

Kevin H. Sun, Counsel (SBN 276539)
Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105
Telephone: (213) 576-6982
Fax: (213) 576-6917
Email: Kevin.Sun@dre.ca.gov
Attorney for Complainant

FILED

JUL 14 2020

DEPT. OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-41729 LA
	)	
HALIE JUNS INC., and HANS BJERRE	)	<u>ACCUSATION</u>
TAYLOR, individually and as designated officer	)	
of Halie Juns Inc.,	)	
	)	
Respondents.	)	

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for cause of Accusation against HALIE JUNS INC. and HANS BJERRE TAYLOR (collectively "Respondents") alleges as follows:

1.

The Complainant, Maria Suarez, a Supervising Special Investigator 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.

///

///

ACCUSATION

1 LICENSE HISTORY

2 (HALIE JUNS INC.)

3 3.

4 (a) Respondent HALIE JUNS INC. ("HJI") is presently licensed and/or has
5 license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and
6 Professions Code, as a real estate corporation, Department of Real Estate¹ ("Department")
7 license ID 01811477.

8 (b) The Department originally issued HJI's corporate license on July 31, 2007.
9 HJI's license is scheduled to expire on July 30, 2023, unless renewed.

10 (c) According to the Department's records to date, HJI's main office address is
11 5550 Telegraph Road, Ste C-4, Ventura, CA 93003.

12 (d) According to the Department's records to date, HJI employs one salesperson
13 under its real estate license.

14 (e) According to the Department's records to date, HJI maintains authorized
15 fictitious business names of "HBT Realty" and "Homes for Rent".

16
17 (HANS BJERRE TAYLOR)

18 4.

19 (a) Respondent HANS BJERRE TAYLOR ("TAYLOR") is presently licensed
20 under the Code, as a real estate broker ("REB"), Department license ID 01196555.

21 (b) The Department originally issued TAYLOR's REB license on or about May
22 4, 2006. TAYLOR's license is scheduled to expire on May 3, 2022, unless renewed.

23 (c) According to the Department's records to date, TAYLOR employs no
24 salespersons under his real estate license.

25 ///

26
27 ¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate
under the Department of Consumer Affairs.

1 (d) According to the Department's records to date, TAYLOR maintains
2 authorized fictitious business names of "HBT Realty" and "Homes for Rent".

3 5.

4 At all times relevant herein Respondents were engaged in the business of, acted
5 in the capacity of, advertised or assumed to act as a real estate broker, within the meaning of
6 Section 10131(b) of the Code. Respondents' activities included the leasing or renting of real
7 property and the collection of rents and security deposits for real property on behalf of others
8 for compensation or in expectation of compensation.

9 (AUDIT LA180082)

10 6.

11 On or about December 31, 2019, the Department completed an audit
12 examination of the books and records of Respondents pertaining to the real estate activities
13 described in Paragraph 5 above. The audit examination covered the period of time from June 1,
14 2016, through May 31, 2019 ("audit period"). The primary purpose of the examination was to
15 determine whether Respondents conducted real estate activities in accordance with the Real
16 Estate Law. The audit examination revealed violations of the Code and the Regulations as set
17 forth in the following paragraphs, and more fully discussed in Audit LA180082 and the exhibits
18 and work papers attached to said audit report.

19 7.

20 On June 12, 2019, an entrance conference was held with TAYLOR and HJI's
21 office manager, Julie Ann Taylor (REB, license ID 01771813) ("Julie"). Julie primarily
22 provided the documents that were examined during the audit. Julie is the vice-president of HJI
23 and owns 50% of HJI.

24 8.

25 According to Julie and TAYLOR as well as the documents examined,
26 Respondents were primarily engaged in property management and managed approximately 332
27 properties for 250 property owners. Respondents collected funds in trust ("trust funds") from or

1 on behalf of the owners of the properties in the amount of approximately \$5,000,000.00 during
2 the audit period. Respondents charged a management fee of 4-8% of the monthly rents
3 collected.

4 9.

5 At all times mentioned herein, and in connection with the property management
6 activities described in Paragraph 5, above, Respondents accepted or received funds, including
7 trust funds from or on behalf of the owners of the properties managed by Respondents and
8 thereafter made deposits and/or disbursements of such funds. According to TAYLOR, HJI
9 maintained one bank account (for multiple beneficiaries) for handling of the receipts and
10 disbursements of rents during the audit period in connection with the property management
11 activities. The bank accounts are as follow:

12 Bank Account 1 ("BA 1")

13 Bank: Chase Bank

14 Account Name: Halie Juns Inc DBA Homes for Rent OR HBT Realty

15 Account Number: xxxxxxxx5860

16 Signatories: Hans Bjerre Taylor, Julie Ann Taylor

17 Signatures Required: One

18 Purpose: BA 1 was maintained to handle trust funds in the property management
19 activity for multiple beneficiaries. Disbursements from BA 1 were for payment of expenses
20 related to properties managed, owner remittance, and management fees to HJI. According to
21 BA 1's records, BA 1 was opened in May 21, 2015. As of May 31, 2019, BA 1 had a bank
22 balance of \$126,842.88.

23 VIOLATIONS OF THE REAL ESTATE LAW

24 10.

25 The audit examination revealed violations of the Code and the Regulations, as
26 set forth in the following paragraphs, and more fully discussed in Audit Report No. LA180082
27 and the exhibits and work papers attached to the audit report:

1 (a) **Handling of Trust Funds for Multiple Beneficiaries (Code section 10145**
2 **and Regulations section 2832.1)**. Based on an examination of BA 1's records, there was a
3 minimum trust fund shortage of \$685,700.79 as of May 31, 2019 in violation of Code section
4 10145 and Regulations section 2832.1. There is no evidence that Respondents were given
5 written consent from the owners of the trust funds to allow Respondents to reduce the balance
6 of the funds in BA 1 to an amount less than the aggregate trust fund liabilities of Respondents
7 to all owners of the trust funds.

8 (b) **Trust Fund Records to be Maintained (Code section 10145 and**
9 **Regulations section 2831)**. Based on an examination of BA 1's records, as of May 31, 2019,
10 Respondents failed to maintain accurate control records for BA 1 during the audit period. The
11 control records did not show an accurate daily balance.

12 (c) **Separate Records for Each Beneficiary (Code section 10145 and**
13 **Regulations section 2831.1)**. Based on an examination of BA 1's records, as of May 31, 2019,
14 Respondents failed to maintain accurate separate records for BA 1 during the audit period.
15 Trust funds date of deposit and date of disbursements were not properly recorded, which led to
16 an inaccurate balance.

17 (d) **Handling of Trust Funds/Trust Account Reconciliation (Code section**
18 **10145 and Regulations section 2831.2)**. Based on an examination of BA 1's records, as of
19 May 31, 2019, Respondents failed to accurately perform monthly reconciliation for BA 1
20 during the audit period, which led to an inaccurate monthly balance.

21 (e) **Handling of Trust Funds/Trust Account Designation (Code section**
22 **10145 and Regulations section 2832)**. Based on an examination of BA 1's records, the bank
23 account was used for handling the receipts and disbursements of trust funds in connection with
24 Respondents' property management activities, but was not designated as a trust account in
25 violation of Code section 10145 and Regulation section 2834.

26 ///

27 ///

(f) **Handling of Trust Funds/Unauthorized Disbursements/Conversion of Trust Funds (Code sections 10145 and 10176(i)).** Based on an examination of BA 1's records, Respondents made unauthorized disbursements of \$149,064.53. During the audit period, Respondents disbursed \$72,208.32 for "Pay for Home for Rent" and "Payroll for Paychex of New York LLC". Respondents also made unauthorized disbursements through online transfers to HJI's General Account and Business Account of \$30,250.00, without any fees and/or commissions charged to a specific property. Further, Respondents withdrew funds of \$46,606.21 without any fees and/or commissions charged to a specific property. As of April 19, 2019, BA 1 had an ending balance of \$1,924.98, whereas HJI's control record of BA 1 revealed the running daily balance to be \$388,630.94.

(g) **Broker Supervision (Code section 10177(h) and Regulations section 2725)**. Based on the violations in Paragraph 10 (a) –(f) above, TAYLOR failed to exercise adequate supervision and control over the property management activities conducted by HJI's employees in violation of Code sections 10177(h). TAYLOR failed to establish policies, rules, procedures, and systems to review, oversee, inspect, and manage transactions requiring a real estate license and the handling of trust funds in violation of Regulations section 2725.

ADDITIONAL VIOLATIONS OF THE REAL ESTATE LAW

11.

The overall conduct of Respondents violates the Real Estate Law and constitutes cause for the suspension or revocation of their real estate license and license rights under the provisions of **Code Section 10177(g)** for negligence and **Code Section 10177(d)** for willful disregard of the Real Estate Law.

///

///

///



12.

Each of the foregoing violations in Paragraphs 10 (a) – (g) above constitute cause for the suspension or revocation of the real estate license and/or license rights of Respondents under the provisions of Code sections 10177(d), 10177(g), and 10177(h) (as to TAYLOR).

COSTS

(AUDIT COSTS)

13.

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

(INVESTIGATION AND ENFORCEMENT COSTS)

14.

Section 10106 of the Code, provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, 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.

///

///

///

///

///

///

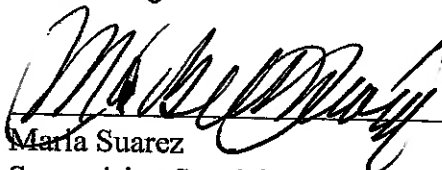
///

///

PRAYER

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 and/or license rights of Respondents HALIE JUNS
4 INC. and HANS BJERRE TAYLOR under the Real Estate Law, for the costs of investigation
5 and enforcement as permitted by law, for the cost of the audit, and for such other and further
6 relief as may be proper under other applicable provisions of law.

7
8 Dated at Los Angeles, California this 30th day of June, 2020.

9
10
11
12 
13 Maria Suarez
14 Supervising Special Investigator

15 cc: HALIE JUNS INC.
16 HANS BJERRE TAYLOR
17 Maria Suarez
18 Sacto.
19 Audits – Godswill Keraoru
20
21
22
23
24
25
26
27