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FILED
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DEPT. OF REAL ESTATE
@Silva

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation Against) No. H-41887 LA
13 SUNNY YANG WONG,)
14 Respondent.) ACCUSATION
15)

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
17 State of California, for cause of Accusation against SUNNY YANG WONG ("Respondent")
18 alleges as follows:

19 1.

20 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
21 State of California, makes this Accusation in her official capacity.

22 2.

23 All references to the "Code" are to the Real Estate Law, Part 1 of Division 4 of
24 the California Business and Professions Code and all references to "Regulations" are to Title
25 10, Chapter 6, of the California Code of Regulations.

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LICENSE HISTORY

3.

a. Respondent SUNNY YANG WONG (“Respondent”) is presently licensed and/or has license rights under the Code as a real estate salesperson with Department of Real Estate (“Department”) license ID 01877949.

b. Since on or about October 7, 2019, Respondent’s responsible broker is Carsten Phillips, Inc., with license ID 01908329.

d. From on or about July 25, 2011, through October 6, 2019, Respondent’s responsible broker was High Ten Partners, Inc, with license ID 01121690.

CAUSE FOR ACCUSATION

4.

In or about June 2014 through November 2018, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the meaning of Code section 10131(b), for or in expectation of compensation, by leasing or renting or offering to lease or to rent or soliciting for prospective tenants, or negotiating the sale, purchase, or exchanges of leases on real property, or collecting rents from real property (property management).

5.

On or about June 2014, Respondent offered to manage the real property located at 11159 Daines Drive, Arcadia, California (“subject property”) for the property owner X.Q.¹ In a Residential Lease or Month-to-Month Rental Agreement dated June 9, 2014, Respondent, as agent for High Ten Partners, Inc. doing business as Coldwell Banker George Realty, was listed as the “listing firm” leasing the subject property to the new tenants. The lease term was from June 27, 2014 through June 30, 2016. The tenants agreed to pay \$2,320.00 per month.

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¹ Initials are used in place of individual’s full name to protect their privacy.

6.

Tenants at the subject property issued rent checks payable to Respondent, Respondent collected and deposited the checks into Respondent's personal bank account. After collecting and depositing the rent check into Respondent's bank account, Respondent would issue a check to X.Q. for the rent amount, minus \$180.00 as Respondent's monthly fee and, at times, \$80.00 for the gardening services at the subject property. For example, Respondent collected and deposited the following rent checks:

Check No.	Date	Pay to the Order of	Amount	Check Memo
313	1/5/2018	Sunny Yang Wong	\$2,320.00	"rent"
314	2/5/2018	Sunny Yang Wong	\$2,320.00	"Feb. rent"
315	3/4/2018	Sunny Yang Wong	\$2,320.00	
279	4/5/2018	Sunny Yang Wong	\$2,320.00	"April rent"
316	5/5/2018	Sunny Yang Wong	\$2,350.00 ²	"Rent minus gutter (\$150)
280	6/5/2018	Sunny Yang Wong	\$2,412.00	"June Rent-Plumber (88)
317	7/5/2018	Sunny Yang Wong	\$2,420.00	"Rent-gardener (-80)
281	8/4/2018	Sunny Yang Wong	\$2,500.00	
284	9/5/2018	Sunny Yang Wong	\$2,435.00	"Rent minus gardening"

7.

Respondent accepted trust funds from tenants and failed to either immediately deliver the funds to Respondent's responsible broker or to X.Q. Instead, Respondent deposited the rent payments into Respondent's personal bank account at Chase Bank, Account No. xxxxx5585 and disbursed trust funds from Respondent's bank account to X.Q. For example:

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² The monthly rental amount for the subject property increased to \$2,500.00 beginning May 2018.

Check No.	Date	Pay to the Order of	Amount	Check Memo
1064	1/7/2018	X.Q.	\$2,060.00	
1115	3/1/2018	X.Q.	\$2,060.00	
1164	4/1/2018	X.Q.	\$2,060.00	
1220	5/21/2018	X.Q.	\$2,090.00	"2500-150-80-180=2090"
1314	6/1/2018	X.Q.	\$2,240.00	"Rent"
1243	7/10/2018	X.Q.	\$2,240.00	"July Rent"
1273	8/13/2018	X.Q.	\$2,240.00	"Rent 11159"
1298	9/10/2018	X.Q.	\$3,842.32	"Sep Rent 2500-180-80+1024.5+606-(28.18)"

8.

During this period of time, Respondent's responsible broker, High Ten Partners, Inc., was unaware of Respondent's property management activity. At the time, High Ten Partners, Inc's policy prohibited its licensees from performing any property management services.

9.

At all times mentioned above, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the meaning of Code section 10131(b), by performing property management services. Said activities require that Respondent be employed by a real estate broker and that Respondent act under the supervision and control of the real estate broker to whom they are licensed. Respondent performed the acts as set forth above without the supervision of High Ten Partners, Inc. as Respondent failed to inform her responsible broker of her property management activity. Respondent performed property management services, received compensation from a person other than Respondent's broker under whom she is licensed, and failed to notifying her responsible broker of her property management activity or compensation.

10.

The conduct, acts and/or omissions of Respondent, as described above, constitute grounds to revoke or suspend Respondent's real estate salesperson license pursuant to Code sections 10130, 10137, 10145, 10176(g), 10177(d), and/or 10177(g).

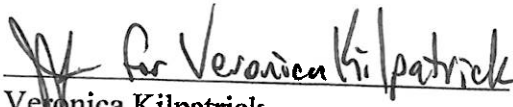
INVESTIGATION AND ENFORCEMENT COSTS

11.

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.

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 all the licenses and/or license rights of Respondent SUNNY YANG WONG under the Real Estate Law, for the costs of investigation and enforcement as permitted by law, for the cost of the audit, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at San Diego, California this 5th day of February, 2021.


Veronica Kilpatrick
Supervising Special Investigator

cc: SUNNY YANG WONG
Carsten Phillips, Inc.
Veronica Kilpatrick
Sacto.