

Kevin H. Sun, Counsel (SBN 276539)  
Department of Real Estate  
320 West 4th Street, Suite 350  
Los Angeles, California 90013-1105  
Telephone: (213) 443-9271  
Email: Kevin.Sun@dre.ca.gov  
*Attorney for Complainant*



BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-43192 LA
	)	
BRIGHT PATH INCORPORATED, JAMIE	)	<u>ACCUSATION</u>
LYNNE RAMSEY, MATTHEW DAVID	)	
WISTRICH, and TAWNEY LEA NEMECHEK,	)	
	)	
Respondent(s).	)	

The Complainant, Ray Dagnino, a Supervising Special Investigator of the State of California, for cause of Accusation against BRIGHT PATH INCORPORATED, JAMIE LYNNE RAMSEY, MATTHEW DAVID WISTRICH, and TAWNEY LEA NEMECHEK (collectively "Respondents") alleges as follows:

1.

The Complainant, Ray Dagnino, 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 California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

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ACCUSATION

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1 (d) According to the records provided by Respondents, RAMSEY is 51%  
2 shareholder and CEO of BPI and Roger Saffold III (non-licensee) is 49% shareholder and CFO  
3 of BPI.

4 (d) On or about February 18, 2014, in case no. H-38337 LA, a Stipulation and  
5 Agreement was entered into between the Department and Respondent RAMSEY, among  
6 others, effective March 20, 2014, issuing suspensions of 30 days (15 days stayed for 2 years on  
7 terms and conditions and 15 days stayed for monetary penalty) for violation of Code sections  
8 10130, 10176(a), 10177(d), and Regulations sections 2715 and 2773.

9 5.

10 (MATTHEW DAVID WISTRICH)

11 (a) Respondent MATTHEW DAVID WISTRICH ("WISTRICH") is presently  
12 licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the  
13 California Business and Professions Code, as a RES, Department license ID 02127145.

14 (b) The Department originally issued WISTRICH's RES license on or about  
15 May 17, 2021. WISTRICH's license expired on May 16, 2025. The Department retains  
16 jurisdiction over this matter pursuant to Code Section 10103.

17 (c) According to the Department's records, BPI was never registered as  
18 WISTRICH's responsible broker.

19 6.

20 (TAWNEY LEA NEMECHEK)

21 (a) Respondent TAWNEY LEA NEMECHEK, formerly known as "Tawney Lea  
22 Whitley", ("NEMECHEK") is presently licensed and/or has license rights under the Real Estate  
23 Law, Part 1 of Division 4 of the California Business and Professions Code, as a RES,  
24 Department license ID 01883692.

25 (b) The Department originally issued NEMECHEK's RES license on or about  
26 June 30, 2010. NEMECHEK's RES license is scheduled to expire on May 14, 2027, unless  
27 renewed.

1 (c) According to the Department's records, BPI was registered as  
2 NEMECHEK's responsible broker from November 29, 2023 to January 15, 2024.

3 LICENSED ACTIVITIES

4 7.

5 At all times relevant herein Respondents were engaged in the business of, acted  
6 in the capacity of, advertised or assumed to act as a real estate corporation, within the meaning  
7 of Section 10131 (b) of the Code. Respondents' activities included the leasing or renting of real  
8 property and the collection of rents and security deposits for real property on behalf of others  
9 for compensation or in expectation of compensation.

10 8.

11 (AUDIT LA24-0032)

12 On or about June 27, 2025, the Department completed an audit examination of  
13 the books and records of Respondents pertaining to the property management activities  
14 described in Paragraph 7 above. The audit examination covered the period of time from  
15 October 19, 2023 to October 31, 2024 ("audit period"). The primary purpose of the  
16 examination was to determine whether Respondents conducted real estate activities that  
17 complied with the Real Estate Law. The audit examination revealed violations of the Code and  
18 the Regulations as set forth in the following paragraphs, and more fully discussed in Audit No.  
19 LA24-0032, and the exhibits and work papers attached to said audit report.

20 9.

21 At all times mentioned herein, and in connection with the property management  
22 activities described in Paragraph 7, above, Respondents accepted or received funds, including  
23 funds in trust ("trust funds") from or on behalf of actual or prospective parties to transactions  
24 handled by Respondents and thereafter made deposits and/or disbursements of such funds.  
25 According to the documents provided, Respondents maintained three (3) bank account for  
26 handling of the receipts and disbursements of funds during the audit period in connection with  
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the property management activities as well as a general account for business purposes. The bank accounts are as follows:

Bank Account 1 ("BA 1")

Bank: US Bank

Account Name: Bright Path Incorporated

Account Number: xxxxxxxx7707

Signatories: Jamie L Ramsey

Signatures Required: One

Purpose: BA 1 was maintained to handle trust funds in the property management activities for multiple beneficiaries. Disbursements from BA 1 were also payments for expenses related to properties managed.

Trust Account 1 ("TA 1")

Bank: Bank of Marin

Account Name: Bright Path Incorporated dba Results Property Management Escrow  
Trust Account

Account Number: xxxxxxxx8001

Signatories: Jamie L Ramsey, Dana Lynn Kittle ("Kittle") (non-licensee)

Signatures Required: One

Purpose: TA 1 was maintained to handle trust funds, namely security deposits, in the property management activities for multiple beneficiaries. Disbursements from TA 1 were for security deposit refunds related to properties managed.

Trust Account 2 ("TA 2")

Bank: Bank of Marin

Account Name: Bright Path Incorporated dba Results Property Management Operating  
Trust Account

Account Number: xxxxxxxx5294

1 Signatories: Jamie L Ramsey, Dana Lynn Kittle (non-licensee)

2 Signatures Required: One

3 Purpose: TA 2 was maintained to handle trust funds in the property management  
4 activities for multiple beneficiaries. Disbursements from TA 2 were also payments for expenses  
5 related to properties managed.

6 Violations of the Real Estate Law

7 10.

8 The audit examination revealed violations of the Code and the Regulations, as  
9 set forth in the following paragraphs, and more fully discussed in Audit Report No. SD240032,  
10 and the exhibits and work papers attached to the audit report:

11 (a) **Trust Fund Handling For Multiple Beneficiaries (Code Section 10145**  
12 **and Regulations Section 2832.1)**. Based on an examination of BA 1's records, there was a  
13 combined minimum trust fund shortage of \$23,166.52 as of October 31, 2024 in violation of  
14 Code Section 10145 and Regulations Sections 2832.1. There is no evidence that Respondents  
15 were given written consent from the owners of the trust funds to allow Respondents to reduce  
16 the balance of the funds in BA 1 to an amount less than the aggregate trust fund liabilities to all  
17 owners of the trust funds.

18 Based on an examination of TA 1's records, there was a combined minimum  
19 trust fund shortage of \$725.00 as of October 31, 2024 in violation of Code Section 10145 and  
20 Regulations Sections 2832.1. There is no evidence that Respondents were given written consent  
21 from the owners of the trust funds to allow Respondents to reduce the balance of the funds in  
22 TA 1 to an amount less than the aggregate trust fund liabilities to all owners of the trust funds.

23 Based on an examination of TA 2's records, there was a combined minimum  
24 trust fund shortage of \$158.00 as of October 31, 2024 in violation of Code Section 10145 and  
25 Regulations Sections 2832.1. There is no evidence that Respondents were given written consent  
26 from the owners of the trust funds to allow Respondents to reduce the balance of the funds in  
27 TA 2 to an amount less than the aggregate trust fund liabilities to all owners of the trust funds.

ACCUSATION

1 (b) **Unlicensed Activity (Code Section 10130)**. According to the Department's  
2 records and records provided by Respondents, BPI performed licensed activities, including, but  
3 not limited to, collection of rent and security deposits and entering into property management  
4 agreements, while BPI's license was inactive due to no broker affiliation from March 18, 2024  
5 to April 29, 2024 in violation of Code Section 10130.

6 (c) **Unlawful Retention or Payment of Compensation (Code Section 10137)**.  
7 During the audit period, RAMSEY and NEMECHEK were compensated by BPI for  
8 performing licensed activities on behalf of BPI when their licenses were not registered with  
9 BPI in violation of Code Section 10137.

10 (d) **Trust Fund Handling/Trust Funds to be Deposited into Trust Account/  
11 Commingling/Conversion (Code Sections 10145, 10176 (e), and 10176(i) and Regulations  
12 Section 2832)**. During the audit period, BPI converted \$14,390 of trust funds by depositing  
13 said funds into its general account 1 ("GA 1") (US Bank, Bright Path Incorporated dba Results  
14 Property Management, account number xxxxxxxx9429) on or about April 9, 2024 in violation  
15 of Code Sections 10145, 10176(e), and 10176(i) and Regulations 2832.

16 (e) **Trust Fund Handling/Commingling/Excess Broker Funds Held in Trust  
17 Accounts (Code Sections 10145 and 10176(e) and Regulations 2835)**. BPI maintained its  
18 funds in BA1 during the audit period and funds in excess of \$200.00 in TA 2 during the audit  
19 period in violation of Code Sections 10145 and 10176(e) and Regulations 2835.

20 (f) **Handling of Trust Funds/Trust Account Designation (Code Section  
21 10145 and Regulations Section 2832)**. Based on an examination of BA 1's records, BA 1 was  
22 not set up as a trust account. BA 1 was used to collect trust funds in connection with BPI's  
23 property management activity in violation of Code Section 10145 and Regulations Section  
24 2832.

25 (g) **Handling of Trust Funds/Trust Account Withdrawals (Code Section  
26 10145 and Regulations Section 2834)**. Respondents allowed non-licensee Kittle to be a signer  
27

1 for TA 1 and TA 2, without sufficient fidelity bond coverage in violation of Code Section  
2 10145 and Regulations Section 2834.

3 During the audit period, Designated officers of BPI, Tucker, Elizares, and  
4 Torres were not authorized signatories of BA 1, TA 1, and TA 2 in violation of Code Section  
5 10145 and Regulations Section 2834.

6 During audit period, RAMSEY was an authorized signatory for BA 1, TA 1, and  
7 TA 2 without her license being listed under BPI's license in violation of Code Section 10145  
8 and Regulations Section 2834.

9 (h) **Trust Fund Handling/Trust Fund Records to be Maintained (Code**  
10 **Section 10145 and Regulations Sections 2831).** Based on an examination of BA 1's records,  
11 BPI failed to maintain complete and accurate columnar record for all trust funds received and  
12 disbursed (control record) in BA 1, which were used for Respondent's property management  
13 activities during the audit period in violation of Code Section 10145 and Regulations Sections  
14 2831.

15 (i) **Trust Fund Handling/Separate Records for Each Beneficiary (Code**  
16 **Section 10145 and Regulations Sections 2831.1).** Based on an examination of BA 1's records,  
17 BPI failed to maintain complete and accurate separate records for each beneficiary or  
18 transaction of all trust fund receipts and disbursements for BA 1 in connection with  
19 Respondent's property management activities during the audit period in violation of Code  
20 Section 10145 and Regulations Section 2831.1.

21 (j) **Broker-Salesman Relationship Agreement (Regulations Section 2726).**

22 During the audit period, Respondents did not maintain an adequate broker-  
23 salesman relationship agreement for RAMSEY in violation of Regulations Section 2726.

24 **Additional Violations of the Real Estate Law**

25 11.

26 The overall conduct of Respondents violates the Real Estate Law and constitutes  
27 cause for the suspension or revocation of its real estate license and license rights under the



1 provisions of **Code Section 10177(g)** for negligence and **Code Section 10177(d)** for willful  
2 disregard of the Real Estate Law.

3 12.

4 Each of the foregoing violations in Paragraphs 10 (a)-(j) above constitute cause  
5 for the suspension or revocation of the real estate license and/or license rights of Respondents  
6 under the provisions of Code sections 10177(d) and 10177(g).

7 **COSTS**

8 (AUDIT COSTS)

9 13.

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

15 (INVESTIGATION AND ENFORCEMENT COSTS)

16 14.

17 Section 10106 of the Code, 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.

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10 Dated at Los Angeles, California this 1st day of December, 2025.

cc: BRIGHT PATH INCORPORATED  
JAMIE LYNNE RAMSEY  
MATTHEW DAVID WISTRICH  
TAWNEY LEA NEMECHEK  
Sacto.  
Audits – Gina King