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DEPT. OF REAL ESTATE

By -

JUDITH A. BURANDAY, Counsel (SBN 278115)
Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105
Tel: (213)-559-5990
Direct: (213) 443-9263
E-mail: Judith.Buranday@dre.ca.gov
Attorney for Complainant

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

The Complainant, Veronica Kilpatrick a Supervising Special Investigator of the State of California, for cause of Accusation against CESAR BOBADILLA (“BOBADILLA”) and NICHOLAS HUNTER BROWN (“BROWN”) (sometime referred to as “Respondents”) alleges as follows:

1.

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, makes this Accusation in her official capacity.

2.

All references to the “Code” are to the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code and all references to “Regulations” are to Title 10, Chapter 6, of the California Code of Regulations.

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ACCUSATION

LICENSE HISTORY

(CESAR BOBADILLA)

3.

a. Respondent BOBADILLA is presently licensed and/or has license rights under the Code as a real estate broker with the Department of Real Estate (“Department”) License ID 01962129.

b. Respondent maintains the licensed fictitious business names "Sundance Properties" and "Sundance Realty" with the Department.

(NICHOLAS HUNTER BROWN)

4.

a. Respondent BROWN is presently licensed and/or has license rights under the Code as a real estate salesperson with License ID 01878797.

b. From October 6, 2021 through March 26, 2025, and April 10, 2025 through the present, Respondent BROWN's responsible broker has been Respondent BOBADILLA.

CAUSE FOR ACCUSATION

5.

At all times relevant herein Respondents were engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker, within the meaning of Code section 10131(b) by leasing or renting or offering to lease or rent, or placing for rent, or soliciting listings of places for rent, or soliciting for prospective tenants, or negotiating the sale, purchase, or exchanges of leases on real property, or on a business opportunity, or collecting rents from real property, or improvements thereon, or from business opportunities (“property management”).

6.

On or about August 30, 2018, BROWN registered the fictitious business name "West Coast Property Managers" with the County Clerk of Riverside County.

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7.

On or about August 1, 2023, BOBADILLA entered into an Independent Contractor Agreement (“ICA”) with BROWN. In the ICA, BOBADILLA listed his licensed fictitious names as “Sundance Realty, Sundance Properties and West Coast Property Managers.” BROWN would act as the office manager for West Coast Property Managers. BROWN would receive 90% of the commission on real estate sales transactions and 100% of the commission on all property management fees. West Coast Property Managers, however, is not a licensed fictitious business name issued under BOBADILLA’s broker license with the Department.

8.

From August 2023, through January 2025, West Coast Property Managers entered into the following eight (8) Property Management Agreements (“PMA”) with the property owners for the following properties:

- a. ***** Billie Ann Road, Wildomar, California
- b. ***** Birchfield Drive, Temecula, California
- c. ***** Fernwood Lane, Perris, California
- d. ***** Cherry Hills Boulevard, Menifee, California
- e. ***** Branson Drive, Homeland, California
- f. ***** Orange Street, Wildomar, California
- g. ***** Palermo Court, Murrieta, California
- h. ***** Thicket Place, Corona, California

BROWN signed the PMAs as the office manager of West Coast Property Managers and listed BOBADILLA's real estate license ID for West Coast Property Managers on the Property Management Agreements. The property owners agreed to pay BROWN a monthly management fee of \$100.00 and a flat fee of \$1,000.00 for renting or leasing.

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The PMA for ***** Thicket Place, Corona, California, provided by BOBADILLA, has a handwritten correction on Page 5 of the agreement correcting the DRE license number of West Coast Property Managers from "01878797," which is BROWN's license number, to "01962129," which is BOBADILLA's license number. Next to the handwritten correction are handwritten initials of "MG," "PA," and "NB." According to the property owners of the Thicket Place property, there are no handwritten alterations on their copy of the agreement, nor did the property owners initial Page 5 of the agreement.

10.

For each of the eight properties, West Coast Property Managers, as the property manager, and the tenant(s) of the properties signed a Residential Lease Agreement (“RLA”). BROWN signed the RLAs as the agent for West Coast Property Managers. BROWN listed West Coast Property Managers as the real estate broker with BOBADILLA’s real estate license ID 01962129. Each RLA instructed the tenants to make the rent payment payable to West Coast Property Managers and to deliver the payments to BROWN.

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BOBADILLA provided the January 2025 bank records for the account holding security deposits and rent payments collected by BROWN. According to the bank records for January 2025 at PNC Bank, Account No. XX-XXXX-8925, the bank account holding trust funds is in the name of West Coast Property Managers. The bank signature card for the PNC Bank account shows that BROWN and “Robert Brown” were the signatories of the bank account from August 31, 2023, through March 26, 2025. From March 27, 2025, through April 1, 2025, BROWN was the sole signatory. BOBADILLA did not provide a copy of any written authorization for BROWN to make withdrawals from the bank account holding trust funds. Starting April 2, 2025, BOBADILLA, along with BROWN, were the signatories of the PNC bank account.

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1 BROWN maintains the website www.westcoastpropertymanagers.com for his
2 property management activities. BROWN's website does not disclose BROWN'S real estate
3 license number, nor does it disclose BOBADILLA's name.

4 (USE OF UNLICENSED FICTITIOUS NAME)

5 13.

6 The conduct, acts and/or omissions, as described above, constitute cause for the
7 suspension or revocation of the license and license rights of Respondents under Code section
8 10159.5 and Regulations section 2731 for conducting property management activities using an
9 unlicensed fictitious name without first having BOBADILLA's real estate broker license issued
10 under that fictitious business name.

11 (TRUST FUND HANDLING)

12 14.

13 The conduct, acts and/or omissions of Respondents, as described above,
14 constitute cause for the suspension or revocation of the license and license rights of
15 Respondents under Code section 10145 and Regulations 2832, for accepting and receiving trust
16 funds, from or on behalf of the owners of the properties managed by West Coast Property
17 Managers and failing to designate the account holding trust funds at PNC Bank as a trust
18 account in the name of the broker, or in a fictitious name if the broker is the holder of a license
19 bearing such fictitious name, as trustee.

20 (TRUST ACCOUNT WITHDRAWALS)

21 15.

22 For a period of time, BROWN was the sole signatory of the bank account
23 holding trust funds without first obtaining written authorization from BOBADILLA which
24 constitutes cause for the suspension or revocation of the license and license rights of
25 Respondents under Regulations section 2834.

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1 (UNLAWFUL PAYMENT OF COMPENSATION)

2 16.

3 The conduct, acts and/or omissions of Respondents, as described above,
4 constitute cause for the suspension or revocation of the license and license rights of
5 Respondents under Code section 10137. BROWN accepted compensation for activity requiring
6 a real estate license from the owners of the properties managed by West Coast Property
7 Managers and not directly from BOBADILLA, who is the broker under whom BROWN is at
8 the time licensed.

9 (FAILURE TO DISCLOSE LICENSED STATUS IN ADVERTISING)

10 17.

11 The conduct, acts and/or omissions of Respondents, as described above,
12 constitute cause for the suspension or revocation of the license and license rights of
13 Respondents under Code section 10140.6 and Regulations section 2773. BROWN failed to
14 disclose his real estate license number and BOBADILLA's name on BROWN's website
15 www.westcoastpropertymanagers.com.

16 (FRAUD OR DISHONEST DEALING)

17 18.

18 The conduct, act and/or omissions of BROWN, as described in Paragraph 9
19 above, constitute cause for the suspension or revocation of the license and license rights of
20 Respondent under Code sections 10176(i) and 10177(j), for fraud or dishonest dealing.

21 (SUBSTANTIAL MISREPRESENTATION, NEGLIGENCE/INCOMPETENCE)

22 19.

23 The conduct, act and/or omissions of Respondents and each of the foregoing
24 violations above constitute cause for the suspension or revocation of the real estate license
25 and/or license rights of Respondents under the provisions of Sections 10176(a), 10177(d),
26 and/or 10177(g).

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(FAILURE TO SUPERVISE)

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Based on the conduct, acts and/or omissions of BROWN, BOBADILLA failed to exercise reasonable supervision over the activities of BROWN to ensure full compliance with the Real Estate Law and Regulations in violation of Code section 10177(h) and Regulations section 2725.

COSTS OF INVESTIGATION AND ENFORCEMENT

21.

9 California Business and Professions Code section 10106, provides, in pertinent
10 part, that in any order issued in resolution of a disciplinary proceeding before the Department
11 of Real Estate, the Commissioner may request the administrative law judge to direct a licensee
12 found to have committed a violation of this part to pay a sum not to exceed the reasonable costs
13 of the investigation and enforcement of the case.

14 WHEREFORE, Complainant prays that a hearing be conducted on the
15 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
16 disciplinary action against all the licenses and license rights of CESAR BOBADILLA and
17 NICHOLAS HUNTER BROWN under the Real Estate Law, for the costs of investigation and
18 enforcement as permitted by law, and for such other and further relief as may be proper under
19 other applicable provisions of law.

21 Dated at San Diego, California this 30 day of October , 2025.

**Veronica Kilpatrick
Supervising Special Investigator**

cc: CESAR BOBADILLA
NICHOLAS HUNTER BROWN
Veronica Kilpatrick
Sacto.