

DIANE LEE, Counsel (SBN 247222)
Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013

Telephone: (213) 576-6982
(Direct) (213) 576-6907

FILED

JUN 22 2023

DEPT. OF REAL ESTATE

By _____

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-42522 LA
	)	
	)	
ROSHAWN HELMANDI,	)	ACCUSATION
	)	
	)	
Respondent.	)	

The Complainant, Ray Dagnino, a Supervising Special Investigator of the State of California, for cause of Accusation against Respondent ROSHAWN HELMANDI ("Respondent"), is informed and alleges as follows:

1.

The Complainant, Ray Dagnino, a Supervising Special Investigator of the State of California, makes this Accusation in his 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, unless otherwise specified.

///

///

(LICENSE HISTORY)

3.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code, as a real estate broker (license number 02073945). Respondent was originally licensed as a real estate broker on or about June 18, 2019, and has been so licensed since then. From on or about July 8, 2019 through the present, Respondent's fictitious business name has been HG Realty.

(CAUSES OF ACCUSATION)

4.

In October 1976, G. T. and D. T.¹ who are husband and wife acquired two parcels of land currently known as 19450 Business Center Dr., Los Angeles, CA 91324 ("Parcel A") with accessor parcel number ("APN") 2783-025-068 and 19444 Business Center Dr., Los Angeles, CA 91324 ("Parcel B") with APN 2783-025-069.

5.

On or about December 30, 2009, Parcel A and Parcel B were transferred to the G. T. and D. T. Intervivos Trust Agreement Dated November 25, 1985 ("Seller"). Thereafter, Parcel B was divided into two (2) units: 19444 and 19438 Business Center Dr., Los Angeles, CA 91324 with APN 2783-025-069 (collectively "Parcel B").

6.

Prior to April 2021, Parcel B was divided to be known as 19438 and 19444 Business Center Dr., Los Angeles, CA 91324 with the same APN as before, APN 2783-025-069.

///

///

¹ Initials are used to protect people's identities.

1 7.

2 On or about April 23, 2021, the Seller and Respondent's brother, H. H., entered
3 into a Commercial Property Purchase Agreement whereby H. H. would purchase Parcel B for
4 \$2.6 million. It specifies "19438 & 19444 W BUSINESS CENTER DR" as the property. It
5 does not mention, refer to, or otherwise describe Parcel A in any way.

6 8.

7 Prior to close of escrow, Respondent was added as a buyer.

8 9.

9 On or about October 18, 2021, Parcel B was transferred to Respondent and his
10 brother, H. H., by Grant Deed. The Grant Deed correctly identified the property being
11 transferred as "**PROPERTY COMMONLY KNOWN AS: 19438 and 19444 West Business**
12 **Center Drive, Northridge, CA 91324.**"² (Bold in original.) However, the Grant Deed
13 erroneously named both Parcel A's APN 2783-025-068 and Parcel B's APN 2783-025-069.

14 10.

15 On or about October 19, 2021, escrow closed.

16 11.

17 On or about November 5, 2021, G. T. and D. T. discovered the Grant Deed
18 erroneously named Parcel A's APN in addition to Parcel B's APN, thereby arguably conveying
19 both Parcel A and Parcel B to Respondent and his brother, H. H.

20 12.

21 Soon thereafter in November 2021, the title company requested Respondent and
22 his brother, H. H., to file a corrective Deed of Trust, but they refused. To date, Respondent and
23 H. H. have failed to transfer title of Parcel A back to the Seller.

24 ///

25
26 _____
27 ² Northridge is a neighborhood in the City of Los Angeles. Due to the City of Los Angeles' size, its neighborhoods are commonly used to specify where in Los Angeles a property is located.

13.

Starting in or about January 2022, Respondent and his brother, H. H., took possession of Parcel A and demanded Parcel A's tenants pay the rent to Respondent and H. H. As a result, from on or about February 1, 2022 through the present, Parcel A's tenants, who were friends with Respondent and H. H., paid the rent of \$4,950 per month to Respondent and H. H. instead of to the Seller. As a result, the Seller has lost approximately \$84,150 in rent. To date, Respondent and H. H. have failed to return any rent to the Seller.

14.

The conduct, acts, and/or omissions of Respondent as described in Paragraphs 3 through 13, above, are violations of Code sections 10176(a) (making substantial misrepresentations), 10176(e) (commingling), 10176(i) (fraud or dishonest dealing), 10177(d) (disregard or violation of Real Estate Law), 10177(g) (negligence or incompetence), and 10177(j) (fraud or dishonest dealing).

15.

The conduct, acts, and/or omissions of Respondent as described in Paragraphs 3 through 13, above, constitute Respondent's failure to act honestly and fairly, in good faith, and/or without fraud or deceit. Real estate licensees who are acting as principals are still subject to additional defined duties when acting as principals in real property transactions. *Katz v. Departments of Real Estate*, 96 Cal.App.3d 895 (1979); *Prichard v. Reitz*, 178 Cal.App.3d 465 (1986).

///

///

///

///

///

///

///

(COSTS)

16.

Code section 10106 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 licenses and/or license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code) of Respondent ROSHAWN HELMANDI, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under applicable provisions of law.

Dated at Los Angeles, California: Jun 21, 2023


Ray Dagnino
Supervising Special Investigator

cc: Roshawn Helmandi
Ray Dagnino
Sacto.