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BUREAU OF REAL ESTATE

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of :

ELIZABETH M. TAN,

Respondent.

No. H-6354 SAC
ACCUSATION

The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a Supervising Special Investigator of the State of California, for cause of Accusation against ELIZABETH M. TAN ("Respondent"), is informed and alleges as follows:

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At all times mentioned herein, Respondent was and is licensed by the State of California Bureau of Real Estate ("Bureau") under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code ("Code") as a real estate broker.

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At all times mentioned, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131(b) of the Code, including the operation and conduct of a property management business with the public wherein, on behalf of others, for compensation or in expectation of compensation, Respondent leased or rented and offered to lease or rent, and

1 solicited for prospective tenants of real property or improvements thereon, and collected rents
2 from real property or improvements thereon.

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4 Beginning on or about May 12, 2015, and continuing intermittently through July
5 29, 2015, an audit was conducted of Respondent's records. The auditor herein examined the
6 records for the period of April 1, 2014, through March 31, 2015.

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8 While acting as a real estate licensee, as described above in Paragraph 2,
9 Respondent accepted or received funds in trust (trust funds) from or on behalf of owners and
10 tenants in connection with the leasing, renting, and collection of rents on real property or
11 improvements thereon, as alleged herein, and thereafter from time to time made disbursements
12 of said trust funds.

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14 The trust funds accepted or received by Respondent, as described in Paragraph 4,
15 were deposited or caused to be deposited by Respondent into trust accounts which were
16 maintained by Respondent for the handling of trust funds, and thereafter from time-to-time
17 Respondent made disbursements of said trust funds, from the following trust accounts:

TRUST ACCOUNT # 1	
Bank Name and Location:	Bank of America 3120 W Grant Line Rd. Tracy, CA 95304
Account No.:	XXXX XXXX 0652
Entitled:	Elizabeth Tan Sole Prop DBA Renaissance Property Management Trust Account
Signatories:	Elizabeth Tan (REB)
No. of Signatures Required:	One

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TRUST ACCOUNT # 2	
Bank Name and Location:	Bank of America 3120 W Grant Line Rd. Tracy, CA 95304
Account No.:	XXXX XXXX 4015
Entitled:	Ms Elizabeth M Tan Renaissance Property Management Trust Account
Signatories:	Elizabeth Tan (REB)
No. of Signatures Required:	One

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In the course of the activities described in Paragraph 2, Respondent:

(a) caused, suffered or permitted the balance of funds in Trust Account #1 to contain a shortage of \$39,459.20 without the prior written consent of each and every owner of such funds, in violation of Section 10145 and 10176(i) of the Code and Section 2832.1 of Chapter 6, Title 10, California Code of Regulations ("the Regulations");

(b) caused, suffered or permitted funds of others which were received and held by Respondent in Trust Account #1 and Trust Account #2 to be commingled with Respondent's own money, in violation of Section 10176(e) of the Code; and

(c) failed to place trust funds entrusted to Respondent into the hands of a principal on whose behalf the funds were received, into a neutral escrow depository, or into a trust fund account in the name of Respondent as trustee at a bank or other financial institution, in that Respondent collected \$1,100.00 for the December 2014 rent regarding real property located at 665 12th Street from a PayPal account and thereafter transferred the \$1,100.00 from the PayPal account to Trust Account #1, in violation of Section 10145 of the Code and Section 2832 of the Regulations.

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The acts and/or omissions of Respondent, as alleged above in Paragraph 6, constitute grounds for the suspension or revocation of all licenses and license rights of Respondent pursuant to the following provisions of the Code and Regulations:

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1 As to Paragraph 7(a), under Section 10177(d) of the Code, in conjunction with
2 Sections 10145 and 10176(i) of the Code and Section 2832.1 of the Regulations;

3 As to Paragraph 7(b), under Section 10177(d) of the Code, in conjunction with
4 Section 10176(e) of the Code;

5 As to Paragraph 7(c), under Section 10177(d) of the Code, in conjunction with
6 Section 10145 of the Code and Section 2832 of the Regulations.

7 COST RECOVERY

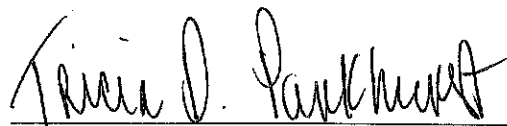
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9 The acts and/or omissions of Respondent, as alleged above in Paragraph 7, entitle
10 the Bureau to reimbursement of the costs of its audit pursuant to Section 10148(b) of the Code.

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

16 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
17 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
18 action against all licenses and license rights of Respondent under the Code, for the costsjuuu of
19 investigation and enforcement as permitted by law, for the cost of the audit, and for such other
20 and further relief as may be proper under other provisions of law.

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24 TRICIA D. PARKHURST
Deputy Real Estate Commissioner

25 Dated at Sacramento, California,
26 this 28th day of January, 2016

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