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FILED

JUL 03 2024

DEPT. OF REAL ESTATE
By 

9 DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation against) No. H-42869 LA
13)
14 STUDENT LEASING SERVICES, INC.) **ACCUSATION**
15)
16 and)
17)
18 JOHN STEPHEN SEMIONE,)
19)
20 Respondents.)
21)

22 The Complainant, Jason Parson, a Supervising Special Investigator of the State of
23 California, makes this Accusation in her official capacity, and for cause of Accusation against
24 Respondents STUDENT LEASING SERVICES, INC. and JOHN STEPHEN SEMIONE
25 (collectively, "Respondents"), is informed and alleges as follows:
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DRE Accusation against Student Leasing Services, Inc. & John Stephen Semione, H-42869 LA

1 1.

2 All references to the "Code" are to the California Business and Professions Code
3 and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

4 **DRE LICENSE HISTORY**

5 **RESPONDENT STUDENT LEASING SERVICES, INC.**

6 (SLS)

7 2.

8 According to Department of Real Estate (DRE) records to date and publicly
9 accessible online (https://www2.dre.ca.gov/PublicASP/pplinfo.asp?License_id=01975608),
10 STUDENT LEASING SERVICES, INC. (SLS) is presently licensed and/or has license rights
11 under the Real Estate Law as a real estate corporation (broker) (REC), DRE license ID 01975608,
12 expiring on November 8, 2027.

13 3.

14 According to DRE records to date and publicly accessible online at the
15 aforementioned webpage, SLS was originally licensed by the DRE on or about April 17, 2015; its
16 mailing address of record on file with the DRE is 440 N. Barranca Ave., #9863, Covina, CA 91723
17 (Covina address), and its main address of record on file is 3 Hutton Centre, Ste. 900, Santa Ana,
18 CA 92707.

19 4.

20 According to DRE records to date and publicly accessible online at the
21 aforementioned webpage, SLS' license is presently associated with no real estate salespersons
22 (RES), DBAs or branch offices.

23 5.

24 According to DRE records to date and publicly accessible online at the
25 aforementioned webpage, the responsible broker/ designated officer of record (D.O.) for SLS is

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1 JOHN STEPHEN SEMIONE, until his officer affiliation expires with SLS' license expiration on
2 November 8, 2027.

3 6.

4 According to DRE records to date and publicly accessible online at the
5 aforementioned webpage, SLS' immediate past D.O. prior to SEMIONE was William Bryan Yeats
6 (DRE license ID 01224068).

7 7.

8 **According to DRE records, SLS had no DRE license between April 17, 2023**
9 **and November 8, 2023.**

10 8.

11 According to DRE records to date and publicly accessible online at the
12 aforementioned webpage, SLS' DRE license has no prior history of disciplinary action and is
13 scheduled to expire on November 8, 2027, unless renewed. Upon license expiration and
14 pursuant to Code Section 10201, AML will retain renewal rights, and pursuant to Code Section
15 10103, the DRE will retain jurisdiction.

16 **RESPONDENT JOHN STEPHEN SEMIONE**

17 **(SEMIONE)**

18 9.

19 According to DRE records to date and publicly accessible online
20 (https://www2.dre.ca.gov/publicasp/pplinfo.asp?License_id=01899195), JOHN STEPHEN
21 SEMIONE (SEMIONE) was licensed and/or had license rights under the Real Estate Law as a
22 real estate broker (REB), DRE license ID 01899195, until his license expired on November 24,
23 2023.

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10.

According to DRE records to date and publicly accessible online at the
aforementioned webpage, SEMIONE was originally licensed by the DRE as a RES on or about
December 6, 2011 and as a REB on November 25, 2015; his mailing address of record on file with
the DRE was SLS' Covina address.

11.

According to DRE records to date and publicly accessible online at the
aforementioned webpage, SEMIONE is presently the D.O. for SLS until his officer affiliation
expires with the expiration of SLS's DRE license on November 8, 2027.

12.

According to DRE records to date and publicly accessible online at the
aforementioned webpage, SEMIONE's DRE license had no prior history of disciplinary action
and expired on November 24, 2023. Upon license expiration and pursuant to Code Section
10201, SEMIONE retains renewal rights, and pursuant to Code Section 10103, the DRE retains
jurisdiction.

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1 **FACTS DISCOVERED BY THE DRE**

2 13.

3 **01-31-23 ANONYMOUS COMPLAINT TO THE DRE**

4 **SLS' WEBSITE DID NOT INCLUDE DRE LICENSE NUMBER**

5 According to an anonymous complaint submitted to the DRE on or about January
6 31, 2023, the website located at <https://studentleasingservices.com> did not disclose any DRE
7 license number or affiliation.

8 14.

9 On March 27, 2024, the DRE investigative unit conducted a web search of SLS'
10 website at <https://studentleasingservices.com> and discovered that SLS offers property
11 management services to the public, but does not disclose either a DRE license ID number for the
12 REC or a DRE license ID number for its D.O. SEMIONE.

13 15.

14 **FROM 04-17-23 to 11-08-23, SLS WAS NOT LICENSED BY THE DRE**

15 According to DRE records, SLS' DRE license expired on April 17, 2023. On or
16 about May 30, 2023, an Officer Renewal Application (DRE Form RE207) (053023 Renewal)
17 was received by the DRE from SEMIONE. However, the 053023 Renewal was not processed
18 and SLS' license was not renewed at that time; the submission lacked the required renewal fee
19 and the signature was not acceptable to the DRE.

20 16.

21 According to DRE records, a "Renewal Doc Pending" letter dated June 29, 2023
22 (062923 DRE letter) regarding "ID#C/01975608/Officer ID#O/01899195" was sent to SLS and
23 SEMIONE at the Covina address. The 062923 DRE letter informed SEMIONE that "Your
24 request for license renewal has not been processed for the following reason(s):" and cited the
25 failure to submit the required \$450.00 fee and the signature(s) on the 053023 being unacceptable.

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1 Specifically, the 062923 DRE letter indicated that, “Your signature(s) on the Officer Renewal
2 Application (RE207) that you submitted is not acceptable. Rubber-stamped, counter-signatures,
3 typed-font, copied or [sic] unverified digital signatures cannot be accepted...”

4 17.

5 The 062923 DRE letter requested that it be returned along with the appropriate
6 documentation to the DRE on or before July 21, 2023, and admonished that if no response was
7 received by July 21, 2025, the application, documents, and/or fee will be returned “File
8 Unprocessed,” and the fee will not be refunded.

9 18.

10 On or about October 16, 2023, an Officer Renewal Application (DRE Form
11 RE207) (101623 Renewal) was received by the DRE from SEMIONE. According to DRE
12 records, SLS’ DRE license was renewed on November 9, 2023.

13 **FROM 04-17-23 to 11-08-23, SLS PERFORMED PROPERTY MANAGEMENT**

14 **ACTIVITIES WHEN NOT LICENSED BY THE DRE**

15 19.

16 In a letter dated May 5, 2023 (050523 DRE request), the DRE investigative unit
17 requested SEMIONE to provide, pursuant to Code Section 10148, a complete list of all
18 transactions conducted by SLS and its licensees beginning from January 2022 up to and
19 including the present.

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20.

According to records submitted to the DRE by SEMIONE in response to the 050523 letter, from April 17, 2023 to November 8, 2023, while its license was expired, SLS operated and provided performed property management activities for eleven (11) owners and eight (8) properties:

Property (Street Address only)	Property Management Agreement (PMA) Start Date	Property Owner's Signature on PMA	Lease Agreement Duration
14305 San Ardo Dr.	05-13-15	06-29-15	09-01-23 to 08-31-24
14654 Sunnymead	03-20-14	03-28-14*	06-01-22 to 07-25-23, 08-08-23 to 07-25-24
14621 Greenworth	09-01-18	07-20-18	07-26-23 to 07-25-24
345 N. Shattuck Pl.	04-10-17	04-18-17	05-26-23 to 05-25-24
1420 E. Lomita Ave.	03-01-22	N/A	05-26-23 to 05-25-24
11705 1 st Avenue	04-22-16	04-25-16	06-08-23 to 05-25-24
361 Capella Ave.	10-01-13	10-07-13*	06-01-22 to 07-25-24
11412 Falconhill Dr.	08-20-20	08-21-20	05-26-23 to 05-25-24

*The PMA was signed by SEMIONE for Real Estate Broker (Firm) Vantage Pointe R.E. Services.

21.

According to responsive emails to the DRE's 050523 request, SEMIONE stated that "...As part of these property management activities, we would on occasion perform a few leasing actions..."

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1 22.

2 According to some of the lease agreements submitted by SEMIONE in response
3 to the DRE's 050523, SEMIONE signed as an agent of Real Estate Broker (Firm) Vantage
4 Pointe R.E. Services. However, according to DRE records, Vantage Point R.E. Services is not,
5 and has never been, licensed by the Department. Nor has Vantage Point R.E. Services ever been
6 added as a DBA to either SEMIONE or SLS' DRE license.

7 **APPLICABLE SECTIONS OF THE REAL ESTATE LAW**

8 23.

9 **License Required**

10 **(Code Sections 10130 and 10131)**

11 Pursuant to Code Section 10130 *License Required:*

12 "It is unlawful for any person to engage in the business of, act in the capacity of,
13 advertise as, or assume to act as a real estate broker or a real estate salesperson within this state
14 without first obtaining a real estate license from the department, or to engage in the business of,
15 act in the capacity of, advertise as, or assume to act as a mortgage loan originator within this
16 state without having obtained a license endorsement. The commissioner may prefer a complaint
17 for violation of this section before any court of competent jurisdiction, and the commissioner and
18 his or her counsel, deputies, or assistants, may assist in presenting the law or facts at the
19 trial. *Prosecution of Violations:* It is the duty of the district attorney of each county in this state
20 to prosecute all violations of this section in their respective counties in which the violations
21 occur."

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Pursuant to Code Section 10131 *Broker Defined*:

“A real estate broker within this meaning of this part is a person who, for a 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:

(a) Sells or offers to sell, buys or offers to buy, solicits prospective sellers or purchasers of, solicits or obtains listings of, or negotiates the purchase, sale or exchange of real property or a business opportunity.

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

(c) Assists or offers to assist in filing an application for the purchase or lease of, or in locating or entering upon, lands owned by the state or federal government.

(d) Solicits borrowers or lenders for or negotiates loans or collects payments or performs services for borrowers or lenders or note owners in connection with loans secured directly or collaterally by liens on real property or on a business opportunity.

(e) Sells or offers to sell, buys or offers to buy, or exchanges or offers to exchange a real property sales contract, or a promissory note secured directly or collaterally by a lien on real property or on a business opportunity, and performs services for the holders thereof.”

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Penalties for Unlicensed Person

(Code Section 10139)

Pursuant to Code Section 10139 *Penalties for Unlicensed Person*:

“Any person acting as a real estate broker, real estate salesperson, or mortgage loan originator without a license or license endorsement, or who advertises using words indicating that he or she is a real estate broker, real estate salesperson, or mortgage loan originator without being so licensed or without having obtained a license endorsement, shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars (\$60,000). If a Real Estate Fraud Prosecution Trust Fund, as described in Section 27388 of the Government Code, exists in the county where a person or corporation is convicted, any fine collected from the person in excess of ten thousand dollars (\$10,000) or any fine collected from the corporation in excess of fifty thousand dollars (\$50,000) shall be deposited in that Real Estate Fraud Prosecution Trust Fund.”

26.

Disclosure of Licensed Status in Advertising

(Code Section 10140.6 & Regulation 2773)

Pursuant to Code Section 10140.4 *Disclosure of Licensed Status in Advertising*:

“(a) A real estate licensee shall not publish, circulate, distribute, or cause to be published, circulated, or distributed in any newspaper or periodical, or by mail, any matter pertaining to any activity for which a real estate license is required that does not contain a designation disclosing that he or she is performing acts for which a real estate license is required.

1 (b)(1) A real estate licensee shall disclose his or her name, license identification
2 number and unique identifier assigned to that licensee by the Nationwide
3 Mortgage Licensing System and Registry, if that licensee is a mortgage loan
4 originator, and responsible broker's identity, as defined in Section 10015.4, on
5 all solicitation materials intended to be the first point of contact with consumers
6 and on real property purchase agreements when acting in a manner that requires
7 a real estate license or mortgage loan originator license endorsement in those
8 transactions. The commissioner may adopt regulations identifying the
9 materials in which a licensee must disclose a license identification number and
10 unique identifier assigned to that licensee by the Nationwide Mortgage
11 Licensing System and Registry, and responsible broker's identity.

12 (2) For purposes of this section, "solicitation materials" include business cards,
13 stationery, advertising flyers, advertisements on television, in print, or
14 electronic media, "for sale," rent, lease, "open house," and directional signs,
15 and other materials designed to solicit the creation of a professional
16 relationship between the licensee and a consumer.

17 (3) Nothing in this section shall be construed to limit or change the
18 requirement described in Section 10236.4 as applicable to real estate brokers.

19 (c) This section shall not apply to "for sale," rent, lease, "open house," and
20 directional signs that do either of the following:

21 (1) Display the responsible broker's identity, as defined in Section 10015.4,
22 without reference to an associate broker or licensee.

23 (2) Display no license identification information.

24 (d) "Mortgage loan originator," "unique identifier," and "Nationwide Mortgage
25 Licensing System and Registry" have the meanings set forth in Section 10166.01.

1 (e) This section shall become operative on January 1, 2018.”

2 27.

3 Pursuant to Regulation 2773(a)(1) *Disclosure of License Identification Number on*
4 *Solicitation Materials – First Point of Contact with Consumers:*

5 “(a) A real estate broker or salesperson, when engaging in acts for which a license
6 is required, shall disclose its, his or her eight (8) digit real estate license identification number on
7 all solicitation materials intended to be the first point of contact with consumers. If the name of
8 more than one licensee appears in the solicitation, the license identification number of each
9 licensee shall be disclosed. The license numbers of employing brokers or corporate brokers
10 whose names or logos or trademarks appear on solicitation materials along with the names and
11 license numbers of licensed employees or broker associates do not need to appear on those
12 materials. Solicitation materials intended to be the first point of contact with consumers, and in
13 which a licensee must disclose a license identification number, include the following:

14 (1) Business cards;

15 (2) Stationery;

16 (3) Websites owned, controlled, and/or maintained by the soliciting real estate
17 licensee; and

18 (4) Promotional and advertising fliers, brochures, email and regular mail,
19 leaflets, and any marketing or promotional materials designed to solicit the
20 creation of a professional relationship between the licensee and a
21 consumer, or which is intended to incentivize, induce or entice a consumer
22 to contact the licensee about any service for which a license is required.

23 (5) Advertisements in electronic media (including, without limitation, internet,
24 email, radio, cinema, and television advertisements, and the opening
25 section of streaming video and audio);

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(6) Print advertising in any newspaper or periodical; and

(7) "For sale," "for rent," "for lease," "open house," and directional signs that display the name of the licensee.

(b) No license identification number is required where a "for sale," "for rent," "for lease," "open house," or directional sign has no name, trademark, or other branding of a real estate licensee, or where the only licensee identified is a responsible broker as defined in Business and Professions Code Section 10015.4.

(c) "Advertisements in electronic media" that constitute a first point of contact solicitation are those advertisements that a licensee purchases or directly places on an electronic platform, where the licensee controls the content and presentation of the advertisement, and which include information that is intended to enable consumers to directly contact the licensee. Instances where another party controls the content and visual presentation of the licensee's information on a platform are excluded from "advertisements in electronic media," except where the licensee subsequently adopts the content and presentation of the content by distributing or forwarding the advertisement to a consumer."

28.

Broker Supervision

(Code Section 10159.2 and Regulation 2725)

Pursuant to Code Section 10159.2 *Responsibility of Corporate Officer in Charge:*

“(a) The officer designated by a corporate broker licensee pursuant to Section 10211 shall be responsible for the supervision and control of the activities conducted on behalf of the corporation by its officers and employees as necessary to secure full compliance with the provisions of this division, including the supervision of salespersons licensed to the corporation in the performance of acts for which a real estate license is required.

1 (b) A corporate broker licensee that has procured additional licenses in
2 accordance with Section 10158 through officers other than the officer designated pursuant to
3 Section 10211 may, by appropriate resolution of its board of directors, assign supervisory
4 responsibility over salespersons licensed to the corporation to its broker-officers.

5 (c) A certified copy of any resolution of the board of directors assigning
6 supervisory responsibility over real estate salespersons licensed to the corporation shall be filed
7 with the Real Estate Commissioner within five days after the adoption or modification thereof.”

8 29.

9 Pursuant to Regulation 2725 *Broker Supervision*:

10 “A broker shall exercise reasonable supervision over the activities of his or her
11 salespersons. Reasonable supervision includes, as appropriate, the establishment of policies,
12 rules, procedures and systems to review, oversee, inspect and manage:

13 (a) Transactions requiring a real estate license.

14 (b) Documents which may have a material effect upon the rights or
15 obligations of a party to the transaction.

16 (c) Filing, storage and maintenance of such documents.

17 (d) The handling of trust funds.

18 (e) Advertising of any service for which a license is required.

19 (f) Familiarizing salespersons with the requirements of federal and state laws
20 relating to the prohibition of discrimination.

21 (g) Regular and consistent reports of licensed activities of salespersons.

22 The form and extent of such policies, rules, procedures and systems shall take into consideration
23 the number of salespersons employed and the number and location of branch offices. A broker
24 shall establish a system for monitoring compliance with such policies, rules, procedures and
25 systems. A broker may use the services of brokers and salespersons to assist in administering the

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1 provisions of this section so long as the broker does not relinquish overall responsibility for
2 supervision of the acts of salespersons licensed to the broker.”

3 30.

4 **Further Grounds for Disciplinary Action**

5 **(Code Section 10177 (selected portions))**

6 Pursuant to Code Section 10177 *Further Grounds for Disciplinary Action*

7 (selected portions):

8 “The commissioner may suspend or revoke the license of a real estate licensee,
9 delay the renewal of a license of a real estate licensee, or deny the issuance of a license to an
10 applicant, who has done any of the following:

11
12 (d) Willfully disregarded or violated the Real Estate Law (Part 1 (commencing
13 with Section 10000)) or Chapter 1 (commencing with Section 11000) of Part 2 or the rules and
14 regulations of the commissioner for the administration and enforcement of the Real Estate Law
15 and Chapter 1 (commencing with Section 11000) of Part 2.

16
17 (g) Demonstrated negligence or incompetence in performing an act for which the
18 officer, director, or person is required to hold a license.

19 (h) As a broker licensee, failed to exercise reasonable supervision over the
20 activities of that licensee’s salespersons, or, as the officer designated by a corporate broker
21 licensee, failed to exercise reasonable supervision and control of the activities of the corporation
22 for which a real estate license is required...”

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1 34.

2 **THIRD CAUSE FOR DISCIPLINE: SEMIONE**

3 **Code Section 10159.2 and Regulation 2725, Code Section 10177(h)**

4 In the course of the activities described above, and based on the facts discovered
5 by the Department, as described above, the acts and/or omissions of Respondent **JOHN**
6 **STEPHEN SEMIONE** are in violation of **Code Section 10159.2 and Regulation 2725**, and
7 pursuant to **Code Section 10177(h)**, constitutes cause for the suspension or revocation of all
8 licenses, license rights and license endorsements of Respondent SEMIONE under the Real Estate
9 Law.

10 **COSTS**

11 35.

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

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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, license rights, and license endorsements of Respondents **STUDENT LEASING SERVICES** and **JOHN STEPHEN SEMIONE** under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California: July 3, 2024.



Jason Parson
Supervising Special Investigator

cc: Student Leasing Services, Inc.
John Stephen Semione
Enf. – J. Parson
Sacto.