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**FILED**

**MAY 23 2018**

**BUREAU OF REAL ESTATE**

By *[Signature]*

7  
8 **BEFORE THE BUREAU OF REAL ESTATE**  
9 **STATE OF CALIFORNIA**

10 \* \* \*

11 In the Matter of the Accusation Against ) No. H-41054 LA  
12 )  
13 ) **CHANTAL BOROWSKI,**  
14 ) **individually and doing business as**  
15 ) **White Glove Property Management,**  
16 ) **Respondent.** ) **ACCUSATION**

16 The Complainant, Maria Suarez, a Supervising Special Investigator of the State of  
17 California, acting in her official capacity, for cause of Accusation against CHANTAL  
18 BOROWSKI, individually and doing business as White Glove Property Management, is  
19 informed and alleges as follows:

20 1.

21 All references to the "Code" are to the California Business and Professions Code,  
22 all references to the "Real Estate Law" are to Part 1 of Division 4 of the Code, and all references  
23 to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

24 2.

25 Respondent CHANTAL BOROWSKI is licensed by the Bureau of Real Estate  
26 ("Bureau") as a real estate broker. Respondent was originally licensed as a real estate broker on  
27 July 12, 2013, and her license is due to expire on July 11, 2021. Beginning June 18, 2014, and

1 continuing to the present, Respondent has maintained the licensed fictitious business name of  
2 "White Glove Property Management."

3 3.

4 At all times herein relevant, Respondent engaged in the business of, acted in the  
5 capacity of, advertised or assumed to act as a real estate broker in the State of California within  
6 the meaning of Code Section 10131(b). Her activities included soliciting listings of places for  
7 rent, soliciting for prospective tenants, and/or management of residential rental real property for  
8 and on behalf of others for compensation.

9 4.

10 On January 30, 2018, the Bureau completed an audit examination of the books  
11 and records of Respondent pertaining to the real estate activities described in paragraph 3, above.  
12 The audit examination covered the period of time from January 1, 2016, to March 31, 2017. The  
13 primary purpose of the examination was to determine Respondent's compliance with the Real  
14 Estate Law. The audit examination revealed numerous violations of the Code and the  
15 Regulations as set forth in the following paragraphs, and more fully discussed in Audit Report  
16 LA160149 and the exhibits and work papers attached to said audit report.

17 Bank Accounts

18 5.

19 At all times herein relevant, in connection with the activities described in  
20 Paragraph 3, above, Respondent accepted or received funds to be held in trust ("trust funds")  
21 from or on behalf of actual or prospective parties in connection with property management  
22 activities. Thereafter Respondent made deposits and or disbursements of such trust funds. From  
23 time to time herein mentioned during the audit period, said trust funds were deposited and/or  
24 maintained by Respondent in the following bank accounts:

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26 ///

27 ///

1 White Glove Property Management LLC  
2 Account No. 325XXXX (Redacted for security)  
3 Bank of America  
4 Wilmington, Delaware

5  
6 (B/A 1 – general account for the receipt and disbursal of trust funds)

7 White Glove Property Management Broker Trustee/CA Real Estate  
8 Broker Trust Account  
9 Account No. 325XXXX (Redacted for security)  
10 Bank of America  
11 Wilmington, Delaware

12 (T/A 1 – trust account used for the receipt and disbursal of security deposit trust funds)

13 Violations

14 6.

15 With respect to the licensed activities referred to in Paragraph 3, and the audit  
16 examination including the exhibits and work papers referenced in Paragraph 4, it is alleged that

17 Respondent:

18 (a) Permitted, allowed or caused the disbursement of trust funds from bank  
19 accounts B/A 1, and T/A 1 combined to be reduced to an amount which, on March 31, 2017, was  
20 \$63,989.99 less than the existing aggregate trust fund liability to the owners of said funds,  
21 without first obtaining the prior written consent of the owners of said funds in violation of Code  
22 Section 10145 and Regulation 2832.1;

23 (b) Failed to maintain an accurate control record of the receipt and disbursement  
24 of trust funds handled through B/A 1 and T/A 1 in violation of Code Section 10145 and  
25 Regulation 2831;

26 (c) Failed to maintain a separate record of the receipt and disbursement of trust  
27 funds in B/A 1 and T/A 1 in violation of Code Section 10145 and Regulation 2831.1;

(d) Failed to perform and maintain a monthly reconciliation of the separate  
record to the control record of trust funds handled through B/A 1 and T/A 1 in violation of Code

1 Section 10145 and Regulation 2831.2;

2 (e) Commingled broker's own funds with trust funds in B/A 1 in violation of  
3 Code Sections 10145 and 10176(e), and Regulation 2835;

4 (f) Placed trust funds into bank accounts that were not designated as trust  
5 accounts in the name of the broker in violation of Code Section 10145 and Regulation 2832;

6 (g) Used the fictitious business name "White Glove Property Management LLC"  
7 without first obtaining a license to perform real estate activity using that name in violation of  
8 Code Section 10159.5 and Regulation 2731;

9 (h) Failed to retain records and provide them upon request to the Real Estate  
10 Commissioner's representative, to wit: the auditor, in violation of Code Section 10148; and

11 (i) Failed to exercise reasonable supervision over the activities of her employees,  
12 to ensure compliance with the Real Estate Law and the Regulations in violation of Code Sections  
13 10177(h) and Regulation 2725.

14 7.

15 The conduct of Respondent as described in Paragraph 6, above, violated the Code  
16 and the Regulations as set forth below:

17 <u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
18	
19 6(a)	Code Section 10145
20	Regulation 2832.1
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22 6(b)	Code Section 10145
23	Regulation 2831
24	
25 6(c)	Code Section 10145
26	Regulation 2831.1
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- 6(d) Code Section 10145  
Regulation 2831.2
- 6(e) Code Sections 10145 and 10176(e)  
Regulation 2835
- 6(f) Code Section 10145  
Regulation 2832
- 6(g) Code Section 10159.5  
Regulation 2731
- 6(h) Code Section 10148
- 6(i) Code Section 10177(h)  
Regulation 2725

Each of the foregoing violations constitute cause for the suspension or revocation of the real estate license and license rights of Respondent under the provisions of Code Sections 10176(e), 10177(d), 10177(g) and/or 10177(h).

8.


Code Section 10148(b) provides, in pertinent part, that the Real Estate Commissioner shall charge a real estate broker for the cost of any audit if the Commissioner has found in a final decision, following a disciplinary hearing, that the broker has violated Code Section 10145 or a Regulation or rule of the Commissioner interpreting said Code section.

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California Business and Professions 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.

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 the license and license rights of Respondent CHANTAL BOROWSKI under the Real Estate Law, for the costs of investigation and enforcement as provided by law, for costs of the audit, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California: 18 May 2018.

  
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Maria Suarez  
Supervising Special Investigator

cc: Chantal Borowski  
Maria Suarez  
Sacto  
Audits – Chambers Tse