

1 JASON D. LAZARK, Counsel (SBN 263714)
2 Bureau of Real Estate
3 P. O. Box 137007
4 Sacramento, CA 95813-7007

5 Telephone: (916) 263-8670
6 (916) 263-8684 (Direct)
7

FILED

DEC 20 2016

BUREAU OF REAL ESTATE

By B. Nicholas

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:)

12 AAA ADVANTAGE REALTY, INC.)
13 and SANDRA STEVENSON)

14 Respondents.)
15

NO. H- 6474 SAC

ACCUSATION

16 The Complainant, TOM CAMERON, acting in his official capacity as a
17 Supervising Auditor of the State of California, for cause of Accusation against Respondents
18 AAA ADVANTAGE REALTY, INC. ("ADVANTAGE") and SANDRA STEVENSON
19 ("STEVENSON"), (collectively referred to as "Respondents"), is informed and alleges as
20 follows:

21 1.

22 ADVANTAGE is presently licensed by the Bureau of Real Estate (herein "the
23 Bureau") and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the
24 Business and Professions Code ("the Code") as a corporate real estate broker, and at all times
25 relevant herein was acting by and through STEVENSON as its designated broker officer.

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2.

STEVENSON is presently licensed and/or had license rights under the Real Estate Law, Part 1 of Division 4 of the Code as an individual real estate broker and, at all relevant times herein, was the designated broker officer of ADVANTAGE.

3.

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

4.

At all times herein mentioned, Respondents engaged in the business of, acted in the capacity of, advertised, or assumed to act as a corporate real estate broker within the State of California on behalf of others, for compensation or in expectation of compensation 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, leased or rented or offered to lease or rent, or placed for rent, or solicited listings of places for rent, or solicited for prospective tenant, or negotiated for sale, purchase or exchanges of leases on real property, or on a business opportunity, or collected rent from real property, or improvements thereon, or from business opportunities.

COUNT ONE

AUDIT VIOLATIONS

(As to Respondents ADVANTAGE and STEVENSON)

5.

Each and every allegation contained above in Paragraphs 1 through 4, inclusive, is incorporated by this reference as if fully set forth herein.

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6.

Beginning on March 8, 2016, and continuing intermittently through March 9, 2016, the Bureau conducted an audit of the books and records related to the real estate activities of Respondents at ADVANTAGE's main office located at 1023 N. Court Street, Alturas, CA 96101, where the auditor examined records for the period of January 1, 2014, to January 31, 2016 ("audit period").

7.

While doing business within the audit period, Respondents accepted or received funds in trust (trust funds) from or on behalf of lenders, investors, borrowers and others in connection with property management activities and deposited or caused to be deposited those funds into the following bank account maintained by Respondents:

BANK ACCOUNT #1	
Bank Name and Location:	Plumas Bank, 35 S. Lindan Ave., Quincy, CA 96130
Account No.:	XXXXXX9784
Entitled:	AAA Advantage Realty Inc. DBA United Country & PM
Signatories:	Sandra Stevenson (REB)
No. of Signatures Required:	One

From time to time, Respondents made collections to and disbursements from said trust funds.

8.

In the course of the activities described above in Paragraph 4, in connection with the collection and disbursement of trust funds, Respondents:

(a) caused, suffered, or permitted the balance of funds in Bank Account #1 to be reduced to an amount which, as of January 31, 2016, was \$15,000.00 less than the aggregate liability of Bank Account #1 to all owners of such funds, without the prior written consent of each and every owner of such funds, in violation of Section 10145 of the Code and Section 2832.1 of Title 10 of the California Code of Regulations ("the Regulations").

1 (b) caused the shortage in Bank Account #1, identified above in subparagraph
2 (a), by withdrawing \$15,000.00 of trust funds from Bank Account #1 for personal expenses
3 unrelated to property management activities. Such acts or omissions constitute fraud or
4 dishonesty perpetrated against the beneficiaries of the trust funds held in Bank Account #1, in
5 violation of Section 10176(i) of the Code;

6 (c) failed to reconcile at least once per month, the balance of all separate
7 beneficiary or transaction records to the balance of the control records for Bank Account #1, in
8 violation of Section 10145 of the Code and Section 2831.2 of the Regulations; and

9 (d) failed to properly designate Bank Account #1 as a trust account in the
10 name of Respondents and/or a fictitious business name associated with Respondents, as trustee,
11 in violation of Section 10145 of the Code and Section 2832 of the Regulations.

12 9.

13 The acts and/or omissions of Respondents, as alleged in Paragraph 8, above,
14 constitute grounds for the suspension or revocation of all licenses and license rights of
15 Respondents pursuant to the following provisions of the Code and Regulations:

16 As to Paragraph 8(a), under Section 10177(d) and/or 10177(g) of the Code, in
17 conjunction with Section 10145 of the Code and Section 2832.1 of the Regulations;

18 As to Paragraph 8(b), under Section 10176(i) of the Code and Section 10177(d)
19 and/or 10177(g) of the Code, in conjunction with Section 10145 of the Code and Section 2832.1
20 of the Regulations;

21 As to Paragraph 8(c), under Section 10177(d) and/or 10177(g) of the Code, in
22 conjunction with Section 10145 of the Code and Section 2831.2 of the Regulations;

23 As to Paragraph 8(d), under Section 10177(d) and/or 10177(g) of the Code, in
24 conjunction with Section 10145 of the Code and Section 2832 of the Regulations.

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1 10.

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

5 **COUNT TWO**

6 **FAILURE TO SUPERVISE**

7 (As to Respondent STEVENSON)

8 11.

9 Each and every allegation in Paragraphs 1 through 10, inclusive, above, is
10 incorporated by this reference as if fully set forth herein.

11 12.

12 STEVENSON, as the designated officer of ADVANTAGE, was required to
13 exercise reasonable supervision and control over the activities of ADVANTAGE and its
14 employees and the real estate activities being conducted by ADVANTAGE.

15 13.

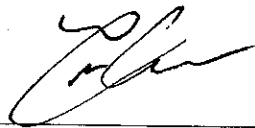
16 STEVENSON failed to exercise reasonable supervision over the acts and/or
17 omissions of ADVANTAGE and its employees in such a manner as to allow the acts and/or
18 omissions as described in Paragraphs 7 through 9, above, to occur, which constitutes cause for
19 the suspension or revocation of the licenses and license rights of STEVENSON under Sections
20 10177(d) and/or 10177(g), 10177(h) and 10159.2 of the Code in conjunction with Section 2725
21 of the Regulations.

22 14.

23 **COST RECOVERY**

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

1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered revoking all
3 licenses and license rights of all Respondents named herein under the Real Estate Law (Part 1
4 of Division 4 of the Business and Professions Code), for the cost of investigation and
5 enforcement as permitted by law, and for such other and further relief as may be proper under
6 other provisions of law.

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9 _____
10 TOM CAMERON
11 Supervising Auditor
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14 Dated at Sacramento, California,
15 this 20th day of December, 2016.
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17 DISCOVERY DEMAND

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