

FILED

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DEPARTMENT OF REAL ESTATE

BY: Jana B. Wilson

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Department of Real Estate
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of	)	No. H-38683 LA
	)	
THS INVESTMENTS INC., a corporate real estate	)	<u>ACCUSATION</u>
broker, and TOMMY LEE COOKS, individually	)	
and as former designated broker-officer of	)	
THS Investments Inc.,	)	
	)	
Respondents.	)	

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against Respondents THS INVESTMENTS INC., a corporate real estate broker, and TOMMY LEE COOKS, individually and as former designated broker-officer of THS Investments Inc., is informed and alleges as follows:

1.

The Complainant, Maria Suarez brings this Accusation in her official capacity.

2.

Respondent THS INVESTMENTS INC., dba Real Property Management San Bernardino (hereinafter referred to as "THS INVESTMENTS") at all times relevant herein was licensed and/or had license rights under the Real Estate Law, Part 1 of Division 4 of the

1 California Business and Professions Code (hereinafter "Code") as a corporate real estate broker.

2 (a) At all times relevant herein, Respondent THS INVESTMENTS was
3 authorized to act by and through Respondent TOMMY LEE COOKS as the designated officer
4 and broker responsible, pursuant to the provisions of Code Section 10159.2, for the supervision
5 and control of the activities conducted on behalf of THS INVESTMENTS by THS
6 INVESTMENTS's officers and employees.

7 (b) THS INVESTMENTS' corporate real estate broker license expired on May
8 30, 2011, and it retains renewal rights pursuant to Code Section 10201. The Department retains
9 jurisdiction pursuant to Code Section 10103.
10

11 3.

12 Respondent TOMMY LEE COOKS, dba The Housing Specialist (hereinafter
13 "COOKS"), is presently licensed as a real estate broker. Respondent COOKS has been licensed
14 by the Department as a real estate broker since on or about January 16, 2001.
15

16 4.

17 Respondent THS INVESTMENTS was a Nevada corporation. Cynthia Rosales
18 was the Chief Executive Officer of the corporation. As set forth more fully below, THS
19 INVESTMENTS' corporate status was revoked by the State of Nevada on or about November 1,
20 2009. THS is therefore no longer a corporation in good standing.
21

22 OFFICE ABANDONMENT

23 5.

24 At all times relevant herein, the main office address in California maintained by
25 Respondent THS INVESTMENTS with the Department was 590 N. Sierra Way, San
26 Bernardino, CA 92410.
27

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6.

At all times relevant herein, the main office address maintained by Respondent TOMMY LEE COOKS was and is 590 N. Sierra Way, San Bernardino, CA 92410.

7.

Between April 20, 2011 and September 23, 2011, several representatives of the Department attempted to make contact with Respondents COOKS and THS, but were unsuccessful. During that period of time, the Department's representatives mailed letters and subpoenas to Respondents at their address of record at 590 N. Sierra Way, San Bernardino, CA 92410. The letters and subpoenas were returned marked undeliverable or otherwise not responded to.

8.

On May 24, 2011, a representative of the Department drove to 590 N. Sierra Way, San Bernardino, CA 92410, the main office address for both THS INVESTMENTS and COOKS. The office was empty and unoccupied. Management of the building at the Sierra Way location indicated that THS INVESTMENTS and COOKS had moved out of the building in mid January of 2011 and did not leave forwarding addresses.

9.

Beginning on or before February 1, 2011, and continuing to the present time, Respondent THS INVESTMENTS and Respondent COOKS failed to maintain on file with the Department an address for an office constituting their principal place of business, in California.

10.

The conduct, acts and/or omissions of Respondent THS INVESTMENTS and Respondent COOKS, in failing to maintain on file with the Department an address for an office constituting their principal place of business in California, as described above, was in violation

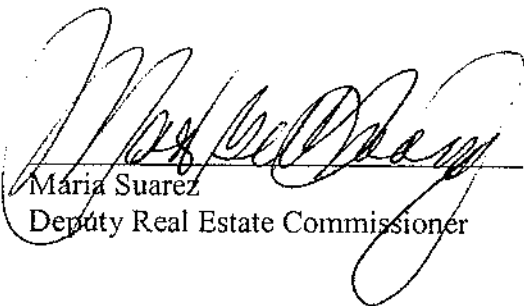
1 of Regulation 2715 and Code Section 10162, and constitutes cause for the suspension or
2 revocation of Respondent THS INVESTMENTS' and Respondent COOKS' licenses and license
3 rights under the provisions of Code Sections 10165 and 10177(d).

4 11.

5 The conduct, acts and/or omissions of Respondent COOKS, in failing to supervise
6 the activities of Respondent THS INVESTMENTS to ensure compliance with the Real Estate
7 law, in violation of Code Section 10159.2, constitutes grounds for the suspension or revocation
8 of Respondent COOKS's real estate license pursuant to Code Section 10177(h).
9

10 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
11 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
12 action against all licenses and/or license rights of Respondent THS INVESTMENTS INC. and
13 Respondent TOMMY LEE COOKS, for costs of investigation, and for such other and further
14 relief as may be proper under other applicable provisions of law.
15

16 Dated at Los Angeles, California,
17 this 31st day of January, 2013

18
19
20 
21 Maria Suarez
22 Deputy Real Estate Commissioner
23
24

25 cc: THS Investments Inc.
26 Tommy Lee Cooks
27 Maria Suarez
Sacto.