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FILED

DEC 21 2017

BUREAU OF REAL ESTATE

By 

BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

12 In the Matter of the Accusation of)

No. H-40898 LA

13 CHRISTOPHER SHAWN GRAJEDA;)

A C C U S A T I O N

14)
15)
16 Respondent.)

17 The Complainant, a Supervising Special Investigator of the State of California,
18 for cause of Accusation against Respondent CHRISTOPHER SHAWN GRAJEDA ,
19 ("Respondent"), is informed and alleges as follows:

20 1.

21 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
22 of California, makes this Accusation in her official capacity.

23 2.

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

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27 CalBRE Accusation of Christopher Shawn Grijeda

1 5.

2 According to the BRE's records, GRAJEDA's employing real estate broker
3 ("REB") of record history from 2014 up to and including the present is as follows:

4 A. SWB Properties Inc (BRE license ID 01849301) from November 29, 2011 to
5 November 21, 2014 and from February 17, 2015 to April 2, 2015;

6 B. Avance Real Estate Inc. (BRE license ID 01907375) from April 6, 2015 to
7 August 4, 2015;

8 C. Inland West Real Estate Inc (BRE license ID 0189660) from December 21,
9 2015 to June 20, 2016; and

10 D. Lawyers Realty Brokerage (BRE license ID 01978321) from May 10, 2017 to
11 the present.

12 6.

13 GRAJEDA's BRE license will expire on December 20, 2019.

14 7.

15 At all times mentioned herein, in San Bernardino County, California, Respondent
16 GRAJEDA engaged in the performance of activities requiring a real estate license pursuant to
17 Code Section 10130, and acted and ordered, caused, authorized or participated in licensed
18 activities within the meaning Code Sections 10131 and 10132.

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20 **FACTS DISCOVERED BY THE BUREAU**

21 8.

22 Jehan R. ("Buyer")

23 In or about November of 2014, Jehan R. ("Buyer") met GRAJEDA who was
24 showing a home for sale. GRAJEDA introduced himself to Buyer as a real estate agent who
25 specialized in helping clients invest in real estate and worked with several investors in lending
26 money for properties. Buyer expressed interest in purchasing homes for future investments and
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1 GRAJEDA contacted Buyer a few weeks later regarding court house auctions that he attends to
2 bid on homes for his clients. GRAJEDA explained to Buyer that he receives five thousand
3 dollars for each home that he successfully acquires for his clients, and receives the listing to
4 resell the house. In or around January 2015, GRAJEDA showed Buyer a list of upcoming
5 auctions and the parties agreed that GRAJEDA would represent buyer at a foreclosure auction to
6 purchase an investment property. On or about January 30, 2015, Buyer gave GRAJEDA two
7 cashiers checks, one for \$20,000 and one for \$105,000 for two homes in which Buyer expressed
8 interest in having GRAJEDA bid on Buyer's behalf. On the same day, GRAJEDA informed
9 Buyer that one of the two desired homes was purchased for the price of \$105,000, and a
10 Trustee's Deed Upon Sale was requested by GRAJEDA for the purchased property.

11 9.

12 On or about February 19, 2015, GRAJEDA contacted Buyer again regarding
13 further investment opportunities and presented to Buyer that several homes would become
14 available for auction at the courthouse and that he would obtain these properties or similar
15 investment properties for Buyer. GRAJEDA presented a written agreement on the letterhead of
16 "IE Flips" to represent Buyer and bid on behalf of Buyer at trustee sales and auctions. Pursuant
17 to GRAJEDA's instructions and reliant on GRAJEDA's representations regarding obtainment of
18 the courthouse auction houses, Buyer gave GRAJEDA \$40,000 in the form of two (2) cashier's
19 checks issued in Buyer's name: (1) cashier's check number 9501012815, in the amount \$25,000,
20 and (2) cashier's check number 9501012841, in the amount \$15,000. On or about February 13,
21 2015, Buyer had given GRAJEDA a personal check in the amount of \$5,000 for a "finders fee."
22 Between February 13, 2015 and February 19, 2015, Buyer paid GRAJEDA \$45,000.

23 10.

24 A few days after GRAJEDA received Buyer's \$45,000, he represented to Buyer
25 that the auction for the properties he presented to Buyer on February 19, 2015 were postponed,
26 and that the sale fell through and he would inform Buyer when they were available. Between
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1 February 2015 and October 2015, Buyer inquired about the properties, and GRAJEDA
2 represented that the properties were not yet available. When Buyer requested that GRAJEDA
3 return her \$45,000, GRAJEDA assured and represented to Buyer that there were auctions coming
4 up soon and provided her with a list which included the property addresses of: (1) 3101 2nd
5 Street, Norco, California 92860 ("Norco property") and (2) 9493 Mountain Road, Pinon Hills,
6 California 92372 ("Pinon Hills property"). Buyer relied on GRAJEDA's representations and
7 assurances that he would acquire the Norco and Pinon Hills properties for her.

8 11.

9 On or about October 2015, after having not heard back from GRAJEDA, Buyer
10 requested that GRAJEDA return her \$45,000. When Buyer went to her bank, she discovered
11 that:

12 A. on or about April 15, 2015, GRAJEDA signed as Buyer and endorsed cashier's
13 check number 9501012841 (\$15,000) to himself, and

14 B. on or about May 1, 2015, GRAJEDA signed as Buyer and endorsed cashier's
15 check number 9501012815 (\$25,000) to himself.

16 12.

17 Subsequent to Buyer's discovery of GRAJEDA's endorsement of her cashier's
18 checks totaling \$40,000, Buyer further discovered that:

19 A. on or about October 28, 2015, a Grant Deed dated October 16, 2015 for the
20 Norco property was recorded in GRAJEDA's name, and

21 B. on or about November 17, 2015, a Grant Deed dated November 10, 2015 for
22 the Pinon Hills property was recorded in GRAJEDA's name.

23 13.

24 A. On November 3, 2015, subsequent to her discovery that GRAJEDA endorsed
25 her \$40,000 of cashier's checks, Buyer sent GRAJEDA a text at 3:19 PM that included, "So I
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27

1 realize that you have cashed my checks without my authorization or endorsement...I'm giving
2 you a chance to deposit the 46k [sic] before 5pm..."

3 B. GRAJEDA replied to Buyer with a text at 3:21 PM that stated, "...But I do
4 have it to deposit. I got myself in a world of mess and I'm trying to get out of it for the last 2
5 months."

6 C. Also on November 3, 2015, GRAJEDA sent Buyer a text at 4:49 PM that
7 stated, "I can't express enough how sorry I am."

8 D. GRAJEDA also sent Buyer a subsequent [undated] text in which he states,
9 "...I will pay you back I am sincerely so sorry I am so ashamed and this is been very difficult for
10 me I am sorry. I never meant to have your investment backfire on me and it was not my intention
11 I truly though I would be paying you more then..."

12 E. On November 6, 2015, GRAJEDA sent Buyer a text at 7:57 AM indicating that
13 he is "Signing note with notary..." and a subsequent text in which he indicated, "So I have the
14 note and promissory. But I think it best to date it after recording? Otherwise I'm signing a note
15 that is dated prior to my ownership."

16 14.

17 Although GRAJEDA agreed to provide Buyer with a Deed of Promissory Note
18 and Deed of Trust against the properties he purchased with Buyer's money, and assured Buyer
19 that he would compensate her an additional \$10,000, to date, GRAJEDA has not returned any of
20 Buyer's \$45,000.

21 15.

22 On or about June 2, 2016, A Verified Complaint was filed by Buyer against
23 GRAJEDA, in the Superior Court of the State of California, Riverside County, in *Jehan R. vs.*
24 *CHRISTOPHER SHAWN GRAJEDA, an Individual; Avance Real Estate, Inc. dba Intero Realty;*
25 *SWB Properties, Inc. dba Mainstreet Realtors; Danny Luis Morel; Ricardo Isidro Diaz; Does 1-*
26 *20, Inclusive*, in Case No. RIC 1606820. On or about December 6, 2016, the Court determined
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1 that Plaintiff Jehan R. had provided clear and convincing evidence to support a judgment in her
2 favor and against GRAJEDA on each of the causes of action for intentional misrepresentation,
3 negligent misrepresentation, breach of fiduciary duty, negligence, and conversion, and rendered
4 judgment against GRAJEDA in the amount of \$54,580.94², comprised of:

- 5 A. \$45,000.00 in damages; plus
- 6 B. \$6,386.94 in prejudgment interest; plus
- 7 C. \$2,675.00 in attorney's fees; plus
- 8 D. \$519.00 for costs of the lawsuit.

9 **APPLICABLE SECTIONS OF THE REAL ESTATE LAW**

10 **Grounds for Revocation or Suspension – Code Section 10176**

11 16.

12 Pursuant to Code Section 10176, "The commissioner may, upon his or her own
13 motion, and shall, upon the verified complaint in writing of any person, investigate the actions
14 of any person engaged in the business or acting in the capacity of a real estate licensee within
15 this state, and he or she may temporarily suspend or permanently revoke a real estate license at
16 any time where the licensee, while a real estate licensee, in performing or attempting to perform
17 any of the acts within the scope of this chapter has been guilty of any of the following:

- 18 (a) Making any substantial misrepresentation.
- 19 (b) Making any false promises of a character likely to influence, persuade, or
20 induce.
- 21 ...
- 22 (i) Any other conduct, whether of the same or of a different character than
23 specified in this section, which constitutes fraud or dishonest dealing..."

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25 _____
26 ² As stated in Paragraph 4, on or about March 20, 2017, a Recovery Account Claim No. R-5533 was filed against
27 GRAJEDA in the amount of \$54,580.96, pursuant to the default judgment in Riverside Superior Court Case No. RIC
1606820.

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17.

Pursuant to Code Section 10177, “The commissioner may suspend or revoke the license of a real estate licensee, delay the renewal of a license of a real estate licensee, or deny the issuance of a license to an applicant, who has done any of the following:

(d) Willfully disregarded or violated the Real Estate Law (Part 1 (commencing with Section 10000)) or Chapter 1 (commencing with Section 11000) of Part 2 or the rules and regulations of the commissioner for the administration and enforcement of the Real Estate Law and Chapter 1 (commencing with Section 11000) of Part 2.

(j) Engaged in any other conduct, whether of the same or a different character than specified in this section, that constitutes fraud or dishonest dealing.

(k) Violated any of the terms, conditions, restrictions, and limitations contained in an order granting a restricted license.”

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Pursuant to Code Section 10177.5, "When a final judgment is obtained in a civil action against any real estate licensee upon grounds of fraud, misrepresentation, or deceit with reference to any transaction for which a license is required under this division, the commissioner may, after hearing in accordance with the provisions of this part relating to hearings, suspend or revoke the license of such real estate licensee."

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Complainant re-alleges and incorporates by reference the preceding paragraphs as set forth herein.

In the course of the activities described above in Paragraph 7, and based on the facts discovered by the Bureau, as described in Paragraphs 8 through 15, Respondent CHRISTOPHER SHAWN GRAJEDA's acts and/or omissions are in violation of **Code Sections 10176 (a), (b), and (i); Code Section 10177(d), (j), and (k); and Code Section 10177.5**, and constitute cause for the suspension or revocation of all licenses and license rights of CHRISTOPHER SHAWN GRAJEDA under the Real Estate Law.

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Code Section 10106 provides, in pertinent part that in any order issued in resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.

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2 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
3 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
4 action against all the licenses and license rights of Respondent CHRISTOPHER SHAWN
5 GRAJEDA under the Real Estate Law (Part 1 of Division 4 of the Business and Professions
6 Code), and for such other and further relief as may be proper under other applicable provisions
7 of law.
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9 Dated at Los Angeles, California

10 this 21st day of December 2017.

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12 
13 Maria Suarez
14 Supervising Special Investigator

15 cc: Christopher Shawn Grajeda
16 Lawyers Realty Brokerage
17 M. Suarez
18 Sacto.
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