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DEPT. OF REAL ESTATE
By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation against
12 BRIAN KYUN KYO JUNG, individually and as
Designated Officer for Partner of Dream, Inc., and
13 PARTNER OF DREAM, INC.,
14 Respondents.

DRE No. H-42797 LA
SECOND AMENDED
ACCUSATION

16 This Second Amended Accusation amends the Accusation filed on March 8, 2024. The
17 Complainant, Jason Parson, a Supervising Special Investigator for the Department of Real
18 Estate¹ (“Department”) of the State of California, for cause of Accusation against BRIAN
19 KYUN KYO JUNG, individually and as Designated Officer for Partner of Dream, Inc., and
20 PARTNER OF DREAM, INC., (collectively “Respondents”), is informed and alleges as
21 follows:

- 22 1. The Complainant, Jason Parson, a Supervising Special Investigator for the

24 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 Department, makes this First Amended Accusation (“Accusation”) in his official capacity.

2 2. Unless otherwise noted, all references to the “Code” are to the California
3 Business and Professions Code, all references to the “Real Estate Law” are to Part 1 of Division
4 4 of the Code, and all references to “Regulations” are to California Code of Regulations, Title
5 10, Chapter 6.

6 STATEMENT OF FACTS

7 Licenses

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

10 4. From February 22, 2018, through the present, Respondent BRIAN KYUN KYO
11 JUNG, aka Kyun Kyo Jung, (“Respondent JUNG”) has been licensed by the Department as a
12 real estate broker, License ID 01946975. Respondent JUNG’s license is scheduled to expire on
13 June 30, 2026. Respondent has renewal rights pursuant to Code section 10201. The Department
14 retains jurisdiction pursuant to Code section 10103. Respondent JUNG was formerly licensed as
15 a real estate salesperson from January 15, 2014, through February 21, 2018.

16 5. From April 17, 2018, through the present, Respondent PARTNER OF DREAM,
17 INC. (“Respondent PODI”) has been licensed by the Department as a real estate broker, License
18 ID 02063235. Respondent PODI’s license is scheduled to expire on August 18, 2026.
19 Respondent has renewal rights pursuant to Code section 10201. The Department retains
20 jurisdiction pursuant to Code section 10103.

21 6. Maricela Padilla-Hill, aka Maricela P. Hill and Maricela Hill (“Hill”) has never
22 been licensed in any capacity by the Department.

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1 7. At all times herein mentioned, Respondent PODI was and now is licensed by the
2 Department as a corporate real estate broker by and through Respondent JUNG as designated
3 officer-broker of Respondent PODI to qualify said corporation and to act for said corporation as
4 a real estate broker.

5 8. At all times herein mentioned, Respondent JUNG was licensed by the Department
6 as a real estate broker, individually and as designated officer-broker of Respondent PODI. As
7 said designated officer-broker, Respondent JUNG was at all times mentioned herein responsible
8 pursuant to Section 10159.2 of the Code for the supervision of the activities of the officers,
9 agents, real estate licensees, and employees of Respondent PODI for which a license is required.

10 9. At all times herein mentioned, Respondent JUNG, as the officer designated by
11 Respondent PODI pursuant to Section 10211 of the Code, was responsible for the supervision
12 and control of the activities conducted on behalf of Respondent JUNG by its officers and
13 employees as necessary to secure full compliance with Real Estate Law as set forth in Section
14 10159.2 of the Code.

15 10. Respondent PODI is currently licensed to do business as “BJ Realty.”
16 Respondent PODI was formerly licensed to do business as “Brian Jung Realty” from April 17,
17 2018, through April 17, 2022.

18 11. Respondents have never been licensed to do business as “Good Neighbor
19 Property Management,” “Good Neighbor Property Management, LLC,” “GNPM, LLC,” or
20 “GNPM.”

21 12. “Good Neighbor Property Management,” “Good Neighbor Property Management,
22 LLC,” “GNPM, LLC,” and “GNPM” have never been licensed in any capacity by the
23 Department.
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1 13. Respondent JUNG is an officer, manager, or director of Good Neighbor Property
2 Management, LLC.

3 14. Whenever reference is made in an allegation in this Accusation to an act or
4 omission of Respondent PODI, “Good Neighbor Property Management,” “Good Neighbor
5 Property Management, LLC,” “GNPM, LLC,” or “GNPM,” such allegation shall be deemed to
6 mean that the officers, directors, employees, agents and/or real estate licensees employed by or
7 associated with Respondent PODI, “Good Neighbor Property Management,” “Good Neighbor
8 Property Management, LLC,” “GNPM, LLC,” or “GNPM” committed such act or omission
9 while engaged in the furtherance of the business or operations of such corporate respondent or
10 Limited Liability Company, and while acting within the course and scope of their authority and
11 employment.

12 15. “JWA Properties, LLC” has never been licensed in any capacity by the
13 Department.

14 16. “Green Dragon Holdings, LLC” has never been licensed in any capacity by the
15 Department.

16 65th St. properties

17 17. In 2020, JWA Properties, LLC owned rental properties located at: 800 W. 65th
18 Street, Los Angeles, California 90044, and 800 ½ W. 65th Street, Los Angeles, California 90044
19 (collectively “65th St. properties”).

20 18. At all times relevant herein, which includes the last three years, Respondent
21 JUNG, while doing business as Good Neighbor Property Management, LLC (“GNPM, LLC”) and
22 “Brian Jung Realty” acted as a property manager for the 65th St. properties.

23 19. GNPM, LLC charged and collected compensation for property management
24 activities that require a real estate license pursuant to Code section 10131, subdivision (b).

1 20. On or about August 7, 2020, JWA Properties, LLC, and Respondent JUNG,
2 while doing business as GNPM, LLC and/or Brian Jung Realty, entered into a Property
3 Management Agreement for the 65th St. properties. Brian Jung Realty and GNPM, LLC
4 executed the Property Management Agreement as the real estate broker and listed Respondent
5 PODI's License ID 02063235. Respondent JUNG is listed as the agent for the real estate broker
6 and listed JUNG's License ID 01946975.

7 21. Respondents used the name GNPM, LLC to issue notices, communications, and
8 invoices regarding the 65th St. properties.

9 22. On or about September 21, 2020, Respondent JUNG negotiated a Residential
10 Lease with tenants J.T.² and Y.P.S. for the 65th St. properties. The real estate broker for the
11 leasing firm is listed as Brian Jung Realty, with no License ID number listed on the copy of the
12 rental agreement that was given to the tenants. The real estate broker for the listing firm is listed
13 as Brian Jung Realty, with no License ID number listed on the copy of the rental agreement that
14 was given to the tenants. Respondent JUNG is listed as the agent for Brian Jung Realty, with no
15 License ID number listed for Respondent JUNG on the copy of the rental agreement that was
16 given to the tenants.

17 23. The tenants were instructed to pay their security deposit to GNPM, LLC, and to
18 make their monthly rent payments payable to GNPM, LLC.

19 24. GNPM, LLC collected management fees for property management activities that
20 require a real estate license pursuant to Code section 10131, subdivision (b), for the. 65th St.
21 properties.

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24 ² Initials are used in place of individuals' full names to protect their privacy. Documents containing individuals' full names will be provided during the discovery phase of this case to Respondent(s) and/or their attorneys, after service of a timely and proper request for discovery on Complainant's counsel.

1 25. Hill issued notices, communications, and invoices regarding the 65th St.
2 properties, on behalf of GNPM, LLC. Hill used the position title of General Property Manager
3 for GNPM, LLC.

4 26. In or around January of 2022, the tenants vacated the 65th St. properties. The
5 tenants dealt with Hill, who acted on behalf of the landlord, GNPM, LLC, and Respondent
6 JUNG.

7 27. The tenants alleged that Respondents failed to appear for the scheduled move-out
8 inspection and failed to respond to the tenants' messages regarding the move-out inspection.

9 28. A dispute ensued between the tenants and Respondents for repair costs of
10 approximately \$7,000.00 charged to the tenants by Respondents for alleged damages to the 65th
11 St. properties. **Respondents reported the alleged debt against the tenants for debt collection**
12 **and credit reporting agencies. A small claims suit was filed.**

13 29. Respondent JUNG issued estimates and invoices for repair services by JUNG's
14 company, BJ Construction, for the 65th St. properties.

15 30. A complaint against Respondents was submitted to the Department regarding the
16 Respondents' property management of the 65th St. properties. The Department investigated the
17 complaint.

18 800 ½ W. 65th Street

19 31. In 2022, Green Dragon Holdings, LLC owned the rental property located at:
20 800 ½ W. 65th Street, Los Angeles, California 90044 ("800 ½ W. 65th St. property").

21 32. On or about May 17, 2022, Respondent JUNG negotiated a Residential Lease on
22 behalf of the landlord, Green Dragon Holdings, LLC, as landlord, for the 800 ½ W. 65th St.
23 property, with tenants, S.G.H.R., J.C.A.U., C.Y.C.A. and M.D.C. The tenants' brokerage firm is
24 listed as Brian Jung Realty, with Respondent PODI's License ID 01946975. The landlord's

1 brokerage firm was listed as Brian Jung Realty, with Respondent PODI's License ID 02063235.
2 Respondent Jung was listed as the agent for Brian Jung Realty.

3 33. The tenants were instructed to pay their security deposit and monthly rent
4 payments to GNPM, LLC.

5 34. GNPM, LLC collected management fees for property management activities that
6 require a real estate license pursuant to Code section 10131, subdivision (b), for the 800 ½ W.
7 65th St. property.

8 35. On or about March 29, 2023, Respondent JUNG negotiated a Residential Lease
9 on behalf of Green Dragon Holdings, LLC, as landlord, for the 800 ½ W. 65th St. property, with
10 tenants, P.M.A., M.M.A., K.R.C., and S.C.M.A. The tenants' brokerage firm is listed as BJ
11 Realty, with Respondent JUNG's License ID 01946975. The landlord's brokerage firm was
12 listed as BJ Realty/GNPM, LLC, with Respondent PODI's License ID 02063235. Respondent
13 Jung was listed as the agent for both BJ Realty and GNPM, LLC.

14 36. The tenants were instructed to pay their security deposit and monthly rent
15 payments to GNPM, LLC.

16 37. GNPM, LLC collected management fees for property management activities that
17 require a real estate license pursuant to Code section 10131, subdivision (b), for the 800 ½ W.
18 65th St. property.

19 38. Respondents produced an Employment Contract between GNPM, LLC and Hill,
20 for the period beginning January 1, 2022. Under the employment agreement, for, or in
21 expectation of compensation, Hill would act as a property manager for GNPM, LLC. The
22 signatures on the Employment Contract were backdated to December 20, 2018.

23 39. On December 21, 2018, Respondent JUNG and Hill executed a document with
24 the title: "Delegation of authority Good Neighbor Property Management." The document listed

1 Hill's essential job duties and functions as an employee for property manager, GPNM, LLC.

2 CAUSE OF ACCUSATION – UNLICENSED ACTIVITIES/COMPENSATION

3 40. Respondents JUNG and PODI conducted the real estate activities alleged above
4 in Paragraphs 17 through 39, and collected compensation for such activities through GNPM,
5 LLC, in violation of Code sections 10130, 10137, and 10159.5. The foregoing violations
6 constitute cause for the suspension or revocation of all licenses and license rights of
7 Respondents JUNG and PODI pursuant to Code section 10177, subdivisions (d) and/or (g).

8 41. Respondents JUNG and PODI conducted the real estate activities alleged above
9 in Paragraphs 17 through 39, and collected compensation for such activities through GNPM,
10 LLC, Respondents JUNG, and/or Respondent PODI, in violation of Code sections 10130 and
11 10137. The foregoing violations constitute cause for the suspension or revocation of all licenses
12 and license rights of JUNG and PODI pursuant to Code section 10177, subdivisions (d) and/or
13 (g).

14 **42. Respondents JUNG and PODI, engaged in conduct that constitutes fraud or**
15 **dishonest dealing for tenants J.T. and Y.P.S., as alleged above in Paragraphs 17 through**
16 **30, which constitutes cause for the suspension or revocation of all licenses and license**
17 **rights of JUNG and PODI pursuant to Code section 10176, subdivision (i), or Code section**
18 **10177, subdivision (j).**

19 STATUTORY PROVISIONS

20 43. Code section 10130 provides:

21 It is unlawful for any person to engage in the business of, act in the
22 capacity of, advertise as, or assume to act as a real estate broker or a real estate
23 salesperson within this state without first obtaining a real estate license from the
24 department, or to engage in the business of, act in the capacity of, advertise as, or
assume to act as a mortgage loan originator within this state without having
obtained a license endorsement.

1 The commissioner may prefer a complaint for violation of this section
2 before any court of competent jurisdiction, and the commissioner and his or her
counsel, deputies, or assistants may assist in presenting the law or facts at the trial

3 44. Code section 10131 provides, in pertinent part, as follows:

4 “A real estate broker within the meaning of this part is a person who, for a
5 compensation or in expectation of a compensation, regardless of the form or time
of payment, does or negotiates to do one or more of the following acts for another
or others:

6 (b) Leases or rents or offers to lease or rent, or places for rent, or solicits
7 listings of places for rent, or solicits for prospective tenants, or negotiates the sale,
purchase, or exchanges of leases on real property, or on a business opportunity, or
8 collects rents from real property, or improvements thereon, or from business
opportunities.

9 45. Code section 10137 provides:

10 “It is unlawful for any licensed real estate broker to retain, compensate,
11 directly or indirectly, any person for performing any of the acts within the scope
of this chapter who is not a licensed real estate broker, or a real estate salesperson
12 licensed under the responsible broker retaining or compensating him or her, or to
retain or compensate, directly or indirectly, any licensee for engaging in any
13 activity for which a mortgage loan originator license endorsement is required, if
that licensee does not hold a mortgage loan originator license endorsement;
14 provided, however, that a licensed real estate broker may pay a commission to a
broker of another state.

15 No real estate salesperson shall accept compensation for activity requiring
16 a real estate license from any person other than the broker under whom he or she
is at the time licensed.

17 It is unlawful for any licensed real estate salesperson to pay any
18 compensation for performing any of the acts within the scope of this chapter to
any real estate licensee except through the broker under whom he or she is at the
19 time licensed. A licensee may enter into an agreement with another licensee to
share that compensation provided that any compensation is paid through the
20 responsible broker.

21 For a violation of any of the provisions of this section, the commissioner
may temporarily suspend or permanently revoke the license of the real estate
22 licensee, in accordance with the provisions of this part relating to hearings.”

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1 46. Code section 10157 provides:

2 “No real estate license gives authority to do any act specified in this chapter to
3 any person, other than the person to whom the license is issued.”

4 47. Code section 10159.5 provides:

5 “(a)(1) Every person applying for a license under this chapter who desires
6 to have the license issued under a fictitious business name shall file with the
7 application a certified copy of their fictitious business name statement filed with
8 the county clerk pursuant to Chapter 5 (commencing with Section 17900) of Part
9 3 of Division 7.

10 (2) A responsible broker may, by contract, permit a salesperson to do all
11 of the following:

12 (A) File an application on behalf of a responsible broker with a county
13 clerk to obtain a fictitious business name.

14 (B) Deliver to the department an application, signed by the responsible
15 broker, requesting the department’s approval to use a county approved fictitious
16 business name that shall be identified with the responsible broker’s license
17 number.

18 (C) Pay for any fees associated with filing an application with a county or
19 the department to obtain or use a fictitious business name.

20 (D) Maintain ownership of a fictitious business name, as defined in
21 paragraph (1) of subdivision (a) of Section 10159.7, that may be used subject to
22 the control of the responsible broker.

23 (b)(1) A salesperson using a fictitious business name authorized by
24 subdivision (a), shall use that name only as permitted by the responsible broker.

 (2) This section does not change a real estate broker’s duties under this
 division to supervise a salesperson.

 (c) A person applying to a county for a fictitious business name pursuant
 to subdivision (a) may file the application in the county or counties where the
 fictitious business name will be used.

 (d) Advertising and solicitation materials, including business cards, print
 or electronic media and “for sale” signage, using a fictitious business name
 obtained in accordance with paragraph (2) of subdivision (a) shall include the
 responsible broker’s identity, as defined in Section 10015.4, in a manner equally
 as prominent as the fictitious business name.

 (e) Notwithstanding subdivision (b) of Section 10140.6, advertising and
 solicitation materials, including print or electronic media and “for sale” signage,
 containing a fictitious business name obtained in accordance with paragraph (2)

1 of subdivision (a) shall include the name and license number of the salesperson
2 who is using the fictitious business name.

3 (f) Notwithstanding Section 10185, a violation of this section is not a
4 misdemeanor.”

5 COST RECOVERY

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

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

17 Dated 08/30/24, at Los Angeles, California.

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19 JASON PARSON
20 Supervising Special Investigator

21 cc: Brian Kyun Kyo Jung
22 Partner of Dream, Inc.
23 Kevin Jang, Esq.
24 Jason Parson
Sacto.