1	STEVE CHU, Attorney (SBN 238155)	
2	Department of Real Estate 320 West 4th Street, Suite 350	FILED
3	Los Angeles, California 90013-1105	
4	Telephone: (213) 620-6430 Fax: (213) 576-6917	DEC 1 5 2023
5	Fax: (213) 576-6917	DEPT. OF REAL ESTATE
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9	BEFORE THE DEPARTMENT OF REAL ESTATE	
10	STATE OF CALIFORNIA	
11	* *	*
12	In the Matter of the Accusation of) No. H-05756 SD
13	SOUTHEAST SAN DIEGO) <u>ACCUSATION</u>
14	REAL ESTATE INC., doing business as Lepe Tendwell Commercial and)
15	Lepe Tendwell Properties, and VOLTAIRE VLADIMIR LEPE,)
16	individually and as designated officer of Southeast San Diego Real Estate Inc.,	
17)
18	Respondents.)
19		
20	The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the	
21	State of California, for cause of Accusation against SOUTHEAST SAN DIEGO REAL	
22	ESTATE INC., doing business as Lepe Tendwell Commercial and Lepe Tendwell Properties,	
23	and VOLTAIRE VLADIMIR LEPE, individually and as designated officer of Southeast San	
24	Diego Real Estate Inc. ("Respondents"), is informed and alleges as follows:	
25	///	
26	///	
27	///	

1.

The Complainant, Veronica Kilpatrick, acting in her official capacity as a Supervising Special Investigator of the State of California, makes this Accusation against Respondents SOUTHEAST SAN DIEGO REAL ESTATE INC. and VOLTAIRE VLADIMIR LEPE.

2.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

LICENSE HISTORY

3.

Respondent SOUTHEAST SAN DIEGO REAL ESTATE INC. ("SOUTHEAST SAN DIEGO REAL ESTATE") presently has license rights under the Real Estate Law, Part 1 of Division 4 of the Code as a corporate real estate broker.

4.

Respondent VOLTAIRE VLADIMIR LEPE ("LEPE") presently has license rights as a real estate broker.

5.

From about October 18, 2018, to the present, Respondent SOUTHEAST SAN DIEGO REAL ESTATE is licensed by the Department of Real Estate ("Department") as a corporate real estate broker by and through Respondent LEPE, as the designated officer and broker responsible, pursuant to Code section 10159.2, for supervising the activities requiring a real estate license conducted on behalf of SOUTHEAST SAN DIEGO REAL ESTATE, or by SOUTHEAST SAN DIEGO REAL ESTATE'S officers, agents and employees.

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1	SAN DIEGO PROPERTY TRANSACTION	
2	6.	
3	On or about June 17, 2016, buyer Marc Jacobs Family Trust 02-24-05	
4	("Family Trust") through trustee Respondent LEPE purchased real property at 420 Sicard St,	
5	San Diego, California 92113 ("San Diego property").	
6	7.	
7	On or about August 10, 2021, Respondent LEPE listed the San Diego property	
8	on the multiple listing service ("MLS"). Under Remarks and Showing Info, LEPE wrote in	
9	part, "Completely Rebuilt 2 Bed / 2 Bath Home with New Foundation".	
10	8.	
11	On or about September 21, 2021, 2020, buyer C. Ethridge ("Ethridge")	
12	submitted an offer to broker Respondent SOUTHEAST SAN DIEGO REAL ESTATE through	
L3	agent Respondent LEPE to purchase the San Diego property through a signed Residential	
L4	Purchase Agreement.	
L5	9.	
16	On or about September 22, 2021, seller Family Trust through trustee	
L7	Respondent LEPE and Ethridge signed the Buyer Counteroffer.	
18	10.	
L9	On or about September 22, 2021, seller Family Trust through trustee	
20	Respondent LEPE signed the Seller Property Questionnaire for the San Diego property. Under	
21	Text Overflow Addendum No. 1 of the Seller Property Questionnaire, LEPE wrote in part,	
22	"Foundation: When owner purchased the home, the foundation was updated."	
23	///	
24	///	
25	<i>///</i>	
26	<i>///</i>	
27	///	

11.

On or about September 27, 2021, Ethridge paid for and received an inspection report for the San Diego property. The inspection report stated in part, "The foundation was constructed in the early nineteen-hundreds without anchor bolts and would be costly to retrofit to meet current standards and could mean rebuilding it. The concrete that was used at the time was a poor quality that has a tendency to soften and deteriorate due to its lime content. Also, the dimensions of the footings were smaller, and therefore simply adding bolts to soft undersized footings may add some seismic value, but nothing that would approach current standards."

12.

On or about October 5, 2021, seller Family Trust through trustee Respondent LEPE and Ethridge signed the Cancellation of Contract, Release of Deposit, and Cancellation of Escrow.

DEPARTMENT INVESTIGATION

13.

On or about January 5, 2023, the Department requested from Respondents SOUTHEAST SAN DIEGO REAL ESTATE and LEPE records related to the San Diego property transaction.

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Accusation of SOUTHEAST SAN DIEGO REAL ESTATE INC. and VOLTAIRE VLADIMIR LEPE

On or about February 14, 2023, Respondents SOUTHEAST SAN DIEGO REAL ESTATE and LEPE provided a statement to the Department which stated in part, "when I purchased the property in 2016, the property was in poor condition. I hired workers to remodel the home. We worked with the City of San Diego building department for this and I recall during the construction process a cement truck at the property pouring cement to reinforce the home's foundation (exterior and interior). This concrete work was one day of many in which workers and different subcontractors were at the property working on it. When the work was complete, I then rented the property for about four years. When I listed the property for sale five years after buying it, I recalled all the work to the best of my ability and remembered the cement truck pouring concrete underneath the home and workers dealing with the home's foundation. I was of the understanding from the general contractor that the home's foundation was all new. Only through the buyer's home inspection did I find out that only parts of the foundation were reinforced and new and not the entire foundation."

FIRST CAUSE OF ACTION

SUBSTANTIAL MISREPRESENTATION

15.

The conduct, acts, and omissions of Respondent SOUTHEAST SAN DIEGO REAL ESTATE, as described in Paragraphs 6 through 14 above, are in violation of Code sections 10176(a), 10177(d), and/or 10177(g) and constitute cause under Code sections 10176(a), 10177(d), and/or 10177(g) for the suspension or revocation of all the licenses, license endorsements, and license rights of Respondent.

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SECOND CAUSE OF ACTION SUBSTANTIAL MISREPRESENTATION

16.

The conduct, acts, and omissions of Respondent LEPE, as described in Paragraphs 6 through 14 above, are in violation of Code section 10176(a), 10177(d), 10177(g), and/or 10177(j) and constitute cause under Code sections 10176(a), 10177(d), 10177(g), and/or 10177(j) for the suspension or revocation of all the licenses, license endorsements, and license rights of Respondent.

17.

Code section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses, license endorsements, and license rights of Respondents SOUTHEAST SAN DIEGO REAL ESTATE INC. and VOLTAIRE VLADIMIR LEPE under the Real Estate Law, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

23 Dated at San Diego, California

this 4th day of December , 2023

Veronica Kilpatrick Supervising Special Investigator

Accusation of SOUTHEAST SAN DIEGO REAL ESTATE INC. and VOLTAIRE VLADIMIR LEPE

SOUTHEAST SAN DIEGO REAL ESTATE INC. cc: **VOLTAIRE VLADIMIR LEPE** Veronica Kilpatrick Sacto. Accusation of SOUTHEAST SAN DIEGO REAL ESTATE INC. and VOLTAIRE VLADIMIR LEPE