	FILED
1	STEVE CHU, Counsel (SBN 238155) JUN - 3 2019
	Department of Real Estate
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3	Los Angeles, California 90013-1105
4	Telephone: (213) 620-6430 Fax: (213) 576-6917
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9	BEFORE THE DEPARTMENT OF REAL ESTATE
10	STATE OF CALIFORNIA
11	* * *
12	In the Matter of the Accusation of) No. H- 41374 LA
13	HOME PRO REALTY INC, $) \underline{ACCUSATION}$
14	doing business as Home Pro Funding,
15	Home Pro Mortgage, Home Pro) Real Estate Group, Home Pro Realty,)
13	Neighborhood Financial Services,
16	and Quality Closing Solutions,
17	KELVIN ZEE, individually and as)
18	designated officer of Home Pro Realty Inc,) and LAWRENCE ROBERT FRIEDMAN,)
10	
19	Respondents.
20)
21	The Complainant, María Suárez, a Supervising Special Investigator of the State
22	of California, for cause of Accusation against HOME PRO REALTY INC, doing business as
23	Home Pro Funding, Home Pro Mortgage, Home Pro Real Estate Group, Home Pro Realty,
24	Neighborhood Financial Services, and Quality Closing Solutions, KELVIN ZEE, individually
25	and as designated officer of Home Pro Realty Inc, and LAWRENCE ROBERT FRIEDMAN
26	("Respondents"), is informed and alleges as follows:
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1	1.
2	The Complainant, María Suárez, acting in her official capacity as a Supervising
3	Special Investigator of the State of California, makes this Accusation against Respondents
4	HOME PRO REALTY INC, KELVIN ZEE, and LAWRENCE ROBERT FRIEDMAN.
5	2.
6	All references to the "Code" are to the California Business and Professions Code
7	and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.
8	LICENSE HISTORY
9	3.
10	At all times mentioned, Respondent HOME PRO REALTY INC ("HOME PRO
11	REALTY") was licensed and/or had license rights issued by the Department of Real Estate
12	("Department") as a corporate real estate broker. HOME PRO REALTY also has a company
13	mortgage loan originator license endorsement.
14	4.
15	At all times mentioned, Respondent KELVIN ZEE ("ZEE") was licensed and/or
16	had license rights issued by the Department as a real estate broker. ZEE also has an individual
17	mortgage loan originator license endorsement.
18	5.
19	Respondent HOME PRO REALTY is licensed by the Department as a corporate
20	real estate broker by and through ZEE, as the designated officer and broker responsible,
21	pursuant to Code section 10159.2, for supervising the activities requiring a real estate license
22	conducted on behalf of HOME PRO REALTY, or by HOME PRO REALTY'S officers, agents
23	and employees.
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1	6.
2	At all times mentioned, Respondent LAWRENCE ROBERT FRIEDMAN
3	("FRIEDMAN") was licensed and/or had license rights issued by the Department as a real
4	estate salesperson. FRIEDMAN also has an individual mortgage loan originator license
5	endorsement.
6	7.
7	Respondent FRIEDMAN is the owner of and has the authority to act on behalf
8	of Respondent HOME PRO REALTY.
9	BROKERAGE
10	HOME PRO REALTY INC
11	8.
12	At all times mentioned, in the City of Anaheim, County of Orange, Respondent
13	HOME PRO REALTY acted as a real estate broker, conducting licensed activities within the
14	meaning of Code section 10131, subdivision (a) (sells, buys, or negotiates the purchase, sale or
15	exchange of real property).
16	AUDIT
17	HOME PRO REALTY INC
18	9.
19	On September 28, 2017, the Department completed audit examinations of the
20	books and records of Respondent HOME PRO REALTY pertaining to the activities described
21	in Paragraph 8 which require a real estate license. The audit examinations covered a period of
22	time from July 1, 2016, to June 30, 2017. The audit examinations revealed violations of the
23	Code and the Regulations as set forth in the following paragraphs, and as more fully discussed
24	in Audit Report LA160227 and LA170026 and the exhibits and workpapers attached to said
25	audit report.
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AUDIT VIOLATIONS OF THE REAL ESTATE LAW

1 2 10. 3 In the course of activities described in Paragraph 8 above and during the 4 examination periods described in Paragraph 9 above, Respondents HOME PRO REALTY and 5 FRIEDMAN acted in violation of the Code and the Regulations in that: 10(a) Respondent HOME PRO REALTY did not maintain a complete and 6 accurate control record or general ledger of all trust funds received and disbursed, in violation 7 8 of Code section 10145 and Regulations sections 2831, 2950(d), and 2951. 9 10(b) Respondent FRIEDMAN made withdrawals from a trust fund account 10 used by HOME PRO REALTY for trust funds, but HOME PRO REALTY did not specifically 11 authorize in writing that FRIEDMAN could make withdrawals, in violation of Code 12 section 10145 and Regulations sections 2834 and 2951. 13 10(c) Respondent HOME PRO REALTY employed Andrew John Young but 14 did not enter into a written employment relationship agreement with Young, in violation of 15 Regulations section 2726. 10(d) Respondent HOME PRO REALTY received an earnings credit from 16 trust funds available in a trust fund account and used the earnings credit to offset bank service 17 charges for the trust fund account, without first disclosing in writing to the owners of the trust 18 funds that HOME PRO REALTY would receive such earnings credit, in violation of Code 19 section 10176(g) and Regulations section 2830. 20 21 10(e) Buyers R. and S. Albertini ("Albertinis") were represented by broker Respondent HOME PRO REALTY through salesperson Respondent FRIEDMAN for the 22 purchase of real property at 9701 Janice Circle, Villa Park, CA 92861 ("Villa Park home"), and 23 HOME PRO REALTY and FRIEDMAN failed to disclose their ownership interest in the Villa 24 Park home to the Albertinis in writing, in violation of Code section 10177(o). 25 26 111 27 111

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1	11.		
2	The conduct, acts, or omissions of Respondents HOME PRO REALTY and		
3	³ FRIEDMAN, described in Paragraph 10 above, violated the Code and the Regulation	ns as set	
4	4 forth below:		
5	5 PARAGRAPH PROVISIONS VIOLATED		
6	⁶ 10(a) Code section 10145 and Regulations sec	tions 2831,	
7	⁷ 2950(d), and 2951		
8	8 (HOME PRO REALTY)		
9	⁹ 10(b) Code section 10145 and Regulations sec	tions 2834	
10	¹⁰ and 2951		
11	11 (HOME PRO REALTY)		
12	12 10(c) Regulations section 2726		
13	13 (HOME PRO REALTY)		
14	14 10(d) Code section 10176(g) and Regulations		
15	¹⁵ section 2830		
16	16 (HOME PRO REALTY)		
17	¹⁷ 10(e) Code section 10177(o)		
18	18 (HOME PRO REALTY and FRIEDMA	N)	
19	¹⁹ The foregoing violations constitute cause for the suspension or revoca	ation of all	
20	²⁰ the licenses, license endorsements, and license rights of Respondent HOME PRO RI	EALTY	
21	²¹ under the Real Estate Law pursuant to the provisions of Code sections 10176(g), 103	.77(d),	
22	²² 10177(g), and/or 10177(o).		
23	The foregoing violations constitute cause for the suspension or revoca	tion of all	
24	²⁴ the licenses, license endorsements, and license rights of Respondent FRIEDMAN ur	der the	
25	²⁵ Real Estate Law pursuant to the provisions of Code sections 10177(d), 10177(g), and	1/or	
26	²⁶ 10177(0).		
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1	SECOND CAUSE OF ACTION
2	SUPERVISION AND COMPLIANCE
3	12.
4	The conduct, acts, or omissions of Respondent ZEE, as described in
5	Paragraphs 10 and 11 above, in failing to ensure compliance of the Real Estate Law by
6	Respondents HOME PRO REALTY and FRIEDMAN, is in violation of Code section 10159.2
7	and Regulations section 2725, and subjects all the licenses, license endorsements, and license
8	rights of ZEE to suspension or revocation pursuant to Code sections 10177(d), 10177(g),
9	and/or 10177(h).
10	13.
11	Code section 10148(b) provides, in pertinent part, that the Real Estate
12	Commissioner shall charge a real estate broker for the cost of any audit if the Commissioner has
13	found in a final decision, following a disciplinary hearing, that the broker has violated Code
14	section 10145 or a Regulation or rule of the Commissioner interpreting said Code section.
15	14.
16	Code Section 10106 provides, in pertinent part, that in any order issued in
17	resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner
18	may request the administrative law judge to direct a licensee found to have committed a
19	violation of this part to pay a sum not to exceed the reasonable costs of the investigation and
20	enforcement of the case.
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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	Respondents HOME PRO REALTY INC, KELVIN ZEE, and LAWRENCE ROBERT
5	FRIEDMAN under the Real Estate Law, for the cost of audit, investigation, and enforcement as
6	permitted by law, and for such other and further relief as may be proper under other applicable
7	provisions of law.
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9	Dated at Los Angeles, California
10	this <u>28</u> day of <u>Muy</u> , 20 <u>19</u>
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12	María Suare, by 4
13	María Suárez Supervising Special Investigator
14	
15	cc: HOME PRO REALTY INC KELVIN ZEE
16	LAWRENCE ROBERT FRIEDMAN
17	María Suárez Sacto.
18	Audits
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