

1 Kevin H. Sun, Counsel (SBN 276539)  
2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105  
5 Telephone: (213) 443-9271  
6 Email: Kevin.Sun@dre.ca.gov  
7 *Attorney for Complainant*

FILED

DEC 29 2025

B

8  
9  
10 BEFORE THE DEPARTMENT OF REAL ESTATE  
11  
12 STATE OF CALIFORNIA

13 \* \* \*

14 In the Matter of the Accusation of ) No. H-43228 LA  
15 )  
16 BRAHMS HOLDINGS INC, and ) ACCUSATION  
17 TROYER THEODORE GUY, individually )  
18 and as designated officer of Brahms Holdings Inc, )  
19 )  
20 Respondent(s). )  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )

16  
17 The Complainant, Ray Dagnino, a Supervising Special Investigator of the State  
18 of California, for cause of Accusation against BRAHMS HOLDINGS INC and TROYER  
19 THEODORE GUY (collectively "Respondents") alleges as follows:

20 1.

21 The Complainant, Ray Dagnino, a Supervising Special Investigator of the State  
22 of California, makes this Accusation in her official capacity.

23 2.

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

26 ///

27 ///

ACCUSATION

## LICENSE HISTORY

3.

(BRAHMS HOLDINGS INC)

(a) Respondent BRAHMS HOLDINGS INC (“BHI”) 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 (“REC”), Department license ID 01893839.

(b) The Department originally issued BHI's REC license on or about January 12, 2011. BHI's REC license is scheduled to expire on January 11, 2027, unless renewed.

(c) According to the Department's records, BHI maintains authorized fictitious business names "Balboa Escrow, A Non-Independent Broker Escrow" and "Brahms Escrow, a division of KWNV, a non-independent broker escrow".

(d) According to the Department's records to date, BHI's main office address is 19300 Rinaldi St., Ste L, Porter Ranch, CA 91326.

(e) According to the Department's records to date, BHI employs approximately 21 broker associates and 297 salespersons under its real estate license.

4.

(TROYER THEODORE GUY)

(a) Respondent TROYER THEODORE GUY (“GUY”) 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 (“REB”), Department license ID 01130264.

(b) The Department originally issued GUY's REB license on or about August 13, 2004. GUY's license is scheduled to expire on August 12, 2028, unless renewed.

(c) According to the Department's records, since approximately January 12, 2023, GUY was, and currently is, designated officer for BHI.

111

5.

(PRIOR DISCIPLINE)

On or about January 25, 2022, BHI and the Department entered into a stipulation and agreement (“stipulation and agreement”) to citation and fine (Case No. H-41698 LA). BHI, among others, agreed to pay the Department a \$2,500 fine for violations as well as payment of the Department’s investigative, enforcement, audit and follow-up audit costs. The June 16, 2020 accusation alleged that BHI, and others, violated the following real estate laws, pursuant to an audit examination completed on or about July 25, 2019 (Audit LA180058):

(a) Code Section 10145 and Regulations Sections 2832.1, 2950, and 2951 – Trust Fund Handling for Multiple Beneficiaries (shortages);

(b) Code Section 10145 and Regulation Sections 2831, 2950, and 2951 - Trust Fund Records to be Maintained (inaccurate/incomplete control records);

(c) Code Section 10145 and Regulation Sections 2831.1, 2950, and 2951 –  
Separate Records for Each Beneficiary or Transaction (inaccurate/incomplete separate records);  
and

(d) Code Section 10145 and Regulation Sections 2834 and 2951 – Trust Account Withdrawals (non-employee made withdrawals from trust accounts).

### LICENSED ACTIVITIES

6.

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 corporation, within the meaning of Section 10131(a) of the Code. Respondents' activities included, but not limited to, broker-controlled escrows through BHI under the exemption set forth in California Financial Code section 17006(a)(4) for real estate brokers performing escrows incidental to a real estate transaction where the broker is a party and where the broker is performing acts for which a real estate license is required.

111

1 7.

2 (AUDIT LA240043)

3 On or about August 14, 2025, the Department completed an audit examination  
4 of the books and records of Respondents pertaining to the broker escrow activities described in  
5 Paragraph 6 above. The audit examination covered the period of time from February 1, 2023  
6 through November 30, 2024 (“audit period”). The primary purpose of the examination was to  
7 determine whether Respondents conducted real estate activities that complied with the terms of  
8 the stipulation and agreement in Case No. H-41698 LA as well as the Real Estate Law. The  
9 audit examination revealed violations of the Code and the Regulations as set forth in the  
10 following paragraphs, and more fully discussed in Audit No. LA240043, and the exhibits and  
11 work papers attached to said audit report.

12 8.

13 At all times mentioned herein, and in connection with the broker escrow  
14 activities described in Paragraph 7, above, Respondents accepted or received funds, including  
15 funds in trust (“trust funds”) from or on behalf of actual or prospective parties to transactions  
16 handled by Respondents and thereafter made deposits and/or disbursements of such funds.  
17 According to the documents provided, Respondents maintained three (3) bank account for  
18 handling of the receipts and disbursements of funds during the audit period in connection with  
19 the broker escrow activities as well as a general account for business purposes. The bank  
20 accounts are as follows:

21 Trust Account 1 (“TA 1”)

22 Bank: Banc of California  
23 Account Name: Brahms Holdings Inc  
24 Porter Ranch Brahms Escrow Trst  
25 Account Number: xxxxxxxx4299  
26 Signatories: Troyer Theodore Guy (DRE license No. 01130264); Albert L Meggers  
27 (non-licensee); Baldwin Salazar (DRE license No. 01493157); Audrey

1 De Chellis (DRE license No. 01862384); Amber Z Carr (DRE license  
2 No. 01947367)

3 Signatures Required: One

4 Purpose: TA 1 was maintained to handle trust funds in the broker escrow  
5 activities. TA 1 was opened on December 6, 2019.

6 Trust Account 2 ("TA 2")

7 Bank: Banc of California

8 Account Name: Brahms Holdings Inc

9 Porter Ranch Brahms Escrow Trust #2

10 Account Number: xxxxxxxx9458

11 Signatories: Troyer Theodore Guy (DRE license No. 01130264); Albert L Meggers  
12 (non-licensee); Baldwin Salazar (DRE license No. 01493157); Audrey  
13 De Chellis (DRE license No. 01862384); Amber Z Carr (DRE license  
14 No. 01947367)

15 Signatures Required: One

16 Purpose: TA 2 was maintained to handle trust funds in the broker escrow  
17 activities. TA 2 was opened on May 20, 2020.

18 Trust Account 3 ("TA 3")

19 Bank: Mission Bank

20 Account Name: Brahms Holdings Inc

21 DBA Keller Williams Realty Porter Ranch

22 Porter Ranch Escrow Trust

23 Account Number: xxxxxxxx7593

24 Signatories: Troyer Theodore Guy (DRE license No. 01130264); Baldwin Salazar  
25 (DRE license No. 01493157); Audrey De Chellis (DRE license No.  
26 01862384); Amber Z Carr (DRE license No. 01947367); Daisy Lucatero  
27 (DRE license No. 02081928)

1  
2 Signatures Required: One

3 Purpose: TA 3 was maintained to handle trust funds in the broker escrow  
4 activities. TA 3 was opened on December 18, 2023.

5 Violations of the Real Estate Law

6 9.

7 The audit examination revealed violations of the Code and the Regulations, as  
8 set forth in the following paragraphs, and more fully discussed in Audit Report No. LA240043,  
9 and the exhibits and work papers attached to the audit report:

10 (a) **Trust Fund Accountability and Balances (Code Section 10145 and**  
11 **Regulations Sections 2832.1, 2950, and 2951)**. Based on an examination of TA 1's records,  
12 there was a combined minimum trust fund shortage of \$3,418.58 as of November 30, 2024 in  
13 violation of Code Section 10145 and Regulations Sections 2832.1, 2950, and 2951.

14 Based on an examination of TA 2's records, there was a combined minimum  
15 trust fund shortage of \$1,494.16 as of November 30, 2024 in violation of Code Section 10145  
16 and Regulations Sections 2832.1, 2950, and 2951.

17 Based on an examination of TA 3's records, there was a combined minimum  
18 trust fund shortage of \$150,014.41 as of November 30, 2024 in violation of Code Section  
19 10145 and Regulations Sections 2832.1, 2950, and 2951.

20 (b) **Trust Fund Records to be Maintained / When Broker Handles Escrow**  
21 **(Code Section 10145 and Regulations Sections 2831, 2950, and 2951)**. Based on an  
22 examination of TA 2's records, Respondents failed to maintain complete and accurate  
23 columnar record for all trust funds received and disbursed (control record) in TA 2, which were  
24 used for Respondents' broker escrow activities during the audit period in violation of Code  
25 Section 10145 and Regulations Sections 2831, 2950, and 2951.

26 Based on an examination of TA 3's records, Respondents failed to maintain  
27 complete and accurate columnar record for all trust funds received and disbursed (control

1 record) in TA 3, which were used for Respondents' broker escrow activities during the audit  
2 period in violation of Code Section 10145 and Regulations Sections 2831, 2950, and 2951.

3 (c) **Separate Records for Each Beneficiary or Transaction / When Broker**  
4 **Handles Escrow (Code Section 10145 and Regulations Sections 2831.1, 2950, and 2951).**

5 During the audit period, the separate records "Escrow Book Balance by Order Number Report"  
6 maintained for TA 1, TA 2, and TA 3 were inaccurate and incomplete in violation of Code  
7 Section 10145 and Regulations Sections 2831.1, 2950, and 2951.

8 Respondents failed to provide TA 1's separate records in connection with  
9 Respondents' broker escrow activities during the audit period available for the audit  
10 examination.

11 Based on an examination of TA 2 and TA 3's records, Respondent failed to  
12 maintain complete and accurate separate records for each beneficiary or transaction of all trust  
13 fund receipts and disbursements for TA 2 and TA 3 in connection with Respondent's broker  
14 escrow activities during the audit period in violation of Code Section 10145 and Regulations  
15 Section 2831.1, 2950, 2951.

16 (d) **Handling of Trust Fund / Trust Account Reconciliation / When Broker**  
17 **Handles Escrow (Code Section 10145 and Regulations Sections 2831.2 and 2951).** During  
18 the audit period, Respondents did not always maintain accurate and complete monthly  
19 reconciliation comparing the balance of all separate beneficiary or transaction records (separate  
20 records) with the record of all trust funds received and disbursed (control record) for TA 1, TA  
21 2, and TA 3 in violation of Code Section 10145 and Regulations Sections 2831.2 and 2951.

22 (e) **Trust Fund Handling / When Broker Handles Escrow (Code Section**  
23 **10145 and Regulations Sections 2834 and 2951).** Respondents allowed non-licensee Albert L  
24 Meggers to be a signer for TA 1 and TA 2, without sufficient fidelity bond coverage in  
25 violation of Code Section 10145 and Regulations Sections 2834 and 2951.

26 (f) **Handling of Trust Funds / When Broker Handles Escrow (Code Section**  
27 **10145 and Regulations Section 2950).** Based on an examination of the records, Respondents

1 erroneously deposited \$150,014.41 trust funds into TA 2 instead of TA 3. Respondents  
2 deposited said trust funds without the written instructions of the party or parties paying the  
3 money into escrow in violation of Code Section 10145 and Regulations Section 2950.

4 (g) **Responsibility of Corporate Officer in Charge / Broker Supervision**

5 **(Code Section 10159.2 and Regulations Section 2725)**. Based on the violations in  
6 Paragraphs 9 (a)-(f) above, Respondent GUY failed to exercise adequate supervision and  
7 control over BHI's broker escrow activities in violation of Code section 10159.2. Respondent  
8 GUY failed to provide established policies, rules, procedures, and systems to review, oversee,  
9 inspect, and manage transactions requiring a real estate license and the handling of trust funds  
10 in violation of Regulations section 2725.

11 . **Additional Violations of the Real Estate Law**

12 10.

13 The overall conduct of Respondents violates the Real Estate Law and constitutes  
14 cause for the suspension or revocation of its real estate license and license rights under the  
15 provisions of **Code Section 10177(g)** for negligence and **Code Section 10177(d)** for willful  
16 disregard of the Real Estate Law.

17 11.

18 Each of the foregoing violations in Paragraphs 9 (a)-(g) above constitute cause  
19 for the suspension or revocation of the real estate license and/or license rights of Respondents  
20 under the provisions of Code sections 10177(d), 10177(g), and 10177(h) (as to GUY).

21 **COSTS**

22 (AUDIT COSTS)

23 12.

24 Section 10148(b) of the Code, provides, in pertinent part, that the Real Estate  
25 Commissioner shall charge a real estate broker for the costs of any audit if the Commissioner  
26 has found in a final decision, following a disciplinary hearing, that the broker has violated  
27 Section 10145 of the Code or a regulation or rule of the Commissioner interpreting said Code

1 section. In addition, pursuant to the Stipulation and Agreement to Citation and Fine in Case No.  
2 H-41698, Respondent BHI agreed to pay "the Commissioner's reasonable costs, not to exceed  
3 \$8,684.00, for any subsequent audit to determine if Respondent BRAHMS HOLDINGS INC  
4 has corrected the violations. . ."

5 (INVESTIGATION AND ENFORCEMENT COSTS)

6 13.

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

12 PRAAYER

13 WHEREFORE, Complainant prays that a hearing be conducted on the  
14 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing  
15 disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of  
16 Division 4 of the California Business and Professions Code) of Respondents BRAHMS  
17 HOLDINGS INC and TROYER THEODORE GUY, for the cost of investigation and  
18 enforcement as permitted by law, and for such other and further relief as may be proper under  
19 applicable provisions of law.

20  
21 Dated at Los Angeles, California this 18<sup>th</sup> day of December, 2025.

22  
23  
24 Ray Dagnino  
25 Supervising Special Investigator

26 cc: BRAHMS HOLDINGS INC  
27 TROYER THEODORE GUY  
Sacto.  
Audits – Guadalupe Barragan