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FILED

OCT 22 2018

DEPARTMENT OF REAL ESTATE

By L. Knapp

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12)
13 BHARAT SAHGAL,)
14 Respondent.)

NO. H-12301 SF

ACCUSATION

15 The Complainant, ROBIN S. TANNER, acting in her official capacity as a
16 Supervising Special Investigator of the State of California, for cause of Accusation
17 against BHARAT SAHGAL (Respondent), is informed and alleges as follows:

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19 At all times herein mentioned, Respondent was and is presently licensed and/or
20 has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and
21 Professions Code (the Code) by the Department of Real Estate (the Department) as a real estate
22 salesperson. Respondent has been employed with Real Estate eBroker Inc., a real estate broker
23 corporation, since October 8, 2015. Effective August 18, 2017, Respondent's employment with
24 Real Estate eBroker Inc. terminated. Presently, Respondent's license is in a non-working status
25 identified as NBA (also referred to as "No Broker Affiliation").

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At no time mentioned herein was Respondent licensed by the Department as a real estate broker. At no time mentioned herein did Respondent's broker, Real Estate eBroker Inc., authorize Respondent to conduct any property management activities.

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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 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, on behalf of others, for compensation or in expectation of compensation, Respondent leased or rented or offered to lease or rent, or solicited listings of places for rent or solicited for prospective tenants, or negotiated the sale, purchase or exchange of leases on real property, or on a business opportunity, or collected rent from tenants.

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In or about October 2016, Respondent agreed to provide services related to finding a tenant for the real property located at 107 Buena Ventura Street in San Pablo (Subject Property), on behalf of the owner, Jeff R.

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Subsequently, Respondent found tenants, Rene O. and Gloria O., to rent Subject Property for a term commencing on October 12, 2016, and thereafter on a month-to-month basis.

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On or about October 12, 2016, Rene O. and Gloria O. signed a lease agreement for Subject Property.

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On or about October 12, 2016, Respondent collected from Rene O. and Gloria O. a \$2,000 security deposit for the rental of Subject Property.

On or about October 12, 2016, Respondent provided Jeff R. an invoice which stated \$292.00 was owed for the 1-4 month short term lease of Subject Property. The invoice indicated payment terms to be "8% - per month". The invoice instructed Jeff. R. to make checks payable to Respondent.

Respondent received the following checks for commission regarding the rental of Subject Property:

Date of Issuance	Check Number	Amount
November 4, 2016	0000999007	\$226.64
November 10, 2016	0000999009	\$115.87

The acts and or omissions of Respondent as described above violate Section 10130 (Unlicensed Activity) of the Code, and are grounds for the suspension or revocation of the license and license rights of Respondent under Sections 10177 (d) (Willful Disregard of Real Estate Laws) and 10177 (g) (Negligence/Incompetence Licensee) of the Code.

COST RECOVERY

Section 10106 of the Code provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, 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.

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1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
3 action against all licenses and license rights of Respondent under the Code, for the reasonable
4 cost of investigation and agency attorney's fees in this matter, and for such other and further
5 relief as may be proper under other provisions of law.

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8 ROBIN S. TANNER
9 Supervising Special Investigator

10 Dated at Oakland, California,
11 this 15th day of October, 2018.

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13 DISCOVERY DEMAND

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