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5	Attorney for Complainant
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7	DEFORE THE DEPARTMENT OF REAL POTATE
8	BEFORE THE DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * *
11	In the Matter of the Accusation of) No. H-43154 LA
12	CYNTHIA VELA CORREA and) MARDARIOUS MEREZ TYSON,)
13	
14	Respondent(s).)
15	The Complainant, Ray Dagnino, a Supervising Special Investigator of the State
16	of California, for cause of Accusation against CYNTHIA VELA CORREA and
17	MARDARIOUS MEREZ TYSON (collectively "Respondents") alleges as follows:
18	1.
19	The Complainant, Ray Dagnino, a Supervising Special Investigator of the State
20	of California, makes this Accusation in his official capacity.
21	2.
22	All references to the "Code" are to the California Business and Professions Code
23	and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.
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LICENSE HISTORY

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3.

(CYNTHIA VELA CORREA)

- (a) Respondent CYNTHIA VELA CORREA ("CORREA") 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 salesperson ("RES"), Department license ID 01118934.
- (b) The Department originally issued CORREA's RES license on or about September 24, 1991.
- (c) CORREA's RES license is scheduled to expire on November 9, 2027, unless renewed.
- (d) According to the Department's records, at all times relevant, CORREA's responsible broker was Coldwell Banker Residential Brokerage Company.

4.

(MARDARIOUS MEREZ TYSON)

- (a) Respondent MARDARIOUS MEREZ TYSON ("TYSON") 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 salesperson ("RES"), Department license ID 02099462.
- (b) The Department originally issued TYSON's RES license on or about May 7, 2020.
- (c) TYSON's RES license is scheduled to expire on May 6, 2028, unless renewed.
- (d) According to the Department's records, TYSON's responsible broker was Evergreen Realty & Associates Inc, from June 16, 2021 to February 26, 2024 and also from May 8, 2024 to November 21, 2024. At the filing of this accusation, TYSON is not listed under a real estate broker.

LICENSED ACTIVITIES

4.

At all times mentioned herein, CORREA engaged in the performance of activities requiring a real estate license pursuant to Code Section 10130.

FACTS DISCOVERED BY THE DEPARTMENT

5.

In or around 2012, CORREA represented Owner Castashau T. ("Owner") in the purchase of the property located at 15000 Downey Avenue, Unit 218, in Paramount, California ("Property").

6.

On or about February 17, 2016, The Atario James Living Trust ("Trust") was created and the Property was soon moved into the trust. Owner was to be the trustee of the Trust.

7.

In or about April 2022, Respondents discussed listing the Property for sale.

TYSON was to be the primary point of contact for the Owner. TYSON stated that he represented the Owner. Thereafter, CORREA contacted solely with TYSON about the sale of the Property. TYSON is the son of Owner and was living at the Property.

8.

On or about May 20, 2022, Respondents entered into a listing agreement.

TYSON signed on behalf of the Trust.

9.

On or about July 10, 2022, the Property was under contract to be sold per California Residential Purchase Agreement ("RPA"). TYSON signed on behalf of the Trust. The transaction was cancelled on or about August 5, 2022. During this transaction, it was discovered that the Property had title issues due to conflicting names of the Trustee of the Trust.

ACCUSATION

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On or about August 13, 2022, the Property was again under contract to be sold per RPA. TYSON signed on behalf of Owner. Escrow on the sale of the Property was opened on or about August 22, 2022. Thereafter, escrow was extended to October 11, 2022.

11.

On or about November 1, 2022, a civil action was filed against Owner, the Trust, and TYSON to enforce the sale of the Property. It was then discovered by the Owner that TYSON and CORREA had listed the Property without her agreement.

APPLICABLE SECTIONS OF THE REAL ESTATE LAW

Code Section 10130

12.

Pursuant to Code Section 10130, "It is unlawful for any person to engage in the business of, act in the capacity of, advertise as, or assume to act as a real estate broker or a real estate salesperson within this state without first obtaining a real estate license from the 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."

<u>Further Grounds for Disciplinary Action - Code Section 10177</u>

13.

Pursuant to Code Section 10177, in pertinent part, "The commissioner may suspend or revoke the license of a real estate licensee, delay the renewal of a license of a real estate licensee, or deny the issuance of a license to an applicant, who has done any of the following:

(g) Demonstrated negligence or incompetence in performing an act for which he

. . .

or she is required to hold a license

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(i) Engaged in any other conduct, whether of the same or of a different character 1 than specified in this section, that constitutes fraud or dishonest dealing. . ." 2 VIOLATIONS OF THE REAL ESTATE LAW - CAUSES FOR DISCIPLINE 3 15. 4 In the course of the activities described above in Paragraph 4, and based on the 5 facts discovered by the Department in Paragraphs 5 through 11, above, Respondents acted in 6 violation of the Code and Regulations, as described below. 7 16. 8 During the relevant time period, CORREA failed to directly contact the Owner 9 and/or the trustee of the Trust during the sale of the Property in violation of Code Sections 10 10177(g). 11 17. 12 During the relevant time period, TYSON made misrepresentations that he 13 represented the Owner and signed documents on behalf of the Owner, without her agreement, 14 in violation of Code Sections 10177(g) and (j). 15 **COSTS** 16 18. 17 Code Section 10106 provides, in pertinent part, that in any order issued in 18 resolution of a disciplinary proceeding before the Department, the Commissioner may request 19 the administrative law judge to direct a licensee found to have committed a violation of this 20 part to pay a sum not to exceed the reasonable costs of investigation and enforcement of the 21 case. 22 /// 23 /// /// /// 26 /// 27

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cc:

PRAYER

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 licenses and/or license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code) of Respondent CYNTHIA VELA CORREA and MARDARIOUS MEREZ TYSON, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under applicable provisions of law.

Dated at Los Angeles, California this _____d

_day of

, 202



CYNTHIA VELA CORREA MARDARIOUS MEREZ TYSON Ray Dagnino Sacto.

ACCUSATION