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MAY 19 2015

BUREAU OF REAL ESTATE

By S. Black

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9 BEFORE THE BUREAU OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of:)	No. H-6253 SAC
13 TIM PATRICK AGUILAR,)	<u>ACCUSATION</u>
14 Respondent.)	
15)	

16 The Complainant, HEATHER NISHIMURA, acting in her official capacity as a
17 Deputy Real Estate Commissioner of the State of California, for cause of Accusation against
18 TIM PATRICK AGUILAR ("Respondent"), is informed and alleges as follows:

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20 Respondent is presently licensed and/or has license rights under the Real Estate
21 Law (Part 1 of Division 4 of the Business and Professions Code) ("Code") as a real estate
22 salesperson. At no time relevant to this Accusation has Respondent been licensed by the Bureau
23 of Real Estate ("Bureau") as a real estate broker.

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25 At no time has TSA Property Management been licensed by the Bureau in any
26 capacity.

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2 Within the last three years before the filing of this Accusation, Respondent,
3 acting on his own and not under the supervision and control of a real estate broker under whom
4 he was properly licensed, operated and conducted a property management business with the
5 public wherein, on behalf of others, for compensation, he leased or rented or offered to lease or
6 rent, or placed for rent, or solicited listings of places for rent, or solicited for prospective tenant,
7 or negotiated for sale, purchase or exchange of leases on real property, or on a business
8 opportunity, or collected rent from real property, or improvements thereon, or from business
9 opportunities, as defined by section 10131(b) of the Code.

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11 Within the last three years before the filing of this Accusation, Respondent, using
12 the fictitious business name TSA Property Management, in the course of providing the property
13 management brokerage activities described in Paragraph 3, solicited prospective tenants for,
14 negotiated rental agreements for and collected rents from real properties owned by another or
15 others, including, but not limited to the following:

PROPERTY OWNER	PROPERTY LOCATION
Jane Y. and Ming J.	8125 Bernay Drive, Stockton CA 95210

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17 By the commission of the acts alleged above in Paragraph 4, Respondent engaged
18 in the business and acted in the capacity of a real estate broker within the State of California as
19 defied by Section 10131(b) of the Business and Professions Code.

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21 In connection with the real estate activities described in Paragraph 3, Respondent
22 accepted or received funds in trust ("trust funds") from owners, tenants, and others in
23 connection with the leasing of renting of real property, as alleged herein, and thereafter from
24 time to time made, or caused to be made disbursements of said funds.
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2 Within the last three years before the filing of this Accusation, Respondent failed
3 to immediately deliver said trust to a broker, or at a broker's direction into the hands of a
4 broker's principal, into a neutral escrow depository, or into a broker's trust fund account in
5 violation of Section 10145(c) of the Code, but instead deposited said funds into Account
6 Number 1225869908 maintained by Respondent at Bank of America.

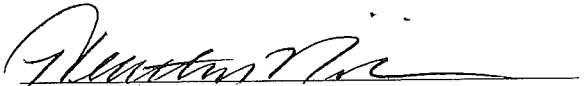
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8 The facts alleged above in Paragraphs 4 and 5 are grounds for the suspension or
9 revocation of all licenses and license rights of Respondent under Section 10130 and/or 10137 of
10 the Code in conjunction with 10177(d) of the Code.

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12 The facts alleged above in Paragraph 7 are grounds for the suspension or
13 revocation of all licenses and license rights of Respondent under Section 10177(d) of the Code
14 in conjunction with section 10145(c) of the Code.

15 WHEREFORE, Complainant prays that a hearing be conducted on the
16 allegations of this Accusation and that upon proof thereof, a decision be rendered revoking all
17 licenses, license rights, endorsements and endorsement rights of Respondent under the Real
18 Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of
19 investigation and enforcement as permitted by law, and for such other and further relief as may
20 be proper under other provisions of law.

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23 
24 HEATHER NISHIMURA
25 Deputy Real Estate Commissioner

26 Dated at Sacramento, California,
27 this 19th day of May, 2015.

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DISCOVERY DEMAND

Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the Bureau hereby makes demand for discovery pursuant to the guidelines set forth in the *Administrative Procedure Act*. Failure to provide Discovery to the Bureau may result in the exclusion of witnesses and documents at the hearing or other sanctions that the Office of Administrative Hearings deems appropriate.