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DEPARTMENT OF REAL ESTATE
BY: *R. Medeiros*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H- 38234 LA
12))
13)) A C C U S A T I O N
14 ALICIA PARK REAL ESTATE, INC.;)
and MARK ALAN WILLIAMS)
15 individually and as)
designated officer of)
Alicia Park Real Estate, Inc.,)
16 Respondents,)
17)
18)

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20 The Complainant, Maria Suarez, a Deputy Real Estate
21 Commissioner of the State of California, for cause of accusation
22 against ALICIA PARK REAL ESTATE, INC., and MARK ALAN WILLIAMS
23 individually and as designated officer of Alicia Park Real
24 Estate, Inc., alleges as follows:

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1 1. The Complainant, Maria Suarez, acting in her
2 official capacity as a Deputy Real Estate Commissioner of the
3 State of California, makes this Accusation against ALICIA PARK
4 REAL ESTATE, INC., and MARK ALAN WILLIAMS.

5 2. ALICIA PARK REAL ESTATE, INC., and MARK ALAN
6 WILLIAMS individually and as designated officer of Alicia Park
7 Real Estate, Inc. (hereinafter referred to as "Respondents") are
8 presently licensed and/or have license rights under the Real
9 Estate Law (Part 1 of Division 4 of the Business and Professions
10 Code, hereinafter Code).

11 3. At all times herein mentioned, Respondents ALICIA
12 PARK REAL ESTATE, INC., and MARK ALAN WILLIAMS were licensed as a
13 real estate broker. Respondent WILLIAMS was the designated
14 officer and pursuant to Code Section 10159.2 was responsible for
15 the supervision and control of the activities conducted on behalf
16 of the corporation by its officers and employees as necessary to
17 secure full compliance with the provisions of the real estate law
18 including supervision of salespersons licensed to the corporation
19 in the performance of acts for which a real estate license is
20 required.

21 4. At all times material herein, Respondents engaged
22 in the business of, acted in the capacity of, advertised or
23 assumed to act as a real estate broker in the State of California
24 within the meaning of Sections 10131(a) and (d) of the Code
25 including soliciting buyers and sellers, negotiating the sale of
26 real property, and negotiating loans on real property.
27 Respondent performed real estate broker escrows for principals

1 where it was acting as an agent in the transaction pursuant to
2 Financial Code Section 17006(a)(4).

3 5. On or about February 22, 2012, the Department
4 completed an examination of Respondent ALICIA PARK REAL ESTATE,
5 INC.'s books and records, pertaining to the activities described
6 in Paragraph 4 above, covering a period from January 1, 2009,
7 through November 30, 2011, which examination revealed violations
8 of the Code and of Title 10, Chapter 6, California Code of
9 Regulations (hereinafter Regulations) as set forth below.

10 6. The examination described in Paragraph 5, above,
11 determined that, in connection with the activities described in
12 Paragraph 4 above, Respondent accepted or received funds,
13 including funds in trust (hereinafter "trust funds") from or on
14 behalf of principals, and thereafter made deposit or disbursement
15 of such funds.

16 7. In the course of activities described in Paragraphs
17 4 through 6 and during the examination period described in
18 Paragraph 5, Respondents ALICIA PARK REAL ESTATE, INC., and ALEX
19 MARK ALAN WILLIAMS acted in violation of the Code and the
20 Regulations as follows, and as more specifically set forth in
21 Audit Reports Nos. LA 100292, 110132, and 110133, and related
22 exhibits:

23 a. Violated Code Section 10145 and Regulation 2832.1
24 by by maintaining as of November 30, 2011 a trust account
25 shortage of \$6,823.24 in trust account 1891.....

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1 b. Violated Code Section 10176(g) and Regulation 2951
2 by depositing overcharged credit report fees into an account
3 which was not a trust account.

4 c. Violated Code Sections 10145, 10176(e) and
5 Regulation 2832 by depositing overcharged credit report fees into
6 an which was not a trust account.

7 d. Violated Code Section 10145 and Regulation 2834 by
8 allowing signatories that were not licensed or bonded.

9 Respondent WILLIAMS was not an authorized signatory on all trust
10 accounts.

11 e. Violated Code Section 10145 and Regulation 2831 by
12 maintaining a control record that was not accurate and complete.

13 f. Violated Code Section 10145 and Regulation 2831.1
14 by maintaining separate records that were not accurate and
15 complete.

16 g. Violated Code Section 10145 and Regulation 2831.2
17 by not maintaining complete and accurate monthly reconciliations
18 of all the separate records to the control record for the escrow
19 activity.


20 h. Violated Code Section 10240 and Regulation 2840 by
21 not maintaining a copy of the Mortgage Loan Disclosure Statement
22 in each file. The MLDS was not always delivered to the borrower
23 in a timely manner. Not all MLDSs were signed by the borrower.

24 j. Violated Code Section 10166.02(a) by not notifying
25 the Department of Real Estate when real estate salesperson David
26 H. acted in the capacity of a mortgage loan originator.

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1 the Business and Professions Code), for the cost of investigation
2 and enforcement as permitted by law, and for such other and
3 further relief as may be proper under other applicable provisions
4 of law.

5 Dated at Los Angeles, California
6 this 10th day of May, 2012.

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9 MARIA SUAREZ
Deputy Real Estate Commissioner
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24 cc: Alicia Park Real Estate, Inc.
25 Mark Alan Williams
26 Maria Suarez
27 Sacto.