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FILED

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DEPT. OF REAL ESTATE

By- [REDACTED]

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-43046 LA
	)	
	)	
MSK CONSULTING GROUP, INC.; and	)	
	)	ACCUSATION
SCOTT T. KUEI,	)	
individually and as designated officer	)	
of MSK Consulting Group, Inc.,	)	
	)	
Respondents.	)	

The Complainant, Ray Dagnino, a Supervising Special Investigator of the State of California, acting in his official capacity, for cause of Accusation against Respondents MSK CONSULTING GROUP, INC. ("MCGI") and SCOTT T. KUEI ("KUEI"), individually and as designated officer of MSK Consulting Group, Inc., is informed and alleges as follows:

1.

The Complainant, Ray Dagnino, acting in his official capacity as Supervising Special Investigator of the State of California, makes this Accusation.

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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.

a. Respondent MCGI 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 corporation (license no. 02017082). MCGI was originally licensed as a real estate corporation on or about November 4, 2016, and has been so licensed through the present. Respondent MCGI's sole designated officer has been Respondent KUEI from on or about November 4, 2016 through the present. MCGI's fictitious business names have been "MSK Properties" and "MSK Real Estate Services" from on or about March 27, 2017.

b. Respondent KUEI 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 no. 01931709). KUEI has been licensed as a real estate broker from on or about July 12, 2016 through the present. Previously, KUEI was licensed as a real estate salesperson from on or about April 17, 2013 to July 11, 2016. At no time has KUEI had a fictitious business name registered with the Department of Real Estate.

(Real Estate Activities)

4.

At all times mentioned, in the County of San Bernardino, Respondents MCGI and KUEI engaged in the business of a real estate broker conducting licensed activities within the meaning of Code sections 10131(a) ("[s]ells or offers to sell, buys or offers to buy, solicits

1 prospective sellers or buyers of, solicits or obtains listings of, or negotiates the purchase, sale, or
2 exchange of real property or a business opportunity”) and 10131(b) (“[l]eases or rents or offers
3 to lease or rent, or places for rent, or solicits listings of places for rent, or solicits for prospective
4 tenants, or negotiates the sale, purchase, or exchanges of leases on real property, or on a
5 business opportunity, or collects rents from real property, or improvements thereon, or from
6 business opportunities”).

7
8 (Trust Fund Audit)

9 5.

10 On or about October 24, 2024, the Department of Real Estate completed an audit
11 examination of the books and records of MCGI to determine whether MCGI and KUEI handled
12 and accounted for trust funds and conducted their real estate activities in accordance with
13 the Real Estate Law and Regulations. The audit examination covered a period of time
14 beginning on February 1, 2023 and ending on January 31, 2024. The audit examination
15 revealed violations of the Code and the Regulations set forth in the following paragraphs, and
16 more fully discussed in Audit Report LA230051 and the exhibits and work papers attached to
17 said audit report.

18
19 Bank Account

20 6.

21 At all times mentioned, in connection with the activities described in Paragraph
22 4, above, Respondents MCGI and KUEI accepted or received funds including funds in trust
23 (“trust funds”) from or on behalf of actual or prospective parties, such as owners of real
24 property, and thereafter made deposits and/or disbursements of such funds. From time to time
25 herein mentioned, during the audit period, said trust funds were deposited and/or maintained
26 by MCGI and KUEI in the following bank account:

1 "MSK Consulting Group, Inc. DBA MSK Properties"
*****2979

2 Bank of America
3 4100 Chino Hills Pkwy
4 Chino Hills, CA 91709

BA-1

5 7.

6 In the course of activities described in Paragraphs 4 and 6, above, and during the
7 audit examination period in Paragraph 5, above, Respondents MCGI and KUEI acted in
8 violation of the Code and the Regulations as set forth below:

9 (a) Permitted, allowed, or caused the disbursement of trust funds from the
10 trust account BA-1 where the disbursement of funds reduced the total of aggregate funds in BA-
11 1, to an amount which, on January 31, 2024, was a minimum shortage of \$43,040.03 without
12 first obtaining the prior written consent of the owners of said funds, in violation of Code section
13 10145 and Regulations sections 2832.1.

14 (b) Failed to maintain complete and accurate records of all trust funds received
15 and disbursed (control record) for BA-1, in violation of Code section 10145 and Regulations
16 section 2831. This failure included, but was not limited to, some deposits and disbursements
17 not being recorded on BA-1's control record and separate record.

18 (c) Failed to maintain complete and accurate separate records for each
19 beneficiary or transaction, thereby failing to account for all trust funds received, deposited, and
20 disbursed from BA-1, in violation of Code section 10145 and Regulations section 2831.1.

21 (d) Failed to maintain monthly reconciliations comparing the balance of all
22 separate beneficiary or transaction records (separate records) with the record of all trust funds
23 received and disbursed (control record) for BA-1, in violation of Code section 10145 and
24 Regulations section 2831.2.

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1 (e) Failed to designate BA-1, which contained trust funds, as a trust account, in
2 violation of Code section 10145 and Regulations section 2832.

3 (f)(1) Commingled MCGI's and/or KUEI's own money with the money of
4 others (trust funds), in violation of Code sections 10145(a) and 10176(e) and Regulations
5 section 2832. Examples include, but are not limited to, failing to withdraw MCGI's and/or
6 KUEI's management and/or placement fees from BA-1, which contained trust funds, within
7 three (3) business days; and collecting management fees in advance (advance fees) by
8 transferring \$10,000.00 and \$20,000.00 lump sums to MCGI's general bank account for
9 management and placement fees.

10 (f)(2) Commingled trust funds by depositing, transferring, and/or disbursing
11 approximately \$47,677.56 in trust funds from BA-1 into MCGI's general bank account that
12 contained MCGI's own funds without first obtaining prior written consent of the owners of said
13 funds to pay for MCGI's credit card, which was used for owner expenses, in violation of Code
14 sections 10145(a) and 10176(e) and Regulations section 2832.

15 (g) Commingled trust funds by depositing more than \$200 of MCGI's own
16 funds into BA-1, in violation of Code sections 10145 and 10176(e) and Regulations sections
17 2835(a) and 2835(b). Approximately \$17,192.27 of MCGI's own funds were deposited into
18 BA-1 from in or about February 2023 to April 2023.

19 (h) Failed to provide MCGI's and/or KUEI's definite place of business to the
20 Department of Real Estate, in violation of Code section 10162. 4195 Chino Hills Pkwy, #585,
21 Chino Hills, CA 91709 is a mailbox location and not a definite place of business that serves as a
22 broker's office for the transaction of business where the broker's license is displayed and where
23 personal consultations with clients are held.

24 (i) Failed to state MCGI's and/or KUEI's real estate license number(s) on the
25 website, www.mskre.com, with the license number(s) no smaller than the smallest size type on
26 the webpage, in violation of Code section 10140.6 and Regulations section 2773.

(j) KUEI failed to exercise reasonable supervision and control over the licensed activities of MCGI and its employees to ensure full compliance with the Real Estate Laws and Commissioner's Regulations, and failed to establish policies, rules, procedures, and systems to review, oversee, and manage transactions, in violation of Code section 10159.2 and Regulations section 2725.

8.

The conduct of Respondents MCGI and KUEI, as described in Paragraph 7, above, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
7(a)	Code section 10145 and Regulations sections 2832.1
7(b)	Code section 10145 and Regulations section 2831
7(c)	Code section 10145 and Regulations section 2831.1
7(d)	Code section 10145 and Regulations section 2831.2
7(e)	Code section 10145 and Regulations section 2832
7(f)	Code sections 10145(a) and 10176(e) and Regulations section 2832
7(g)	Code sections 10145 and 10176(e) and Regulations sections 2835(a) and 2835(b)
7(h)	Code section 10162
7(i)	Code section 10140.6 and Regulations section 2773
7(j)	Code section 10159.2 and Regulations section 2725

The foregoing violations constitute cause for discipline of the real estate license and license rights of Respondents MCGI and KUEI under the provisions of Code sections 10159.2, 10176(e), 10177(d), 10177(g), and 10177(h).

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(COSTS)

9.

Code section 10148(b) provides, in pertinent part, that the Commissioner shall charge a real estate broker for the cost of any audit, if the Commissioner has found in a final decision following a disciplinary hearing that the broker has violated Code section 10145 or a regulation or rule of the Commissioner interpreting said section.

10.

Code section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department of Real Estate, 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.

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1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against the licenses and license rights of MSK CONSULTING GROUP,
4 INC. and SCOTT T. KUEI, individually and as designated officer of MSK Consulting Group,
5 Inc., under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions
6 Code), for the cost of investigation and enforcement pursuant to Code section 10106 and as
7 permitted by law, and for such other and further relief as may be proper under other applicable
8 provisions of law, including, but not limited to, costs of audit pursuant to Code section
9 10148(b).

10 Dated at Los Angeles, California: July 15, 2025.

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12 
13 Ray Dagnino
14 Supervising Special Investigator

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23 cc: MSK Consulting Group, Inc.
24 Scott T. Kuei
25 Ray Dagnino
26 Sacto
27 Enforcement
 Audits – Guadalupe Barragan