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**FILED**

JAN 23 2014

BUREAU OF REAL ESTATE

By J. Arnold

9 BEFORE THE BUREAU OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of )  
13 ALLIANCE PROPERTY MANAGEMENT )  
14 GROUP, INC., a Corporation, and )  
15 LANCE DEAN MILLER, )  
16 Respondents. )

NO. H- 6074 SAC

ACCUSATION

17 The Complainant, TRICIA SOMMERS, a Deputy Real Estate Commissioner of  
18 the State of California, for cause of Accusation in her official capacity against ALLIANCE  
19 PROPERTY MANAGEMENT GROUP, INC. (herein "ALLIANCE") and LANCE DEAN  
20 MILLER (herein "MILLER") (herein collectively "Respondents"), is informed and alleges as  
21 follows:

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23 At all times herein mentioned, Respondents were and now are licensed and/or  
24 have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and  
25 Professions Code) (herein "the Code").

26 2

27 At all times herein mentioned, ALLIANCE was and now is licensed by the State  
of California Bureau of Real Estate (herein the "Bureau") as a corporate real estate broker by and

1 through MILLER as designated officer-broker of ALLIANCE to qualify said corporation and to  
2 act for said corporation as a real estate broker.

3 3

4 At all times herein mentioned, MILLER was and now is licensed by the Bureau  
5 as a real estate broker, individually and as designated officer-broker of ALLIANCE. As said  
6 designated officer-broker, MILLER was at all times mentioned herein responsible pursuant to  
7 Section 10159.2 of the Code for the supervision of the activities of the officers, agents, real  
8 estate licensees, and employees of ALLIANCE for which a license is required.

9 4

10 Whenever reference is made in an allegation in this Accusation to an act or  
11 omission of ALLIANCE, such allegation shall be deemed to mean that the officers, directors,  
12 employees, agents and/or real estate licensees employed by or associated with ALLIANCE  
13 committed such act or omission while engaged in the furtherance of the business or operations  
14 of such corporate respondent and while acting within the course and scope of their authority and  
15 employment.

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17 At all times herein mentioned, Respondents engaged in the business of, acted  
18 in the capacity of, advertised, or assumed to act as real estate brokers within the State of  
19 California on behalf of others, for compensation or in expectation of compensation within the  
20 meaning of Section 10131(b) of the Code in the operation of a property management business  
21 with the public wherein Respondents leased or rented or offered to lease or rent, placed for rent,  
22 or solicited listings of places for rent, or solicited for prospective tenants, or collected rents from  
23 real property or improvements thereon.

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25 On about June 25, 2012, Respondents failed to make available, after notice from  
26 the Bureau, books, accounts, records, and other documents executed or obtained in connection  
27 with any transactions for which a real estate broker license is required, for examination,

1 inspection and copying by the Commissioner or his designated representative during regular  
2 business hours, in violation of Section 10148 of the Code.

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4 On about August 7, 2012, Respondents failed to maintain a definite place of  
5 business serving as its office for the transaction of business in the State of California, in violation  
6 of Section 10162 of the Code and failed to notify the Bureau of a change in the location or  
7 address of its principal place of business no later than the next business day following the  
8 change, in violation of Section 2715 of Title 10, Chapter 6 of the California Code of Regulations  
9 (herein the "Regulations").

10 8

11 The facts alleged above are grounds for the suspension or revocation of the  
12 licenses and license rights of Respondents under the following provisions of the Code and  
13 Regulations:

- 14 (a) as to Paragraph 6, under Section 10148 of the Code, in conjunction  
15 with Section 10177(d) of the Code; and  
16 (b) as to Paragraph 7, under Section 10162 of the Code and Section  
17 2715 of the Regulations, in conjunction with Section 10177(d) of  
18 the Code.

19  
20 COST RECOVERY

21 9

22 Investigation and Enforcement Costs

23 Section 10106 of the Code provides, in pertinent part, that in any order issued in  
24 resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the  
25 Administrative Law Judge to direct a licensee found to have committed a violation of this  
26 part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of  
27 the case.

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 under the Real Estate Law (Part 1  
4 of Division 4 of the Business and Professions Code), for the cost of the investigation and  
5 enforcement as permitted by law, and for such other and further relief as may be proper under  
6 other applicable provisions of law.

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9                      
10                    TRICIA SOMMERS  
11                    Deputy Real Estate Commissioner

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14 Dated at Sacramento, California  
15 this 21<sup>st</sup> day of January, 2014.