

FILED

OCT 26 2015

BUREAU OF REAL ESTATE

By John C. Quil

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

11 In the Matter of the Accusation of )  
12 )  
13 CHARLES FRANK ULBRICH, )  
14 )  
15 Respondent, )  
16 )  
17 )

No. H- 02970 FR

A C C U S A T I O N

18 The Complainant, Brenda Smith, a Supervising Special  
19 Investigator of the State of California, for cause of accusation  
20 against CHARLES FRANK ULBRICH, alleges as follows:  
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22 1. The Complainant, Brenda Smith, acting in her  
23 official capacity as a Supervising Special Investigator of the  
24 State of California, makes this Accusation against CHARLES FRANK  
25 ULBRICH.

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1           2. CHARLES FRANK ULBRICH (hereinafter referred to as  
2 "Respondent") is presently licensed and/or has license rights  
3 under the Real Estate Law (Part 1 of Division 4 of the Business  
4 and Professions Code, hereinafter Code).

5           3. At all times herein mentioned, Respondent CHARLES  
6 FRANK ULBRICH was licensed as a real estate broker.

7           4. At all times material herein, Respondent engaged in  
8 the business of, acted in the capacity of, advertised or assumed  
9 to act as a real estate broker in the State of California within  
10 the meaning of Section 10131(b) of the Code including soliciting  
11 owners and renters, negotiating rental agreements, and collecting  
12 rents from real property.

13           5. On or about February 4, 2015, the Bureau completed  
14 an examination of Respondent's books and records, pertaining to  
15 the activities described in Paragraph 4 above, covering a period  
16 from January 1, 2014, through December 31, 2014, which  
17 examination revealed violations of the Code and of Title 10,  
18 Chapter 6, California Code of Regulations (hereinafter  
19 Regulations) as set forth below.

20           6. The examination described in Paragraph 5, above,  
21 determined that, in connection with the activities described in  
22 Paragraph 4 above, Respondent accepted or received funds,  
23 including funds in trust (hereinafter "trust funds") from or on  
24 behalf of principals, and thereafter made deposit or disbursement  
25 of such funds.

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1           7. In the course of activities described in Paragraphs  
2 4 through 6 and during the examination period described in  
3 Paragraph 5, Respondent acted in violation of the Code and the  
4 Regulations as follows, and as more specifically set forth in  
5 Audit Report No. FR 14-0021 and related exhibits:

6           a. Violated Code Section 10145 and Regulation 2832.1  
7 by maintaining as of December 31, 2014, a trust account shortage  
8 of \$44,630.71 in account ... 5559 and a shortage of \$76,638.31 in  
9 account ... 9973.

10           b. Violated Code Section 10145 and Regulation 2834 by  
11 having unlicensed trust account signatories. There was no  
12 fidelity bond coverage.

13           c. Violated Regulation 2731 by using the unlicensed  
14 fictitious name of Venture Real Estate Services.

15           d. Violated Code Section 10140.6(b) and Regulation  
16 2773 by failing to disclose Respondent's license number on his  
17 website.

18           8. The conduct, acts and/or omissions of Respondent  
19 CHARLES FRANK ULBRICH, as alleged above, subjects his real estate  
20 licenses and license rights to suspension or revocation pursuant  
21 to Sections 10177(d), 10177(g), and 10177(j) of the Code.  
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27           The Accusation of Charles Frank Ulbrich

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FAILURE TO SUPERVISE

9. The conduct, acts and/or omissions of Respondent in failing to ensure full compliance with the Real Estate Law is in violation of Code Sections 10177(g) and 10177(h) of the Code.

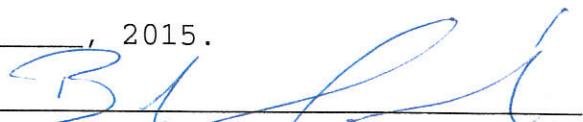
COST RECOVERY

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

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 license rights of Respondent under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Fresno, California

this 13 day of October, 2015.

  
BRENDA SMITH  
Supervising Special Investigator

cc: Charles Frank Ulbrich  
Brenda Smith  
Sacto

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