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DEPARTMENT OF REAL ESTATE

BY: C.A.

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9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) NO. H-37844 LA
13 METRO SERENDIB CORPORATION and) A C C U S A T I O N
14 MUKESH CHINUBHAI PATEL,)
15 individually and as designated)
16 officer of Metro Serendib)
17 Corporation,)
18 Respondents.)
19 _____)

20 The Complainant, Maria Suarez, a Deputy Real Estate
21 Commissioner of the State of California, for cause of Accusation
22 against METRO SERENDIB CORPORATION and MUKESH CHINUBHAI PATEL,
23 individually and as designated officer of Metro Serendib
24 Corporation (collectively "Respondents"), is informed and
25 alleges as follows:

26 I

27 The Complainant, Maria Suarez, a Deputy Real Estate
Commissioner of the State of California, makes this Accusation
in her official capacity.

1 II

2 From May 9, 2002 through May 22, 2010, Respondent
3 METRO SERENDIB CORPORATION ("Respondent MSC") was licensed under
4 the Real Estate Law (Part 1 of Division 4 of the California
5 Business and Professions Code "Code") as a corporate real estate
6 broker. Respondent MSC's license expired on May 23, 2010.
7 Respondent MSC has renewal rights under Code Section 10201. The
8 Department retains jurisdiction pursuant Code Section 10103.

9 III

10 From January 16, 1997 through the present, Respondent
11 MUKESH CHINUBHAI PATEL ("Respondent PATEL") was licensed or has
12 license rights under the Real Estate Law (Part 1 of Division 4
13 of the Code) as a real estate broker.

14 IV

15 At all times relevant herein, Respondent MSC was
16 authorized to act by and through Respondent PATEL as its broker
17 and officer designated pursuant to Code Section 10159.2 to be
18 responsible for ensuring compliance with the Real Estate Law.

19 V

20 Respondent MSC is a California corporation formed on
21 February 22, 1991. On September 1, 2009, the California
22 Franchise Tax Board suspended the corporate powers, rights and
23 privileges of Respondent MSC pursuant to the provisions of the
24 California Revenue and Taxation Code. MSC's corporate status
25 remains suspended.

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VI

The suspension of Respondent MSC is in violation of Regulation 2742, subdivision (c) and constitutes grounds to suspend or revoke Respondent MSC's corporate real estate broker license pursuant to Code Section 10177(d).

VII

The conduct, acts and/or omissions of Respondent PATEL as set forth in Paragraphs V and VI, above, in failing to adequately supervise the activities of Respondent MSC is in violation of Code Section 10159.2 and constitutes grounds to discipline the license and/or license rights of Respondent PATEL pursuant to Code Sections 10177(h), 10177(d) and/or 10177(g).

VIII

Code Section 10106 of the Code provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department of Real Estate, 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
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and license rights of Respondents
5 METRO SERENDIB CORPORATION and MUKESH CHINUBHAI PATEL,
6 individually and as designated officer of Metro Serendib
7 Corporation under the Real Estate Law (Part 1 of Division 4 of
8 the Business and Professions Code), for the cost of investigation
9 and enforcement as permitted by law, and for such other and
10 further relief as may be proper under other provisions of law.
11 this 6th day of February, 2012.

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15 MARIA SUAREZ
16 Deputy Real Estate Commissioner
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22 cc: Metro Serendib Corporation
23 Mukesh Chinubhai Patel
24 Maria Suarez
25 Sacto.
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