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FILED

JUN 19 2013

DEPARTMENT OF REAL ESTATE
BY: cm

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-38916 LA
12)
13 KENNEDY REAL ESTATE MANAGEMENT INC.,) ACCUSATION
14 a corporate real estate broker; and)
15 JONATHAN L. KENNEDY, individually and as)
16 the designated broker-officer of)
Kennedy Real Estate Management Inc.,)
Respondents.)

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18 1.

19 The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner, for cause
20 of Accusation against KENNEDY REAL ESTATE MANAGEMENT INC., a corporate real
21 estate broker; and JONATHAN L. KENNEDY, individually and as the designated broker-officer
22 of Kennedy Real Estate Management Inc., is informed and alleges as follows:

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24 2.

25 At all times relevant, Respondent KENNEDY REAL ESTATE MANAGEMENT
26 INC., ("KREMI") was licensed and/or had license rights under the Real Estate Law, Part 1 of
27 Division 4 of the California Business and Professions Code ("Code") as a corporate real estate

1 broker. Respondent KREMI was authorized to act by and through Respondent JONATHAN L.
2 KENNEDY as the designated officer and broker responsible, pursuant to the provisions of Code
3 Section 10159.2 for the supervision and control of the activities conducted on behalf of KREMI
4 by KREMI's officers and employees. KREMI has been licensed by the Department of Real
5 Estate ("Department") as a corporate real estate broker since on or about January 14, 2009. Its
6 license expired on January 13, 2013, and it retains renewal rights pursuant to Code Section
7 10201.

8
9 3.

10 Respondent JONATHAN L. KENNEDY ("KENNEDY") is presently licensed,
11 and/or has license rights under the Code, as a real estate broker. Respondent KENNEDY has
12 been licensed by the Department as a real estate broker since on or about November 22, 1985.

13
14 4.

15 Respondent KREMI is a California corporation. KENNEDY is the Chief
16 Executive Officer of the corporation. As set forth more fully below, KREMI's corporate status
17 was suspended effective on or about November 2, 2009. KREMI's corporate status has
18 remained suspended and it is not currently a corporation in good standing in the State of
19 California.

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21 5.

22 All further references to "Respondents" include the parties listed in Paragraphs 2
23 through 4 above, as well as the officers, agents, affiliates and employees of the parties listed in
24 Paragraphs 2 through 4.

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26 6.

27 At all times relevant herein, Respondents engaged in the business of, acted in the
capacity of, advertised or assumed to act as real estate brokers in the State of California within

1 the meaning of Code Sections 10131(b) (negotiating leases on real property, collecting rents
2 from real property, and performing related property management services on behalf of others) .

3 7.

4 Beginning on or about January 14, 2009, and continuing through on or after
5 January 13, 2013, KREMI through KENNEDY as its designated broker-officer, operated a
6 property management business with the public. KREMI solicited owners of rental property and
7 tenants, negotiated leases, collected rents, and held funds in trust on behalf of those owners and
8 tenants.
9

10 8.

11 On or about November 2, 2009, pursuant to the provisions of Section 23302 of the
12 California Revenue and Taxation Code, the corporate rights and privileges of Respondent
13 KREMI were suspended by the California Secretary of State. The corporate rights and privileges
14 of Respondent KREMI have remained suspended since that time.
15

16 9.

17 Respondent KREMI conducted activities requiring a real estate license when it
18 was not a corporation in good standing in this State, in violation of Title 10, Chapter 6,
19 California Code of Regulations, Regulation 2742(c).
20

21 10.

22 The suspension of the corporate powers of Respondent KREMI, as set forth in
23 Paragraph 8 above, constitutes grounds to suspend or revoke Respondent KREMI's corporate
24 real estate broker license pursuant to Code Sections 10177(d), 10176(i) , 10177(j) and/or
25 10177(g) in conjunction with Regulation 2742.

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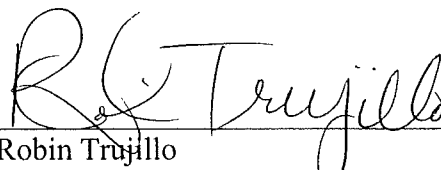
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The suspension of the corporate powers of Respondent KREMI by the California Secretary of State for failure to pay taxes is grounds to suspend or revoke the license and/or license rights of Respondent KENNEDY for failure to supervise the activities of the corporation, in violation of Code Sections 10159.2, 10177(h), 10177(d), 10176(i) and/or 10177(g).

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/or license rights of Respondents KENNEDY REAL ESTATE MANAGEMENT INC. and JONATHAN L. KENNEDY under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other provisions of law.

Dated at Los Angeles, California,

this 12 day of June, 2013


Robin Trujillo
Deputy Real Estate Commissioner

cc: Kennedy Real Estate Management Inc.
Jonathan L. Kennedy
Robin Trujillo
Sacto.