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**FILED**

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DEPARTMENT OF REAL ESTATE  
By L. Krapp

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of )  
12 REAL ESTATE BROKER SERVICES, INC., ) NO. H-6775 SAC  
13 EDWARD OPOKU LE GRAND SAWYER, )  
14 GIN KAZLA, DOUGLAS JAMES FEECE, )  
15 And MATHEW PAUL PIRO, )  
16 Respondents. ) ACCUSATION

17 The Complainant, CHIKA SUNQUIST, a Supervising Special Investigator of the  
18 State of California for cause of Accusation against REAL ESTATE BROKER SERVICES, INC.  
19 (REBS), EDWARD OPOKU LE GRAND SAWYER (SAWYER), GIN KAZLA (KAZLA),  
20 DOUGLAS JAMES FEECE (FEECE) and MATHEW PAUL PIRO (PIRO) sometimes  
21 collectively referred to as "RESPONDENTS", are informed and alleges as follows:

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23 The Complainant makes this Accusation in her official capacity.

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25 At all times herein mentioned, REBS was and is presently licensed and/or has  
26 license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and  
27 Professions Code (the Code) by the Department of Real Estate (the Department) as a corporate

1 real estate broker.

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3 At all times herein mentioned, KAZLA, was licensed as a real estate broker and  
4 the Designated Officer of REBS.

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6 At all times herein mentioned until July 20, 2017, SAWYER was licensed and/or  
7 had license rights under the Code, as a real estate salesperson, until he became licensed as a real  
8 estate broker.

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10 At all times herein mentioned, FEECE was licensed as a real estate broker and  
11 was doing business as Feece Real Estate Group (FREG).

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13 At all times mentioned herein, PIRO was licensed as a real estate salesperson,  
14 until March 24, 2018, when his licensed expired.

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16 As the designated officer, KAZLA was responsible, pursuant to Section 10159.2  
17 of the Code, for the supervision of the activities of the officers, agents, real estate licensees and  
18 employees of REBS for which a real estate license is required.

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

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26 At all times mentioned, RESPONDENTS engaged in the business of, acted in the  
27 capacity of, advertised or assumed to act as a real estate broker in the State of California, within



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In the course of conducting real estate activities on the transactions set forth in Paragraphs 11 and 12, above, SAWYER represented himself as a real estate broker to the Owner, before he was licensed as a broker.

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In the course of conducting real estate activities on the transaction set forth in Paragraphs 11 and 12, above, SAWYER received a loan origination fee for both transactions equal to half of the loan origination fee that FEECE received. SAWYER failed to disclose this compensation, in violation of Section 10176(g) of the Code.

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SAWYER, while a real estate salesperson, completed the Broker Price Opinion/Broker Opinion of Value for the Transaction set forth in Paragraph 12.

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In the course of conducting real estate activities on the transaction set forth in Paragraph 12, above, SAWYER used a purchase agreement previously signed by the Owners for a different property and filled in information for the San Juan Property.

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In the course of conducting real estate activities on the transaction set forth in Paragraph 12, above, SAWYER failed to disclose to all parties that he acted as an agent for the buyer as well as the loan originator, in violation of Section 2903 and 2904 of the Regulations and Section 10177.6 of the Code.

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The facts alleged above violate Sections 2731 (fictitious name), 2903 and 2904 of the Regulations and Section 10130 (license required), 10131 (broker activity), 10159.5 (fictitious name), 10176(a) (substantial misrepresentation), 10176(c) (continued and flagrant course of misrepresentation), 10177(d) (licensee violates real estate law) and 10177(g) (negligence/incompetence of licensee) of the Code and are grounds for the suspension or

1 revocation of the licenses and license rights of SAWYER under Sections 10176(a), 10176(c)  
2 10177 (d) and 10177 (g) of the Code.

3 SECOND CAUSE OF ACTION

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5 Complainant refers to Paragraphs 1 through 19, above, and incorporates the same  
6 herein by reference.

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8 In the course of conducting real estate activities on the transactions set forth in  
9 Paragraphs 11 and 12, above, REBS accepted compensation from FREG, an unlicensed party, in  
10 violation of Section 10137 of the Code.

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12 REBS failed to maintain complete transaction files for the transactions set forth in  
13 Paragraphs 11 and 12, above, as required by Section 2729 of the Regulations and Section 10148  
14 of the Code.

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16 In the course of conducting real estate activities on the transactions set forth in  
17 Paragraphs 11 and 12, above, REBS used a fictitious business name, "The LeGrand Group",  
18 which was not registered with the Department as required by Section 2731 of the Regulations  
19 and Section 10159.5 of the Code.

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21 REBS failed to disclose its compensation for the loan origination for the  
22 transactions set forth in Paragraphs 11 and 12, above, in violation of Section 10176(g) of the  
23 Code.

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25 REBS failed to disclose that SAWYER was being compensated as buyers agent as  
26 well as loan originator on the Transaction set forth in Paragraph 12, above, as required by Section  
27 2903 and 2904 of the Regulations and Section 10177.6 of the Code.

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The facts alleged above violate Sections 2729 (record retention), 2731, 2903 and 2904 of the Regulations and Section 10137 (compensation from non licensee), 10148 (record retention), 10176(a) and 10176(c) of the Code and are grounds for the suspension or revocation of the licenses and license rights of REBS under Sections 10137, 10176(a), 10176(c), 10177(d) and 10177(g) of the Code.

THIRD CAUSE OF ACTION

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Complainant refers to Paragraphs 1 through 26, above, and incorporates the same, herein by reference.

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In the course of conducting real estate activities on the transactions set forth in Paragraphs 11 and 12, above, PIRO used the fictitious name "SVS Finance, Inc./Feece Real Estate Group", which was not licensed and not a registered dba.

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PIRO originated both of the loans for the transactions set forth in Paragraphs 11 and 12, above, despite the fact that he was not a real estate broker.

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PIRO, in completing documents for the transaction set forth in Paragraph 11, above, filled in the wrong address of the property to be refinanced. On another document he filled in the incorrect borrower. On the loan application, PIRO indicated that the property would be borrower's primary residence, when it was, in fact, an investment property.

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The facts alleged above violate Sections 2731 of the Regulations and Section 10130, 10131, 10159.5, 10176(a) and 10176(c) of the Code and are grounds for the suspension or revocation of the licenses and license rights of PIRO under Sections 10176(a), 10176(c) and 10177(d) and 10177(g) of the Code.

FORTH CAUSE OF ACTION

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Complainant refers to Paragraphs 1 through 30, above, and corporate the same herein by reference.

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The Department special investigator asked for FEECE's transaction files for those transactions referred to above, in Paragraphs 11 and 12. Despite numerous requests, FEECE was unable to provide any transaction files.

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FEECE used the fictitious business names "SVS Finance, Inc./Feece Real Estate and "SVS Finance, Inc.", neither of which are licensed with the Department or registered as a DBA with the Department.

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At all times herein above mentioned, FEECE, was responsible as the supervising broker for PIRO, for the supervision and control of the activities conducted on behalf of FREG'S business by its employees. FEECE failed to exercise reasonable supervision and control over the real estate activities of PIRO. In particular, FEECE permitted, ratified and/or caused the conduct described above, to occur, and failed to take reasonable steps, including, but not limited to supervision of PIRO, and the implementation of policies, rules, and systems to ensure the compliance of the business with the Real Estate Law and the Regulations.

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The above acts and/or omission of FEECE violate Section 2725 (broker supervision) of the Regulations and Section 10177(h) of the Code (broker supervision) constituted grounds for disciplinary action under the provisions of Sections 10177(d) (willful disregard/violation of Real Estate Law) and 10177 (h) (broker supervision) of the Code.

1 FIFTH CAUSE OF ACTION

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3 Complainant refers to Paragraphs 1 through 35, above and incorporates the same,  
4 herein, by reference.

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6 At all times herein above mentioned, KAZLA, was responsible as the supervising  
7 broker for REBS, for the supervision and control of the activities conducted on behalf of REBS's  
8 business by its employees. KAZLA failed to exercise reasonable supervision and control over  
9 the real estate activities of REBS. In particular, KAZLA permitted, ratified and/or caused the  
10 conduct described above, to occur, and failed to take reasonable steps, including but not limited  
11 to, supervision of employees, and the implementation of policies, rules, and systems to ensure the  
12 compliance of the business with the Real Estate Law and the Regulations.

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14 The above acts and/or omission of KAZLA, violate Section 10159.2  
15 (responsibility/directing officer) of the Code and Section 2725 (broker supervision) of the  
16 Regulations and constituted grounds for disciplinary action under the provisions of Section  
17 10177(d) (willful disregard/violation of Real Estate Law) and (h) (broker supervision) of the  
18 Code.

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20 Section 10106 of the Code provides, in pertinent part, that in any order issued in  
21 resolution of a disciplinary proceeding before the Department, the Commissioner may request the  
22 administrative law judge to direct a licensee found to have committed a violation of this part to  
23 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 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 Respondent under the Code, for the reasonable  
4 cost of investigation and agency attorney's fees in this matter, and for such other and further  
5 relief as may be proper under other provisions of law.

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11                   CHIKA SUNQUIST  
12                   Supervising Special Investigator

11 Dated at Sacramento, California,  
12 this 4<sup>th</sup> day of February, 2019.

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14                   DISCOVERY DEMAND

15                   The Department of Real Estate hereby requests discovery pursuant to Section  
16 11507.6 of the California Government Code. Failure to provide discovery to the Department  
17 may result in the exclusion of witnesses and/or documents at the hearing, and other sanctions as  
18 the Administrative Law Judge deems appropriate.