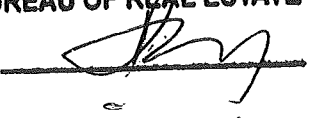


FILED

DEC 19 2014

BUREAU OF REAL ESTATE

By 

Amelia V. Vetrone, SBN 134612
Bureau of Real Estate
320 West 4th Street, Ste. 350
Los Angeles, California 90013-1105

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**BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA**

In the Matter of the Accusation of

No. H- 39690 LA

TOP TEAM REALTY INC.; and
SIRAJ HASSANALLY, individually
and as Designated Officer of
Top Team Realty Inc.,

A C C U S A T I O N

Respondents.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against TOP TEAM REALTY INC. and SIRAJ HASSANALLY, individually and as designated officer of Top Team Realty Inc., is informed and alleges as follows:

1.

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

2.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

1 3.

2 Respondent TOP TEAM REALTY INC. ("TTRI") is licensed by the Bureau as a
3 corporate real estate broker. Respondent TTRI was originally licensed as a corporate real estate
4 broker on June 3, 2009, and that license is due to expire on January 31, 2018. Respondent
5 TTRI's Designated Officer has always been Respondent SIRAJ HASSANALLY continuously to
6 the present date.

7 4.

8 Respondent SIRAJ HASSANALLY ("HASSANALLY") is licensed by the
9 Bureau as a real estate broker. Respondent HASSANALLY was originally licensed as a real
10 estate salesperson on November 7, 1980, and as a real estate broker on February 3, 1987.
11 Respondent HASSANALLY's real estate broker license is due to expire on January 28, 2016.

12 5.

13 At all times herein relevant, Respondents engaged in the business of, acted in the capacity
14 of, advertised or assumed to act as real estate brokers in the State of California within the
15 meaning of Code Section 10131(b). Their activities included soliciting listings of places for rent,
16 soliciting for prospective tenants, and/or management of residential rental real property for and
17 on behalf of others for compensation.

18 FIRST CAUSE OF ACCUSATION

19 (Audit of TTRI)

20 6.

21 On June 6, 2014, the Bureau completed an audit examination of the books and
22 records of TTRI pertaining to the real estate activities described in paragraph 5, above. The audit
23 examination covered the period of time from January 1, 2012, to November 29, 2013. The
24 primary purpose of the examination was to determine Respondents' compliance with the Real
25 Estate Law. The audit examination revealed numerous violations of the Code and the
26 Regulations as set forth in the following paragraphs, and more fully discussed in Audit Report
27 LA 130097 and the exhibits and work papers attached to said audit reports.

1 Bank and Trust Accounts

2 7.

3 At all times herein relevant, in connection with the activities described in
4 Paragraph 5, above, TTRI accepted or received funds including funds to be held in trust
5 (hereinafter "trust funds") from or on behalf of actual or prospective parties in connection with
6 property management activities. Thereafter TTRI made deposits and or disbursements of such
7 trust funds. From time to time herein mentioned during the audit period, said trust funds were
8 deposited and/or maintained by TTRI in the following bank accounts neither of which were
9 designated as trust accounts:

10 Siraj Hassanally
11 Top Team Realty
12 Account No. 764XXXXXXX (Redacted for security)
13 Union Bank
14 Los Angeles, California

(B/A #1 - TTRI 's general account used to deposit trust funds)

15 Siraj Hassanally
16 Section 8 Account
17 Account No. 764XXXXXXX (Redacted for security)
18 Union Bank
19 Los Angeles, California

(B/A #2 - TTRI 's general business account used to deposit trust funds in relation to
20 Section 8 housing)

21
22 Violations

23 8.

24 With respect to the licensed activities referred to in Paragraph 5, and the audit
25 examination including the exhibits and work papers referenced in Paragraph 6, it is alleged that
26 Respondents:

27 (a) Permitted, allowed or caused the disbursement of trust funds from TTRI's

1 bank account B/A #1 to an amount which, on November 29, 2013, was \$137,875.92 less than the
2 existing aggregate trust fund liability to the owners of said funds, without first obtaining the prior
3 written consent of the owners of said funds in violation of Code Section 10145 and Regulation
4 2832.1;

5 (b) Allowed TTRI's corporate real estate broker license to expire without
6 renewal while continuing to engage in real estate activities for which a license is required during
7 the period June 2, 2013, to January 31, 2014, in violation of Code Section 10130;

8 (c) Failed to place trust funds into accounts designated as trust accounts in the
9 name of the broker in violation of Code Section 10145 and Regulation 2832;

10 (d) Allowed unlicensed and unbonded individual Erika Hassanally to be a
11 signor on B/A #1 and B/A #2 in violation of Code Section 10145 and Regulation 2834;

12 (e) Failed to maintain a columnar record of the receipt and disbursement of
13 trust funds handled through B/A #1 in violation of Code Section 10145 and Regulation 2831;

14 (f) Failed to maintain a separate record of the receipt and disbursement of
15 trust funds in violation of Code Section 10145 and Regulation 2831.1; and

16 (g) Failed to perform and maintain a monthly reconciliation of the separate
17 record to the control record of trust funds handled through B/A #1 in violation of Code Section
18 10145 and Regulation 2831.2;

19 9.

20 The conduct of Respondents as described in Paragraph 8, above, violated the
21 Code and the Regulations as set forth below:

22 PARAGRAPH

PROVISIONS VIOLATED

23
24 8(a)

Code Section 10145 and Regulation 2832.1

25
26 8(b)

Code Section 10130

1 8(c) Code Section 10145 and Regulation 2832
2
3 8(d) Code Section 10145 and Regulation 2834
4
5 8(e) Code Section 10145 and Regulation 2831
6
7 8(f) Code Section 10145 and Regulation 2831.1
8
9 8(g) Code Section 10145 and Regulation 2831.2
10

11 Each of the foregoing violations constitute cause for the suspension or revocation
12 of the real estate license and license rights of Respondents under the provisions of Code Sections
13 10177(d) and 10177(g).

14 SECOND CAUSE OF ACCUSATION
15 (Failure to Supervise - HASSANALLY)

16 10.

17 Based on the conduct alleged in paragraphs 6, 7, and 8, above, Respondent
18 HASSANALLY failed to exercise reasonable supervision over the activities of TTRI, to ensure
19 compliance with the Real Estate Law and the Commissioner's Regulations in violation of Code
20 Sections 10159.2, 10177(h), and Regulation 2725.

21 11.

22 The conduct, acts and omissions of Respondent HASSANALLY as alleged herein
23 are cause for the suspension or revocation of the licenses and license rights of Respondent
24 HASSANALLY pursuant to Code Sections 10177(d), 10177(g), and/or 10177(h).

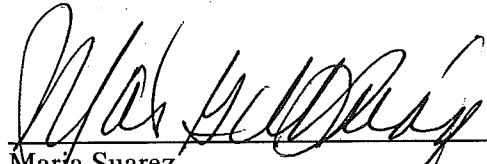
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1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
3 action against the license and license rights of Respondents TOP TEAM REALTY INC. and
4 SIRAJ HASSANALLY, individually and as designated officer of Top Team Realty Inc., under
5 the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for costs of the
6 audit, and for such other and further relief as may be proper under other applicable provisions of
7 law.

8 Dated at Los Angeles, California: 18 December 2014.

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11 
12 Maria Suarez
13 Deputy Real Estate Commissioner
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23

24 cc: Top Team Realty Inc.
25 Siraj Hassanally
26 Maria Suarez
27 Sacto
Audits – Darryl M. Thomas