

FILED

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BUREAU OF REAL ESTATE

By 

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-41036 LA
)
PATRICK JAMES TAFOYA,) A C C U S A T I O N
)
Respondent.)

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for cause of Accusation against PATRICK JAMES TAFOYA ("Respondent"), is informed and alleges as follows:

1.

The Complainant, Maria Suarez, acting in her official capacity as a Supervising Special Investigator of the State of California, makes this Accusation against PATRICK JAMES TAFOYA.

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.

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Accusation of Patrick James Tafoya

1 LICENSE HISTORY

2 3.

3 At all times mentioned, Respondent PATRICK JAMES TAFOYA
4 ("TAFOYA") was licensed and/or had license rights issued by the Bureau of Real Estate
5 ("Bureau") as a real estate broker.

6 BROKERAGE

7 PATRICK JAMES TAFOYA

8 4.

9 At all times mentioned, in the City of Oxnard, County of Ventura,
10 Respondent TAFOYA acted as a real estate broker, conducting licensed activities within the
11 meaning of Code section 10131(a) (sells, buys, or negotiates the purchase, sale or exchange of
12 real property).

13 FIRST CAUSE OF ACTION

14 AUDIT

15 PATRICK JAMES TAFOYA

16 5.

17 On December 29, 2016, the Bureau completed audit examinations of the books
18 and records of Respondent TAFOYA pertaining to the activities described in Paragraph 4
19 which require a real estate license. The audit examinations covered a period of time from
20 January 1, 2015, to November 30, 2016. The audit examinations revealed violations of the
21 Code and the Regulations as set forth in the following paragraphs, and as more fully discussed
22 in Audit Report LA160036 and the exhibits and workpapers attached to said audit report.

23 AUDIT VIOLATIONS OF THE REAL ESTATE LAW

24 6.

25 In the course of activities described in Paragraph 4 above and during the
26 examination periods described in Paragraph 5 above, Respondent TAFOYA acted in violation
27 of the Code and the Regulations in that:

Accusation of Patrick James Tafoya

6(a) A subpoena was served to Respondent TAFOYA for the production of books and records related to the purchases and sales of real property conducted by TAFOYA. TAFOYA failed to retain and make available for examination, copying, and inspection the books, accounts, and records related to TAFOYA'S purchases and sales of real property for the audit period, in violation of Code section 10148.

6(b) Bureau staff performed audit field work starting on or about December 9, 2016, and ending on or about December 16, 2016. During the audit field work, the main office address maintained by Respondent TAFOYA with the Bureau was 141 W Fifth St, Oxnard, CA 93030, but TAFOYA did not maintain his main office at this address. On or about December 20, 2016, TAFOYA informed the Real Estate Commissioner of a new main office address. The failure to maintain a main office for TAFOYA at 141 W Fifth St was in violation Code section 10162 and Regulations section 2715.

7.

The conduct, acts, or omissions of Respondent TAFOYA, described in Paragraph 6 above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
6(a)	Code section 10148
6(b)	Code section 10162 and Regulations section 2715

The foregoing violations constitute cause for the suspension or revocation of all the licenses, license endorsements, and license rights of Respondent TAFOYA under the Real Estate Law pursuant to the provisions of Code sections 10165, 10177(d), and 10177(g).

8.

Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau of Real Estate, 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 the investigation and enforcement of the case.

1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all the licenses, license endorsements, and license rights of
4 Respondent PATRICK JAMES TAFOYA under the Real Estate Law, for the cost of audit,
5 investigation, and enforcement as permitted by law, and for such other and further relief as may
6 be proper under other applicable provisions of law.

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8 Dated at Los Angeles, California

9 this 10th day of May, 2018.

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11 
12 Maria Suarez
13 Supervising Special Investigator

14 cc: PATRICK JAMES TAFOYA
15 Maria Suarez
16 Sacto.
17 Audits
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