

FILED

JUL 22 2025

DEPT. OF REAL ESTATE

By

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11  
12 BEFORE THE DEPARTMENT OF REAL ESTATE  
13  
14 STATE OF CALIFORNIA

15 \* \* \*

16 In the Matter of the Accusation of ) No. H-43082 LA  
17 )  
18 JAMES ALAN JACOBS, ) A C C U S A T I O N  
19 )  
20 Respondent. )  
21 )  
22 )  
23 )

24 The Complainant, Ray Dagnino, a Supervising Special Investigator of the State  
25 of California, for cause of Accusation against JAMES ALAN JACOBS ("Respondent"), is  
26 informed and alleges as follows:

27 1.

28 The Complainant, Ray Dagnino, acting in his official capacity as a Supervising  
29 Special Investigator of the State of California, makes this Accusation against Respondent  
30 JAMES ALAN JACOBS.

31 2.

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

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36 Accusation of JAMES ALAN JACOBS

## LICENSE HISTORY

3.

Respondent JAMES ALAN JACOBS presently has license rights under the Real Estate Law, Part 1 of Division 4 of the Code as a restricted real estate broker.

## PRIOR LICENSE DISCIPLINE

4.

7 On or about February 12, 2021, the Real Estate Commissioner in Case  
8 No. H-41658 LA adopted as his Decision (“Decision”) effective on or about April 15, 2021, a  
9 Stipulation and Agreement entered on or about December 23, 2020, by Respondent and the  
10 Department where Respondent stipulated to the acts and omissions in the Accusation as  
11 grounds for disciplinary action in that: Respondent violated Code section 10159.2 and  
12 Regulations section 2725.

## BROKERAGE

JAMES ALAN JACOBS

5.

16 At all times mentioned, in the City of Newport Beach, County of Orange,  
17 Respondent acted as a real estate broker, conducting licensed activities within the meaning of  
18 Code section 10131(b) (leases or rents real property for others).

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## Accusation of JAMES ALAN JACOBS

## AUDIT

## JAMES ALAN JACOBS

6.

On January 21, 2025, the Department of Real Estate (“Department”) completed audit examinations of the books and records of Respondent pertaining to the activities described in Paragraph 5 which require a real estate license. The audit examinations covered a period of time from September 1, 2023, to August 30, 2024. The audit examinations revealed violations of the Code and the Regulations as set forth in the following paragraphs, and as more fully discussed in Audit Report LA240013 and the exhibits and workpapers attached to said audit reports.

7.

Respondent accepted or received funds in trust (“trust funds”). Thereafter, Respondent made deposits and or disbursements of such trust funds. During the examination period described in Paragraph 6 above, Respondent deposited or maintained trust funds in the following bank account:

### Trust Account 1: Farmer and Merchants Bank account ending in 114.

## AUDIT VIOLATIONS OF THE REAL ESTATE LAW

8.

In the course of activities described in Paragraph 5 above and during the examination periods described in Paragraph 6 above, Respondent acted in violation of the Code and the Regulations in that:

8(a) As of August 30, 2024, Respondent had a trust fund shortage in the amount of \$1,822.68 in Trust Account 1. Respondent did not have written consent from the owners of the trust funds to reduce the balance of trust funds to an amount less than the aggregate trust fund liabilities, in violation of Code section 10145 and Regulations section 2832.1.

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### Accusation of JAMES ALAN JACOBS

8(b) Respondent did not perform and maintain a monthly reconciliation of all the separate records with the control record of all trust funds received and disbursed, in violation of Code section 10145 and Regulations section 2831.2.

9.

The conduct, acts, or omissions of Respondent, described in Paragraph 8 above, violated the Code and the Regulations as set forth below:

	<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
7		
8	9(a)	Code section 10145 and Regulations section 2832.1
9	9(b)	Code section 10145 and Regulations section 2831.2

10 The foregoing violations constitute cause for the suspension or revocation of all  
11 the licenses, license endorsements, and license rights of Respondent under the Real Estate Law  
12 pursuant to the provisions of Code sections 10177(d) and 10177(g).

10.

Code section 10148(b) provides, in pertinent part, that the Real Estate 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 Code section.

11.

19 Code Section 10106 provides, in pertinent part, that in any order issued in  
20 resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner  
21 may request the administrative law judge to direct a licensee found to have committed a  
22 violation of this part to pay a sum not to exceed the reasonable costs of the investigation and  
23 enforcement of the case.

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## Accusation of JAMES ALAN JACOBS

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 all the licenses, license endorsements, and license rights of  
4 Respondent JAMES ALAN JACOBS under the Real Estate Law, for the cost of audit,  
5 investigation, and enforcement as permitted by law, and for such other and further relief as may  
6 be proper under other applicable provisions of law.

<sup>8</sup> Dated at Los Angeles, California

9 | this 17th day of July, 20 25

**Ray Dagnino**  
**Supervising Special Investigator**

4 cc: JAMES ALAN JACOBS  
5 Ray Dagnino  
Sacto.  
Audits