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**FILED**  
SEP 15 2021  
DEPARTMENT OF REAL ESTATE  
By J. Taggad

9 BEFORE THE DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of: ) NO. H-7066 SAC  
13 )  
14 CYNTHIA DAWN EVINS, ) ACCUSATION  
15 )  
16 Respondent. )

17 The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a  
18 Supervising Special Investigator of the State of California, for cause of Accusation against  
19 CYNTHIA DAWN EVINS ("Respondent"), is informed and alleges as follows:

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

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25 At all times mentioned herein, Respondent engaged in the business of, acted in the  
26 capacity of, advertised, or assumed to act as a real estate broker within the State of California  
27 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 July 13, 2020, an audit was conducted at 1824 Esplanade,  
5 Chico CA 95926, wherein the auditor examined Respondent's records for the period of June 1,  
6 2019, through May 31, 2020.

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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 above in  
15 Paragraph 4, were deposited or caused to be deposited by Respondent into a bank account  
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 account:

BANK ACCOUNT	
18 Bank Name and Location:	Rabobank Bank, N.A. P.O. Box 6002 Arroyo Grande, CA 93421-6002
19 Account No.:	XXXXX7480
20 Entitled:	Alliance Real Estate Mgt. Inc.
21 Signatories:	Cyndi Evins (REB) Kristin M. Evins (Unlicensed)
22 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 the Bank Account to be reduced to an amount which, as of December 21, 2020, was approximately \$11,481.11 less than the aggregate liability of the Bank Account 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 Chapter 6, Title 10, California Code of Regulations ("the Regulations");

(b) 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 trust funds were deposited into the Bank Account, in violation of Section 10145 of the Code and Section 2832 of the Regulations;

(c) conducted real estate activities under a corporation that was not licensed by the Department of Real Estate, in violation of 10130 of the Code; and

(d) allowed Kristina Evins, who was unlicensed and did not have dishonesty bond coverage, to serve as a signatory for the Bank Account, in violation of Section 10145 of the Code and Section 2834 of the Regulations;

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:

As to Paragraph 6(a), under Sections 10177(d) and/or 10177(g) of the Code, in conjunction with Section 10145 of the Code and Section 2832.1 of the Regulations;

As to Paragraph 6(b), under Sections 10177(d) and/or 10177(g) of the Code, in conjunction with Section 10145 of the Code and Section 2832 of the Regulations;

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1 As to Paragraph 6(c), under Sections 10177(d) and/or 10177(g) of the Code, in  
2 conjunction with Section 10130 of the Code; and

3 As to Paragraph 6(d), under Sections 10177(d) and/or 10177(g) of the Code, in  
4 conjunction with Section 10145 of the Code and Section 2834 of the Regulations.

5 COST RECOVERY

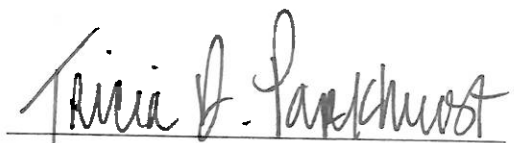
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7 The acts and/or omissions of Respondent, as alleged above in Paragraphs 4  
8 through 7, entitle the Department to reimbursement of the costs of its audit pursuant to Section  
9 10148(b) of the Code.

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

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

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22 TRICIA D. PARKHURST  
23 Supervising Special Investigator

24 Dated at Sacramento, California,  
25 this 5th day of September, 2021

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DISCOVERY DEMAND

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

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