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FILED

MAY 31 2023

DEPT. OF REAL ESTATE

By: [REDACTED]

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8
9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-42575 LA
13)
14 LAWRENCE ROBERT OCHSNER,) A C C U S A T I O N
15 doing business as Precise AV Realty,)
16 Respondent.)

17 The Complainant, Jason Parson, a Supervising Special Investigator of the State
18 of California, for cause of Accusation against LAWRENCE ROBERT OCHSNER, doing
19 business as Precise AV Realty, (“Respondent”), is informed and alleges as follows:

20 1.

21 The Complainant, Jason Parson, acting in his official capacity as a Supervising
22 Special Investigator of the State of California, makes this Accusation against Respondent
23 LAWRENCE ROBERT OCHSNER.

24 2.

25 All references to the “Code” are to the California Business and Professions Code
26 and all references to “Regulations” are to Title 10, Chapter 6, California Code of Regulations.

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Accusation of Lawrence Robert Ochsner

1 LICENSE HISTORY

2 3.

3 Respondent LAWRENCE ROBERT OCHSNER presently has license rights
4 under the Real Estate Law, Part 1 of Division 4 of the Code as a real estate broker.

5 4.

6 Luis Saldivar presently has license rights as a real estate salesperson. Luis
7 Saldivar was affiliated with responsible broker Respondent from February 6, 2020 to
8 April 23, 2021.

9 SAN FERNANDO PROPERTY TRANSACTION

10 5.

11 On or about March 7, 2020, buyers C. and A. Andrade (“buyers”), represented
12 by broker Respondent through salesperson Luis Saldivar, submitted an offer to purchase real
13 property at 917 De Garmo St, San Fernando, California 91340 (“San Fernando property”)
14 through a Residential Purchase Agreement.

15 6.

16 On or about March 7, 2020, sellers H. and S. Salazar (“sellers”) made a
17 counteroffer to buyers through a Seller Multiple Counter Offer No. 1. On or about
18 March 7, 2020, buyers accepted and signed Seller Counter Offer No. 1.

19 7.

20 On or about March 17, 2020, buyers deposited \$10,000 into escrow for their
21 earnest money deposit.

22 8.

23 On or about April 4, 2020, buyers signed a Contingency Removal that removed
24 all buyer contingencies.

25 9.

26 On or about May 4, 2020, sellers provided buyers with a Notice to Buyer to
27 Perform No. 1.

1 10.

2 On or about May 13, 2020, buyers signed an Amended Escrow Instructions
3 releasing to sellers from escrow \$7,200 of buyers' earnest money deposit.

4 11.

5 On or about June 2, 2020, buyers contacted Respondent requesting help with the
6 San Fernando property transaction.

7 12.

8 On or about June 2, 2020, Respondent told buyers to contact Respondent's
9 office manager Patricia Montoya. Respondent did not investigate the San Fernando property
10 transaction or supervise Respondent's agents and employees.

11 13.

12 On or about June 18, 2020, sellers provided buyers with a Demand to Close
13 Escrow.

14 14.

15 On or about July 1, 2020, sellers provided buyers with a Seller Demand for
16 Release of Deposit.

17 15.

18 On or about July 2, 2020, buyers signed a Cancellation of Contract, Release of
19 Deposit and Cancellation of Escrow cancelling the San Fernando property transaction.

20 16.

21 On or about July 15, 2020, escrow provided buyers with a check in the amount
22 of \$2,375 for the remainder of buyers' earnest money deposit. Buyers lost \$7,625 of their
23 earnest money deposit.

24 17.

25 On or about July 10, 2020, and July 13, 2020, Luis Saldivar provided buyers
26 with \$1,000 and \$1,700 respectively, which reduced the amount that the buyers lost of their
27 earnest money deposit from \$7,625 to \$4,925.

1 GREATER ANTELOPE VALLEY ASSOCIATION OF REALTORS DISCIPLINE

2 18.

3 On or about July 14, 2020, buyers filed a Disciplinary Complaint with the
4 Greater Antelope Valley Association of Realtors against Respondent and Luis Saldivar
5 regarding the San Fernando property transaction (“Disciplinary Complaint”).

6 19.

7 On or about August 28, 2020, Respondent filed a Response with the Greater
8 Antelope Valley Association of Realtors, which stated in part, “I, Lawrence Robert Ochsner,
9 was not directly involved with this transaction. When A[.] Andrade called me on June 2, 2020
10 I instructed her to call and talk to Patty Montoya.”

11 20.

12 On or about April 15, 2021, the Hearing Panel of the Greater Antelope Valley
13 Association of Realtors (“Hearing Panel”), in Case No. 12-054D, held a hearing regarding the
14 Disciplinary Complaint. The Hearing Panel issued a Decision and Findings of Fact and
15 Recommendations of Hearing Panel, holding that Respondent was in violation of Articles 1, 2,
16 9, and 11 of the Code of Ethics.

17 21.

18 On or about May 19, 2021, the Directors of the Greater Antelope Valley
19 Association of Realtors adopted the Decision and Findings of Fact and Recommendations of
20 Hearing Panel.

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23 ///

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1 FIRST CAUSE OF ACTION

2 FAILURE TO SUPERVISE

3 22.

4 The conduct, acts, or omissions of Respondent, as described in Paragraphs 3
5 through 21 above, in failing to ensure compliance of the Real Estate Law by Respondent's
6 agents and employees, are in violation of Code section 10177(h) and Regulations section 2725
7 and constitute cause under Code sections 10177(d), 10177(g), and/or 10177(h) for the
8 suspension or revocation of all the licenses, license endorsements, and license rights of
9 Respondent.

10 23.

11 Code section 10106 provides, in pertinent part, that in any order issued in
12 resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner
13 may request the administrative law judge to direct a licensee found to have committed a
14 violation of this part to pay a sum not to exceed the reasonable costs of the investigation and
15 enforcement of the case.

16 WHEREFORE, Complainant prays that a hearing be conducted on the
17 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
18 disciplinary action against all the licenses, license endorsements, and license rights of
19 Respondent LAWRENCE ROBERT OCHSNER under the Real Estate Law, for the cost of
20 investigation and enforcement as permitted by law, and for such other and further relief as may
21 be proper under other applicable provisions of law.

22
23 Dated at Los Angeles, California

24 this 30th day of May, 20 23

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26 _____
27 Jason Parson
Supervising Special Investigator

Accusation of Lawrence Robert Ochsner

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cc: LAWRENCE ROBERT OCHSNER
Jason Parson
Sacto.