

FILED

MAR 17 2015

BEFORE THE  
BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

BUREAU OF REAL ESTATE

By H. Contreras

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In the Matter of the Accusation of )  
)  
WOODLAKE BROKERAGE COMPANY, )  
ON-SITE SALES, INC., a Corporation, and )  
VALERIE FOX CARLOS, )  
)  
Respondents. )

NO. H-11678 SF

(As to WOODLAKE BROKERAGE  
COMPANY ON-SITE SALES, INC., Only

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on February 19, 2015. The Findings of Fact set forth herein are based on one or more of the following: (1) express admissions; (2) affidavits; and/or, (3) other evidence as to Respondent WOODLAKE BROKERAGE COMPANY ON-SITE SALES, INC., only (herein "Respondent WBC").

This Decision revokes Respondent WBC's real estate corporate license on grounds of trust fund handling.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent WBC.

FINDINGS OF FACT

1

On February 6, 2014, Robin S. Tanner, made the Accusation in her official capacity as Deputy Real Estate Commissioner of the State of California Bureau of Real Estate (herein the "Bureau"). The Accusation, Statement to Respondent, and form for the Notice of Defense were mailed, by certified and regular mail to Respondent WBC at its mailing address on file with the Bureau on April 14, 2014.

On May 1, 2014, a Notice of Defense was received by the Bureau for Respondent WBC herein within the time prescribed by Section 11506 of the Government Code.

On August 20, 2014, a Notice of Hearing was filed, setting the hearing for 9:00 a.m. on January 15, 2015, in Oakland, California. Said notice was mailed to Respondent WBC at the mailing address on file with the Bureau on August 20, 2014.

On January 15, 2015, Respondent WBC failed to appear for hearing and a default was entered herein on February 19, 2015.

2

At all times herein mentioned, Respondent WBC was and now is licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) (herein "the Code").

3

At all times herein mentioned, Respondent WBC was and now is licensed by the Bureau as a corporate real estate broker by and through Valerie Fox Carlos (herein "Carlos") as designated officer-broker of Respondent WBC, to qualify said corporation and to act for said corporation as a real estate broker.

4

At all times herein mentioned, Carlos was and now is licensed by the Bureau as a real estate broker, individually and as designated officer-broker of Respondent WBC. As said designated officer-broker, Carlos was at all times mentioned herein responsible pursuant to Section 10159.2 of the Code for the supervision of the activities of the officers, agents, real estate licensees and employees of Respondent WBC for which a license is required.

5

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

6

In so acting as a corporate real estate broker, as described in Paragraph 5 above, Respondent WBC received funds in trust (herein "trust funds") from or on behalf of tenants, owners, and others in connection with real estate leasing, renting, and collection of rents on real property or improvements thereon, and thereafter from time to time made disbursements of said funds.

7

The aforesaid trust funds described in Paragraph 6, above, accepted or received by Respondent WBC were deposited or caused to be deposited by Respondent into one or more bank accounts (herein "trust fund accounts") maintained by Respondent for the handling of trust funds at

the San Mateo, California branch of Bank of America as "Woodlake Brokerage Company Inc. dba Woodlake Property Management" account number xxxxxx6999 (herein "Bank Account #1").

8

Between about January 1, 2012 and April 30, 2013, in connection with Respondent WBC's property management activities described in Paragraphs 5 through 7, above, Respondent WBC:

- (a) failed to place trust funds entrusted to Respondent WBC 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 WBC as trustee at a bank or other financial institution for Bank Account #1, in violation of Section 10145 of the Code and Section 2832, of Chapter 6, Title 10, California Code of Regulations (herein "the Regulations");
- (b) failed to keep a columnar record in chronological sequence of all trust funds received and disbursed from Bank Account #1 containing all the information required by Section 2831 of the Regulations;
- (c) failed to reconcile at least once a month, the balance of all separate beneficiary or transaction records with Bank Account #1, in violation of Section 2831.2 of the Regulations;
- (d) allowed an unlicensed individual without fidelity bond coverage, Joyce U. H. (herein "Joyce"), to be a signatory on Bank Account #1, in violation of Section 2834 of the Regulations;
- (e) willfully caused, suffered and permitted WBC to perform licensed activities during the time WBC was not in good standing with the office of the Secretary of State, in violation of Section 2742(c) the Regulations;
- (f) employed and compensated Joyce for performing activities requiring a real estate license, in violation of Sections 10130 and 10137 of the Code;
- (g) failed to obtain a branch office license from the Bureau while conducting property management services from the location at 530 Oak Grove Ave., #101, Menlo Park, CA, in violation of Section 10163; and
- (h) failed to obtain a real estate license bearing the fictitious business name "Woodlake Property Management," while conducting activities for which a license was required, in violation of Section 10159.5 of the Code and Section 2731 of the Regulations.

DETERMINATION OF ISSUES

1

The facts alleged above are grounds for the suspension or revocation of the licenses and license rights of Respondent WBC under the following provisions of the Code and/or the Regulations:

- (a) as to Paragraph 8(a) under Section 10145 of the Code and Section 2832 of the Regulations in conjunction with Section 10177(d) of the Code;
- (b) as to Paragraph 8(b) under Section 2831 of the Regulations in conjunction with Section 10177(d) of the Code;
- (c) as to Paragraph 8(c) under Section 2831.2 of the Regulations in conjunction with Section 10177(d) of the Code;
- (d) as to Paragraph 8(d) under Section 2834 of the Regulations in conjunction with Section 10177(d) of the Code;
- (e) as to Paragraph 8(e) under Section 2742(c) of the Regulations in conjunction with Section 10177(d) of the Code;
- (f) as to Paragraph 8(f) under Sections 10130 and 10137 of the Code in conjunction with Section 10177(d) of the Code;
- (g) as to Paragraph 8(g) under Section 10163 of the Code in conjunction with Section 10177(d) of the Code; and
- (h) as to Paragraph 8(h) under Section 10159.5 of the Code and Section 2731 of the Regulations in conjunction with Section 10177(d) of the Code.

2

The standard of proof applied is clear and convincing evidence to a reasonable certainty.

ORDER

The corporate real estate license and license rights of Respondent WOODLAKE BROKERAGE COMPANY ON-SITE SALES, INC., under the provisions of Part I of Division 4 of the Business and Professions Code are hereby revoked.

This Decision shall become effective at 12 o'clock noon on APR 6 2015.

DATED: MARCH 13, 2015.

REAL ESTATE COMMISSIONER

By:   
JEFFREY MASON  
Chief Deputy Commissioner

1 BUREAU OF REAL ESTATE  
2 P. O. Box 137007  
3 Sacramento, CA 95813-7007

4 Telephone: (916) 263-8670

**FILED**

FEB 19 2015

BUREAU OF REAL ESTATE

By: K. Contreras

8 BEFORE THE BUREAU OF REAL ESTATE  
9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of )  
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13 WOODLAKE BROKERAGE COMPANY, )  
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15 VALERIE FOX CARLOS, )  
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NO. H-11678 SF

DEFAULT ORDER

(As to WOODLAKE BROKERAGE  
COMPANY ON-SITE SALES, INC., Only)

16 Respondent WOODLAKE BROKERAGE COMPANY ON-SITE SALES, INC.,  
17 only, having been duly served with a Notice of Hearing and having failed to appear on  
18 January 15, 2015, at the scheduled time and place of hearing is now in default. It is, therefore,  
19 ordered that a default be entered on the record in this matter as to Respondent WOODLAKE  
20 BROKERAGE COMPANY ON-SITE SALES, INC., only.

21 IT IS SO ORDERED February 19, 2015.

23 WAYNE S. BELL  
24 Real Estate Commissioner

25 By: Joe M. Carrillo  
26 JOE M. CARRILLO  
27 Regional Manager