

FILED

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DEPARTMENT OF REAL ESTATE

By By den

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	
	)	No. H-12459 SF
ARVAND SABETIAN,	)	
	)	<u>ACCUSATION</u>
Respondent.	)	

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

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At all times herein mentioned, Respondent was and is presently and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Profession Code (Code) by the State of California Department of Real Estate (Department) as a real estate broker.

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At all times herein mentioned, Respondent conducted real estate activity through Realty Innovation, LLC doing business as "Ziprent" and "Ziprent.com". At no time mentioned herein was Realty Innovation, LLC licensed by the Department in any capacity. At no time

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1 mentioned herein was Respondent licensed by the Department to use any fictitious business
2 names.

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4 At all times herein mentioned, Respondent, acting through Realty Innovation,
5 LLC, engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real
6 estate broker within the State of California within the meaning of Section 10131(b) of the Code,
7 including the operation and conduct of a property management business with the public
8 wherein, on behalf of others, for compensation or in expectation of compensation, leased or
9 rented or offered to lease or rent, or placed for rent, or solicited listings of places for rent, or
10 solicited for prospective tenants, or negotiated the sale, purchase or exchanges of leases on real
11 property, or on a business opportunity, or collected rents from real property, or improvements
12 thereon, or from business opportunities.

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14 On or about August 13, 2019, an audit was conducted at the Department's
15 district office located at 1515 Clay Street, Ste 702, Oakland, CA 94612, where the auditor
16 examined records for the period of July 1, 2018, through June 30, 2019 (the audit period).

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18 While acting as a real estate broker as described in Paragraph 3, above, and
19 within the audit period, Respondent, acting through Realty Innovation, LLC, accepted or
20 received funds in trust (trust funds) from or on behalf of property owners, lessees and others in
21 connection with property management activities, and deposited or caused to be deposited those
22 funds into bank accounts maintained by Realty Innovation, LLC, at First Republic Bank, 111
23 Pine Street, San Francisco, California 94111, including but not limited to the following:

24

BANK ACCOUNT #1	
25 Account No.:	XXXXXXXX4756
26 Entitled:	REALTY INNOVATION LLC DBA ZIPRENT DBA ZIPRENT.COM

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1 and thereafter from time-to-time made disbursement of said trust funds.

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3 In the course of activities described in Paragraph 3, Respondent, acting through
4 Realty Innovation, LLC, negotiated and signed property management agreements, listing Realty
5 Innovation, LLC as the Real Estate Broker, including but not limited to the following:

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Date	Property Owner	Property Location
01/15/2019	Lary H.	447 Santa Fe Avenue, Richmond
02/01/2019	Yin Y.W.	8 Balra Drive, Novato
03/04/2019	Micah J.	2071 Plymouth Street, Mountain View
03/06/2019	Laurie P.	1315 Ryder Street, Vallejo
04/17/2019	Inna B.	950 Shorepoint Court, Alameda
04/26/2019	Muralikrishna K.	2936 Stringham Way, Dublin
05/07/2019	Henry H.	19 Abbey Street, San Francisco
05/24/2019	Katherine O.	625 Carolina Street, San Francisco

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17 In the course of activities described in Paragraph 3, Respondent, acting through
18 Realty Innovation, LLC, negotiated and signed lease agreements, listing Realty Innovation, LLC
19 as the Listing Agent, including but not limited to the following:

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Date	Tenant	Property Location
02/04/2019	Lamesha S.	8 Balra Drive, Novato
04/03/2019	Arville P.	1315 Ryder Street, Vallejo
05/04/2019	Paul V.	950 Shorepoint Court, Alameda
05/17/2019	John B.	2936 Stringham Way, Dublin

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On or about April 27, 2020, Respondent, in a declaration signed under penalty of perjury, indicated Realty Innovation, LLC, currently functions as an automatic clearing house by receiving rent and other payments from tenants for properties managed by the newly formed broker corporation, ZipRent, Inc., for which Respondent serves as the designated officer.

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

COST RECOVERY

Audit Costs

The acts and/or omissions of Respondent, as alleged above, entitle the Department to reimbursement of the costs of its audits pursuant to Section 10148(b) (Audit Costs for Trust Fund Handling Violations) of the Code.

Costs of Investigation and Enforcement

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

1 Law, for the cost of the investigation and enforcement as permitted by law, for the cost of the
2 audit as permitted by law, and for such other and further relief as may be proper under other
3 provisions of law.

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5 ROBIN S. TANNER
6 Supervising Special Investigator

7 Dated at Oakland, California,

8 this 4th day of August, 2020.

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10 DISCOVERY DEMAND

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