

FILED

JAN 25 2018

BUREAU OF REAL ESTATE

By B. Nicholas

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)	CalBRE No. H-12168 SF
)	
G LARRY CHARVOZ, JR,)	
)	
Respondent(s).)	

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 January 18, 2018, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) Respondent, G LARRY CHARVOZ, JR's (herein Respondent) express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license and/or license rights pursuant to the Real Estate Law, Part I of Division 4, of the Business and Professions Code ("the Code")

Pursuant to Government Code Section 11521, the Bureau of Real Estate (hereinafter "Bureau") may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Bureau's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On November 20, 2017, Robin S. Tanner made the Accusation in her official capacity as a Supervising Special Investigator of the Bureau. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Bureau on November 21, 2017.

On January 18, 2018, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (herein "the Code") as a real estate salesperson. Respondent's real estate salesperson license will expire on April 17, 2018.

3.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on November 21, 2017, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

4.

Respondent was not employed by any real estate broker after May 2014, when his former employer, Jim Mann, Inc., canceled his employment with them. Neither Jim Mann, Inc. nor ASM Ventures, Respondent's subsequent real estate broker, authorized or knew that Respondent was conducting property management activities.

5.

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 within the State of California within the meaning of Section 10131(d) of the Business and Professions Code (Code), including the operation and conduct of a property management business with the public wherein, on behalf of others, Respondent managed property for various property owners, including, but not limited to, that certain real property known as 219 W. 8th Street, Antioch, California (8th Street Property), all for or in expectation of compensation.

6.

On or about April 6, 2013, while representing that he was a licensed property manager, Respondent solicited Bo Ying F. (owner), to manage the 8th Street Property.

7.

Respondent conducted property management activities for the 8th Street Property, including, but not limited to, collecting rents and receiving a management fee directly from the owner.

8.

Respondent collected rent in the amount \$1,300.00 per month from April 2013, through January 2016, from the tenant in the 8th Street Property. Respondent deposited the rent checks directly into the owner's bank account until December 2014, when Respondent ceased making the deposit. From December 2014, through January 2016, Respondent failed to deposit fourteen (14) months of rent that he collected from the tenant.

9.

The owner directly paid Respondent a quarterly management fee of \$195.00.

10.

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

ORDER

All licenses and licensing rights of Respondent G LARRY CHARVOZ, JR under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on **FEB 15 2018**

DATED: 1/24/18

WAYNE S. BELL
REAL ESTATE COMMISSIONER

By: *Daniel J. Sandri*
DANIEL J. SANDRI
Chief Deputy Commissioner

FILED

JAN 18 2018

BUREAU OF REAL ESTATE

By S. Black

Bureau of Real Estate
1651 Exposition, Blvd.
Sacramento, CA, 95815

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)	CalBRE NO. <i>H-12168 SF</i>
)	
G LARRY CHARVOZ, JR,)	<u>DEFAULT ORDER</u>
)	
Respondent.)	
)	

Respondent G LARRY CHARVOZ, JR, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED January 18, 2018

WAYNE S BELL
REAL ESTATE COMMISSIONER

By: Joe M. Carrillo
JOSEPH M. CARRILLO
Regional Manager