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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)

ERIC ALEXANDERSON,)

Respondent.)

No. H-12035 SF

ACCUSATION

15 The Complainant, ROBIN S. TANNER, a Supervising Special Investigator of the
16 State of California, for cause of Accusation against ERIC ALEXANDERSON (Respondent), is
17 informed and alleges as follows:

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19 The Complainant, ROBIN S. TANNER, a Supervising Special Investigator of
20 the State of California, makes this Accusation in her official capacity.

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22 Respondent is presently licensed and/or has license rights under the Real Estate
23 Law, Part 1 of Division 4 of the Business and Professions Code (Code).

3

25 At all times mentioned, Respondent was and is licensed by the Bureau
26 individually as a real estate broker.

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At all times mentioned, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker in the State of California, within the meaning of Section 10131(b) of the Code in 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 placed for rent, and solicited listings of places for rent, and solicited for prospective tenants of real property or improvements thereon, and collected rents from real property or improvements thereon.

On or about February 23, 2016, and continuing intermittently through June 28, 2016, an audit was conducted of the records of Respondent. The auditor herein examined the records for the period of January 1, 2015, through May 31, 2016.

While acting as a real estate broker as described in Paragraph 4, Respondent accepted or received funds in trust (trust funds) from or on behalf of owners and tenants in connection with the leasing, renting, and collection of rents on real property or improvements thereon, as alleged herein, and thereafter from time to time made disbursements of said trust funds.

The trust funds accepted or received by Respondent as described in Paragraph 6 were deposited or caused to be deposited by Respondent into trust accounts which were maintained by Respondent for the handling of trust funds, and thereafter from time-to-time Respondent made disbursements of said trust funds, identified as follows:

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ACCOUNT # 1	
Bank Name and Location:	Bank of America P.O. Box 25118 Tampa, FL 33622-5118
Account No.:	XXXX XXXX 4090
Entitled:	Eric Alexanderson Sole Prop Dba Eric Alexanderson Properties

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In the course of the activities described in Paragraph 4, Respondent:

(a) caused, suffered, or permitted the balance of funds in Account #1 to be reduced to an amount which, as of March 31, 2016, was approximately \$30,354.72 less than the aggregate liability of Account #1 and as of May 31, 2016, was approximately \$27,190.69 less than the aggregate liability of Account #1 to all owners of such funds in violation of Section 10145 of the Code and Section 2832.1 of Title 10 of the California Code of Regulations (Regulations);

(b) failed to deposit trust funds into one or more trust funds accounts in the name of Respondent as trustee at a bank or other financial institution, in conformance with Section 10145 of the Code and Section 2832 of the Regulations;

(c) failed to maintain an accurate written control record, for Account #1 of all trust funds received and disbursed, containing all information required by Section 2831 of the Regulations;

(d) failed to keep accurate separate records for each beneficiary or transaction, accounting therein for all funds which were deposited into Account # 1 containing all of the information required by Section 2831.1 of the Regulations;

(e) failed to reconcile the balance of separate beneficiary or transaction records with the control record of trust funds received and disbursed at least once a month,

1 and/or failed to maintain a record of such reconciliations for Account #1 as required by Section
2 2831.2 of the Regulations; and

3 (f) caused, permitted, and/or allowed, the possible withdrawal of trust funds
4 from Account #1 by a person, Christian Fulton Alexanderson, who was not licensed by the
5 Bureau and not covered by a fidelity bond in violation of Section 2834 of the Regulations;

6 9

7 The facts alleged in the First Cause of Action are grounds for the suspension or
8 revocation of Respondent's license and license rights under the following sections of the Code
9 and Regulations:

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

12 As to Paragraph 9(b), under Sections 10177(d) and/or 10177(g) of the Code in
13 conjunction with Section 10145 of the Code and Section 2832 of the Regulations;

14 As to Paragraph 9(c), under Sections 10177(d) and/or 10177(g) of the Code in
15 conjunction with Section 2831 of the Regulations;

16 As to Paragraph 9(d), under Sections 10177(d) and/or 10177(g) of the Code in
17 conjunction with Section 2831.1 of the Regulations; and

18 As to Paragraph 9(e), under Sections 10177(d) and/or 10177(g) of the Code in
19 conjunction with Section 2831.2 of the Regulations.

20 As to Paragraph 9(f), under Sections 10177(d) and/or 10177(g) of the Code in
21 conjunction with Section 2834 of the Regulations;

22 COST RECOVERY

23 10

24 The acts and/or omissions of Respondent as alleged above, entitle the Bureau to
25 reimbursement of the costs of its audit pursuant to Section 10148(b) (audit costs for trust fund
26 handling violation) of the Code.

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

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



ROBIN S. TANNER
Supervising Special Investigator

Dated at Oakland, California,
this 18th day of November, 2016.

DISCOVERY DEMAND

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