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6
7 BEFORE THE DEPARTMENT OF REAL ESTATE
8 STATE OF CALIFORNIA

8 * * *

9 In the Matter of the Accusation against

DRE No. H-42690 LA

10 CRAIG ALAN LIEBERMAN, individually and as
designated officer for Apartment Investment Specialists,
11 Inc. and A.I.S. Property Management Services, Inc.,
APARTMENT INVESTMENT SPECIALISTS, INC.,
12 and A.I.S. PROPERTY MANAGEMENT SERVICES,
INC.,

ACCUSATION

13 Respondents.

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15 The Complainant, Jason Parson, a Supervising Special Investigator for the Department
16 of Real Estate¹ ("Department") of the State of California, makes this Accusation in his official
17 capacity for cause of Accusation against CRAIG ALAN LIEBERMAN, individually and as
18 designated officer for Apartment Investment Specialists, Inc. and A.I.S. Property Management
19 Services, Inc., APARTMENT INVESTMENT SPECIALISTS, INC., and A.I.S. PROPERTY
20 MANAGEMENT SERVICES, INC. (collectively "Respondent"), is informed and alleges as
21 follows:

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

2 STATEMENT OF FACTS

3 2. Respondents are presently licensed and/or have license rights under the Real
4 Estate Law (Part 1 of Division 4 of the Code).

5 3. On or about April 22, 1983, the Department issued a real estate broker license to
6 Respondent CRAIG ALAN LIEBERMAN ("Respondent LIEBERMAN"), License ID
7 00682741. Unless renewed, Respondent LIEBERMAN's license is scheduled to expire on
8 May 21, 2026.

9 4. On or about December 3, 2003, the Department issued a real estate corporation
10 license to Respondent APARTMENT INVESTMENT SPECIALISTS, INC. ("Respondent
11 AISI"), License ID 01406568. Unless renewed, Respondent AISI's license is scheduled to
12 expire on April 5, 2026.

13 5. On or about October 30, 2014, the Department issued a real estate corporation
14 license to Respondent A.I.S. PROPERTY MANAGEMENT SERVICES, INC. ("Respondent
15 AISPMSI"), License ID 01964494. Unless renewed, Respondent AISPMSI's license is
16 scheduled to expire on February 25, 2027.

17 6. At all times relevant herein, Respondent LIEBERMAN was licensed as a real
18 estate broker and as the broker-officer of Respondent AISI and Respondent AISPMSI.

19 7. At all times relevant herein, Respondent AISI and Respondent AISPMSI were
20 licensed as real estate corporations acting by and through Respondent LIEBERMAN as their
21 designated broker-officer.

22 8. At all times relevant herein, Respondent LIEBERMAN was an officer, director,
23 or person owning or controlling ten percent or more of Respondent AISI's and Respondent
24 AISPMSI's stock.

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1 subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties
2 of the business or profession for which the licensee's license was issued.

3 (c) A conviction within the meaning of this section means a plea or verdict of guilty or a
4 conviction following a plea of nolo contendere. An action that a board is permitted to take
5 following the establishment of a conviction may be taken when the time for appeal has elapsed,
6 or the judgment of conviction has been affirmed on appeal, or when an order granting probation
7 is made suspending the imposition of sentence, irrespective of a subsequent order under Section
8 1203.4 of the Penal Code.

9 (d) The Legislature hereby finds and declares that the application of this section has
10 been made unclear by the holding in *Petropoulos v. Department of Real Estate* (2006) 142
11 Cal.App.4th 554, and that the holding in that case has placed a significant number of statutes
12 and regulations in question, resulting in potential harm to the consumers of California from
13 licensees who have been convicted of crimes. Therefore, the Legislature finds and declares that
14 this section establishes an independent basis for a board to impose discipline upon a licensee,
15 and that the amendments to this section made by Chapter 33 of the Statutes of 2008 do not
16 constitute a change to, but rather are declaratory of, existing law.

17 13. *Code section 10177* provides, in pertinent part:

18 The commissioner may suspend or revoke the license of a real estate licensee, delay the
19 renewal of a license of a real estate licensee, or deny the issuance of a license to an applicant,
20 who has done any of the following, or may suspend or revoke the license of a corporation, delay
21 the renewal of a license of a corporation, or deny the issuance of a license to a corporation, if an
22 officer, director, or person owning or controlling 10 percent or more of the corporation's stock
23 has done any of the following:
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1 (b)(1) Entered a plea of guilty or no contest to, or been found guilty of, or been
2 convicted of, a felony, or a crime substantially related to the qualifications, functions, or duties
3 of a real estate licensee, and the time for appeal has elapsed or the judgment of conviction has
4 been affirmed on appeal, irrespective of an order granting probation following that conviction,
5 suspending the imposition of sentence, or of a subsequent order under Section 1203.4 of the
6 Penal Code allowing that licensee to withdraw that licensee's plea of guilty and to enter a plea
7 of not guilty, or dismissing the accusation or information.

8 COST RECOVERY

9 14. Code Section 10106 provides, in pertinent part, that in any order issued in
10 resolution of a disciplinary proceeding before the Department, the Commissioner may request
11 the Administrative Law Judge to direct a licensee found to have committed a violation of this
12 part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the
13 case.

14 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this
15 Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action
16 against all licenses and license rights of Respondents under the Real Estate Law (Part 1 of
17 Division 4 of the Business and Professions Code), for the cost of investigation and enforcement
18 as permitted by law, and for such other and further relief as may be proper under other
19 provisions of law.

20 Dated Aug 24, 2023 at Los Angeles, California.

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23 JASON PARSON
24 Supervising Special Investigator

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1 cc: Craig Alan Lieberman
2 Apartment Investment Specialists, Inc.
3 A.I.S. Property Management Services, Inc.
4 Jason Parson
5 Sacto.
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