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FILED

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BUREAU OF REAL ESTATE

By John Aguila

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

No. H- 39160 LA

12 ROSALIE RUTH SANDOVAL)

A C C U S A T I O N

13 and KATHLEEN NIELSON,)

14 Respondents.)

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16 The Complainant, Veronica Kilpatrick, a Deputy Real
17 Estate Commissioner of the State of California, for cause of
18 Accusation against ROSALIE RUTH SANDOVAL and KATHLEEN NIELSON,
19 alleged as follows:

20 1. The Complainant, Veronica Kilpatrick, acting in her
21 official capacity as a Deputy Real Estate Commissioner of the
22 State of California, makes this Accusation against ROSALIE RUTH
23 SANDOVAL and KATHLEEN NIELSON.

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1 2. ROSALIE RUTH SANDOVAL and KATHLEEN NIELSON
2 (hereinafter referred to as "Respondents") are presently licensed
3 and/or have license rights under the Real Estate Law (Part 1 of
4 Division 4 of the Business and Professions Code, hereinafter
5 Code).

6 3. At all times herein mentioned, Respondent KATHLEEN
7 NIELSON was licensed by the Department of Real Estate of the
8 State of California as a real estate salesperson. On or about
9 August 7, 2012, Respondent KATHLEEN NIELSON was employed by
10 Respondent real estate broker ROSALIE RUTH SANDOVAL.

11 4. From on or about March 4, 2011, through on or about
12 August 6, 2012, Respondent NIELSON did not have an employing real
13 estate broker.

14 5. Respondent NIELSON violated Code Section 10130 of
15 the California Business and Professions Code (Code) by not
16 possessing a real estate broker license during the period
17 Respondent NIELSON did not have an employing real estate broker.
18 Respondent NIELSON engaged in activities as defined by Code
19 Section 10131(b) including soliciting renters and owners and
20 negotiating the rental of real property and collecting rents from
21 real property.

22 6. Respondent NIELSON violated Code Section 10145(c)
23 by collecting rents from real property and thereafter failed to
24 forward the rents collected to her employing broker SANDOVAL.

25 7. Respondent SANDOVAL violated Code Section 10145(a)
26 by not depositing the rents collected by Respondent NIELSON into
27 a real estate broker trust account.

1 8. Respondent SANDOVAL violated Section 2731, Title
2 10, Chapter 6, California Code of Regulations ("CCR") by using
3 the unlicensed fictitious business name "Investors Property
4 Management" in her brokerage activities.

5 9. Respondent SANDOVAL violated Section 2726 CCR, by
6 not maintaining a broker-salesperson agreement with each
7 salesperson in her employ.

8 10. Respondent SANDOVAL violated Section 10163 of the
9 Code by maintaining an unlicensed branch office.

10 11. The conduct of Respondents ROSALIE RUTH SANDOVAL
11 and KATHLEEN NIELSON, as alleged above, subjects their real
12 estate license and license rights to disciplinary action pursuant
13 to Code Sections 10177(d) and/or 10177(g).

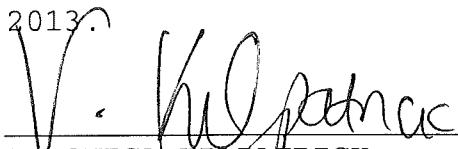
14 Business and Professions Code Section 10106 provides,
15 in pertinent part, that in any order issued in resolution of a
16 disciplinary proceeding before the department, the commissioner
17 may request the administrative law judge to direct a licensee
18 found to have committed a violation of this part to pay a sum not
19 to exceed the reasonable costs of the investigation and
20 enforcement of the case.

21 WHEREFORE, Complainant prays that a hearing be
22 conducted on the allegations of this Accusation and that upon
23 proof thereof, a decision be rendered imposing disciplinary
24 action against all licenses and license rights under the Real
25 Estate Law (Part 1 of Division 4 of the California Business and
26 Professions Code) of Respondents SANDOVAL and NIELSON, for the
27 cost of investigation and enforcement as permitted by law, and

1 for such other and further relief as may be proper under other
2 applicable provisions of law.

3 Dated at San Diego, California

4 this 6 day of May, 2013.

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VERONICA KILPATRICK
7 Deputy Real Estate Commissioner
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22 cc: Rosalie Ruth Sandoval
23 Kathleen Nielson
24 Veronica Kilpatrick
25 Sacto.
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