

FILED

JAN 25 2024

DEPT. OF REAL ESTATE
By [REDACTED]

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10 DEPARTMENT OF REAL ESTATE
11 STATE OF CALIFORNIA

12 * * * * *

13 In the Matter of the Accusation of) No. H-05808 SD
14)
15 NORMA LYSETTE GREEN,)
16 Respondent.)

17 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
18 State of California, for cause of Accusation against Respondent NORMA LYSETTE GREEN
19 ("Respondent"), is informed and alleges as follows:

20 1.

21 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
22 State of California, makes this Accusation in her official capacity.

23 //

24 //

26 DRE Accusation against NORMA LYSETTE GREEN

1 2.

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

4 **Respondent Norma Lysette Green**

5 3.

6 **DRE License History**

7 NORMA LYSETTE GREEN ("GREEN") is presently licensed and/or has license
8 rights under the Real Estate Law, Part 1 of Division 4 of the Code as a real estate salesperson,
9 Department of Real Estate ("Department" or "DRE") License ID 01815043.

10 4.

11 GREEN was first licensed by the Department as a real estate salesperson on or
12 about July 9, 2007.

13 5.

14 GREEN'S real estate salesperson license will expire on May 29, 2024.

15 6.

16 GREEN'S current responsible broker is eXp Realty of California, Inc.

17 7.

18 At all times mentioned herein, Respondent GREEN engaged in the performance
19 of activities requiring a real estate license pursuant to Code Section 10130, and acted and
20 ordered, caused, authorized or participated in licensed activities within the meaning of Code
21 Section 10131.

22 **CONSUMER COMPLAINT**

23 8.

24 On or about July 1, 2023, the Department received a complaint from A.M., who
25

26 DRE Accusation against NORMA LYSETTE GREEN

1 alleged he had rented a property, and upon move in discovered the property was uninhabitable.
2 A.M. alleged the property manager was salesperson GREEN, and the deposit and rents were
3 made directly to GREEN.

4 **FACTS DISCOVERED BY THE DEPARTMENT**

5 **GREEN signed a property management agreement without her employing broker's**
6 **knowledge**

7 9.

8 On or about August 1, 2022, homeowner Kyle S. Gayle ("Gayle") signed a
9 property management agreement with Coldwell Bank West to manage the property located at
10 **** Florida St., San Diego, CA 92104. The term was from August 1, 2022 to May 31, 2023.
11 The property management agreement indicated compensation was \$250.00 a month for the
12 management of the property and \$500.00 for any new tenant found or lease renewal.
13 Salesperson GREEN, DRE License No. 01815043, signed as agent on the property
14 management agreement. GREEN'S employing broker at the time, West Edge Inc/Broker Jose
15 Unibe was not aware of the property management agreement with homeowner Gayle, nor did
16 he authorize GREEN to conduct property management activities.

17 **GREEN conducted property management, collected trust funds, earned management**
18 **fees, and collected rent, without her employing broker's knowledge**

19 10.

20 On or about August 21, 2022, tenants A.M. and A.B. signed a residential lease
21 to rent the property located at **** Florida St., San Diego, CA 92104. The lease indicated the
22 landlord was Kyle S. Gayle, and tenancy was to begin on September 3, 2022, and end on
23 August 31, 2023. The lease indicated rent was to be \$3,500.00 a month, and was to be
24 delivered to GREEN. The lease also indicated a \$3,500.00 security deposit was to be
25

1 transferred to GREEN. The lease indicated the landlord's brokerage was Coldwell Banker
2 Wart/Agent Lysette Green, DRE License No. 01815043. On that same day, A.M. transferred a
3 \$3,500.00 deposit via Zelle to GREEN. GREEN'S employing broker at the time, West Edge
4 Inc/Broker Jose Unibe was not aware of the was not aware of this management agreement, nor
5 did he authorize GREEN to conduct property management or collect trust funds. According to
6 Gayle, GREEN earned a \$250 management fee. GREEN confirmed she collected rents via
7 Venmo and did not report the transactions to her employing broker at the time, Jose Uribe.

8 11.

9 On or about September 2, 2022, A.M. paid \$3,268.00 for September rent via
10 Venmo to GREEN. The rent payment was not deposited into her brokerage's trust account.
11 According to Gayle, GREEN earned a \$250.00 management fee.

12 12.

13 On or about October 2, 2022, A.M. paid \$3,470.00 for October rent via Venmo
14 to GREEN. The rent payment was not deposited into her brokerage's trust account. According
15 to Gayle, GREEN earned a \$250.00 management fee.

16 13.

17 On or about November 1, 2022, A.M. paid \$3,500.00 for November rent via
18 Venmo to GREEN. The rent payment was not deposited into her brokerage's trust account.
19 According to Gayle, GREEN earned a \$250.00 management fee.

20 14.

21 On or about December 2, 2022, A.M. paid \$3,500.00 for December rent via
22 Venmo to GREEN. The rent payment was not deposited into her brokerage's trust account.
23 According to Gayle, GREEN earned a \$250.00 management fee.

24 //

1 form or time of payment, does or negotiates to do one or more of the following acts for another
2 or others:

3 . . .

4 (b) Leases or rents or offers to lease or rent, or places for rent, or solicits
5 listings of places for rent, or solicits for prospective tenants, or negotiates
6 the sale, purchase or exchanges of leases on real property, or on a business
7 opportunity, or collects rents from real property, or improvements thereon,
8 or from business opportunities.”

9 **Unlawful Employment or Payment of Compensation – Code Section 10137**

10 18.

11 Pursuant to Code Section 10137, “No real estate salesperson shall accept
12 compensation for activity requiring a real estate license from any person other than the broker
13 under whom he or she is at the time licensed.”

14
15 **VIOLATIONS OF THE REAL ESTATE LAW – CAUSES FOR DISCIPLINE**

16 19.

17 Complainant re-alleges and incorporates by reference the preceding paragraphs as
18 set forth herein.

19 20.

20 In the course of the activities described above, and based on the facts discovered
21 by the Department, also described above, the acts and/or omissions of Respondent **NORMA**
22 **LYSETTE GREEN** are in violation of Code Sections 10177(d), 10130, and 10137 and
23 constitute cause for the suspension or revocation of all licenses and license rights Respondent
24
25

26 DRE Accusation against NORMA LYSETTE GREEN

1 NORMA LYSETTE GREEN under the Real Estate Law.

2 COSTS

3 21.

4 Code Section 10106 provides, in pertinent part that in any order issued in
5 resolution of a disciplinary proceeding before the Department, the Commissioner may request
6 the administrative law judge to direct a licensee found to have committed a violation of this part
7 to pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.
8

9 * * *

10 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
11 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
12 action against all the licenses and license rights of Respondent NORMA LYSETTE GREEN,
13 under the Real Estate Law (Part I of Division 4 of the Business and Professions Code), and for
14 such other and further relief as may be proper under other applicable provisions of law.

15 Dated at San Diego, California this 24 day of January 2024.

16
17
18 
19 Veronica Kilpatrick
20 Supervising Special Investigator

21
22 cc: NORMA LYSETTE GREEN
23 eXp Realty of California, Inc.
24 Veronica Kilpatrick
25 Sacto.

26 DRE Accusation against NORMA LYSETTE GREEN