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FILED

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BUREAU OF REAL ESTATE
By B. Nicholas

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
STEVEN GERALD LARSON,)
Respondent.)

NO. H- 11946 SF
FIRST AMENDED
ACCUSATION

The Complainant, TRICIA D. PARKHURST, a Supervising Special Investigator of the State of California, makes this First Amended Accusation in her official capacity against STEVEN GERALD LARSON ("Respondent"), and is informed and alleges as follows:

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Respondent is presently licensed by the California Bureau of Real Estate ("Bureau") and/or has license rights 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 herein mentioned, Respondent conducted real estate activity under his individual broker license and the fictitious business names "Westside Home Loans," "Westside Property Management Company," and "Westside Real Estate Services," registered with the Bureau.

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At all times herein mentioned Respondent 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 leased or rented or offered to lease or rent, or placed for rent, or solicited listings or 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.

While acting as a real estate broker as described in Paragraph 3, above, Respondent accepted or received funds in trust ("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.

The aforesaid trust funds accepted or received by Respondent were deposited or caused to be deposited by Respondent into one or more bank accounts maintained by Respondent for the handling of trust funds at the Los Gatos, California branch of Wells Fargo Bank, under account name "Westside Property Management," Account Number xxxx2645 ("the Bank Account").

Between about October 14, 2015 and about December 1, 2015, an audit was conducted of the records of Respondent in connection with the activities described in Paragraphs 3, 4, and 5, above. The auditor herein examined the records for the period between about January 1, 2013 and about September 30, 2015, and found Respondent:

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- 1 (a) caused, suffered or permitted the balance of funds in the Bank Account to be
2 reduced to amounts, which as of August 31, 2015, were approximately
3 \$272,294.97 less than the aggregate liability of all owners of such funds,
4 without the prior written consent of the owners of such funds, in violation of
5 Section 10145 of the Code and Section 2832.1 of Chapter 6, Title 10, of the
6 California Code of Regulations ("Regulations");
- 7 (b) conducted property management activities under an unlicensed dba,
8 "Westside Property Management Company, LLC," in violation of Section
9 10159.5 of the Code and Section 2731 of the Regulations;
- 10 (c) failed to designate the Bank Account as a trust account in the name of the
11 broker or his licensed dba in violation of Section 10145(a) of the Code and
12 Section 2832 of the Regulations;
- 13 (d) commingled with his own money or property the money or other property of
14 others which was received and held in trust by Respondent in violation of
15 Section 10176(e) of the Code;
- 16 (e) failed to maintain a written separate records for each beneficiary or property
17 of trust funds accepted or received in the Bank Account, in violation of
18 Section 10145(g) of the Code and Section 2831.1 of the Regulations;
- 19 (f) failed to reconcile the balance of separate beneficiary or transaction records
20 with the control record of trust funds received and disbursed at least once a
21 month, and/or failed to maintain a record of such reconciliations for each
22 account in violation of Section 10145 of the Code and Section 2831.2 of the
23 Regulations;
- 24 (g) failed to maintain for a period of three years copies of all listings, deposits
25 receipts, canceled checks, trust records, and/or other documents executed by
26 Respondent in violation of Section 10148 of the Code; and,
- 27 ///

1 (h) failed to maintain a definite place of business within the State of California
2 to serve as his office for the transaction of real estate activities in violation
3 of Section 10162 of the Code.

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

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

10 As to Paragraph 6(b), under Section 10177(d) and/or 10177(g) of the Code, in
11 conjunction with Section 10145 of the Code and Section 2731 of the Regulations;

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

14 As to Paragraph 6(d), under Section 10176(e) of the Code;

15 As to Paragraph 6(e), under Section 10177(d) and/or 10177(g) of the Code, in
16 conjunction with Section 10145(g) of the Code and Section 2831.1;

17 As to Paragraph 6(f), under Section 10177(d) and/or 10177(g) of the Code, in
18 conjunction with Section 10145 of the Code and Section 2831.2 of the Regulations;

19 As to Paragraph 6(g), under Section 10177(d) and/or 10177(g) of the Code, in
20 conjunction with Section 10148 of the Code; and

21 As to Paragraph 6(h), under Section 10177(d) and/or 10177(g) of the Code, in
22 conjunction with Section 10162 of the Code.

23 PRIOR DISCIPLINE

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25 Effective November 5, 1985, in Case No. H-5451 SF, the Real Estate
26 Commissioner revoked Respondent's real estate salesperson license and granted him the right to
27 apply for a restricted real estate salesperson license for violating sections 10176(a), 10176(i), and

1 10176(f) of the Code.

2 COST RECOVERY

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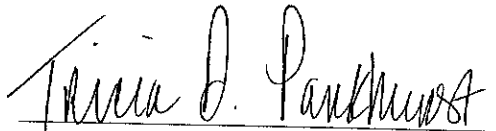
4 The acts and/or omissions of Respondent, as alleged above in Paragraph 6, entitle
5 the Bureau to reimbursement of the costs of its audit pursuant to Section 10148 of the Code.

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

11 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
12 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
13 action against all licenses and license rights of Respondent under the Real Estate Law (Part 1
14 of Division 4 of the Business and Professions Code), for the cost of the investigation and
15 enforcement as permitted by law, and for such other and further relief as may be proper under
16 other applicable provisions of law.

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20 Dated at Sacramento, California
21 this 14th day of February 2017.


TRICIA D. PARKHURST
Supervising Special Investigator