANSACTION

4.

On or about December 20, 2019, seller L. Garnder sold real property at 11489 Spruce Run Drive #A, San Diego, California 92131 (“San Diego property”) to buyer J. Aldawoodi for \$476,000. Respondent represented buyer J. Aldawoodi in the San Diego property transaction and Respondent promised to provide one and one half percent (1.5%) commission or \$7,140 to buyer J. Aldawoodi. Respondent used the unlicensed fictitious business name “Hall Team Real Estate” in the San Diego property transaction.

5.

Respondent failed to provide the promised one and one half percent (1.5%) commission or \$7,140 to buyer J. Aldawoodi.

6.

On or about April 1, 2021, the Superior Court of California, County of San Diego, Small Claims Case No. 37-2020-00021575-SC-SC-CTL, entered judgment in favor of buyer J. Aldawoodi against Respondent in the amount of \$7,140 principal and \$75 costs. Buyer J. Aldawoodi filed the action against Respondent for Respondent’s failure to provide the promised one and one half percent (1.5%) commission or \$7,140 to buyer J. Aldawoodi.

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1 SAN JUAN CAPISTRANO PROPERTY TRANSACTION

2 7.

3 On or about August 27, 2020, seller Toll West Coast, LLC sold real property at
4 26324 Paseo Lluvia, San Juan Capistrano, California 92675 (“San Juan Capistrano property”)
5 to buyers C. Leem for \$1,709,318. Respondent represented buyers C. Leem in the San Juan
6 Capistrano property transaction and Respondent promised to provide \$27,500 commission to
7 buyers C. Leem. Respondent used the unlicensed fictitious business name “Hall Team Real
8 Estate” in the San Juan Capistrano property transaction.

9 8.

10 Respondent failed to provide the promised \$27,500 commission to buyers C.
11 Leem, and Respondent only provided \$5,000 to buyers C. Leem.

12 INVESTIGATION OF MAIN OFFICE ADDRESS

13 9.

14 From December 26, 2019, to the present, the main office address maintained by
15 Respondent with the Department of Real Estate (“Department”) is 1902 Wright Pl, Carlsbad,
16 California 92008.

17 10.

18 On or about May 24, 2021, a Department investigation revealed that Respondent
19 failed to maintain an office at 1902 Wright Pl, Carlsbad, California 92008.

20 FIRST CAUSE OF ACTION

21 FRAUD AND DISHONEST DEALING

22 11.

23 The conduct, acts, and omissions of Respondent, as described in Paragraphs 4
24 through 8 above, are in violation of Code section 10176(a), 10176(b), 10176(c), 10176(i),
25 10177(d), 10177(g), and/or 10177(j) and constitute cause under Code sections 10176(a),
26 10176(b), 10176(c), 10176(i), 10177(d), 10177(g), and/or 10177(j) for the suspension or
27 revocation of all the licenses, license endorsements, and license rights of Respondent.

Accusation of James Matthew Hall

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, license endorsements, and license rights of
4 Respondent JAMES MATTHEW HALL under the Real Estate Law, for the cost of
5 investigation and enforcement as permitted by law, and for such other and further relief as may
6 be proper under other applicable provisions of law.

7
8 Dated at San Diego, California

9 this 15 day of September, 2022

10
11 *Veronica Kilpatrick*

12 _____
13 Veronica Kilpatrick
14 Supervising Special Investigator

15 cc: JAMES MATTHEW HALL
16 Veronica Kilpatrick
17 Sacto.

1 Department of Real Estate
2 320 West Fourth St, Ste 350
3 Los Angeles, CA, 90013

FILED

OCT 14 2022

DEPT. OF REAL ESTATE
By Anna Pung

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

10 * * *

11 In the Matter of the Accusation of) DRE NO. *H-05288 SD*
12 JAMES MATTHEW HALL,) DEFAULT ORDER
13 Respondent.)
14 _____)

15 Respondent JAMES MATTHEW HALL, having failed to file a Notice of
16 Defense within the time required by Section 11506 of the Government Code, is now in
17 default. It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED _____

19 DOUGLAS R. McCAULEY
20 REAL ESTATE COMMISSIONER

21
22 By: Chika Sunquist
23 CHIKA SUNQUIST
24 Assistant Commissioner

25 RECEIVED
26 DEPT. OF REAL ESTATE
27 OCT 14 2022
LADO - LEGAL SECTION