

1 LISSETE GARCIA, Counsel (SBN 211552)  
Bureau of Real Estate  
2 320 West 4th Street, Suite 350  
Los Angeles, California 90013-1105  
3 Telephone: (213) 576-6982  
Direct: (213) 576-6914  
4 Fax: (213) 576-6917  
*Attorney for Complainant*

**FILED**

**JUL 28 2017**

**BUREAU OF REAL ESTATE**

By *John Cozart*

7  
8 BEFORE THE BUREAU OF REAL ESTATE  
9 DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

\*\*\*

11 In the Matter of the Accusation against

CALBRE No. H-04922 SD

12 QUEST REALTY & PROPERTY MANAGEMENT  
SERVICES, INC.,

**ACCUSATION**

13 MARY JANE ALLEN, individually and as  
14 former designated officer of Quest Realty & Property  
Management Services, Inc.,

15 JEFFREY ALLEN, and

16 CASSAUNDR A PATTERSON,

17 Respondents.  
18

19 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator for the Bureau  
20 of Real Estate ("Bureau") of the State of California, for cause of Accusation against QUEST  
21 REALTY & PROPERTY MANAGEMENT SERVICES, INC., MARY JANE ALLEN,  
22 individually and as former designated officer for Quest Realty & Property Management Services,  
23 Inc., JEFFREY ALLEN, and CASSAUNDR A PATTERSON, (collectively "Respondents"), is  
24

1 informed and alleges as follows:

2 1.

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

5 2.

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

8 3.

9 Respondents are presently licensed and/or have license rights under the Real Estate Law  
10 (Part 1 of Division 4 of the California Business and Professions Code).

11 4.

12 From August 11, 2009 through the present, Respondent QUEST REALTY &  
13 PROPERTY MANAGEMENT SERVICES, INC. ("QUEST") has been licensed by the Bureau  
14 as a real estate corporation, License ID 01869486. QUEST's license is set to expire on  
15 August 10, 2017. QUEST has renewal rights pursuant to Code Section 10201. The Bureau  
16 retains jurisdiction pursuant to Code Section 10103.

17 5.

18 From July 11, 2014 through the present, Respondent MARY JANE ALLEN ("MARY  
19 ALLEN"), aka Mary Jane Filter, Mary Jane Shaffer, Jani Allen, and Jani Tubis has been licensed  
20 by the Bureau as a real estate broker, License ID 01276845. Respondent MARY ALLEN was  
21 previously licensed as a salesperson from March 11, 2000 through July 10, 2014.

22 ///

23 ///

24

1 6.

2 From August 7, 2014 through the present, Respondent QUEST has been licensed as a real  
3 estate corporation, acting by and through Respondent MARY ALLEN as its designated broker-  
4 officer. As the broker-officer designated by QUEST pursuant to Section 10211 of the Code,  
5 MARY ALLEN was responsible for the supervision and control of the activities conducted on  
6 behalf of QUEST, by its officers and employees, as necessary to secure full compliance with  
7 Real Estate Law as set forth in Code Section 10159.2 and Regulation 2725.

8 7.

9 From December 26, 2007 through the present, Respondent JEFFREY ALLEN ("JEFF  
10 ALLEN") has been licensed by the Bureau as a real estate salesperson, License ID 01794547.  
11 From July 19, 2010 through March 1, 2017, JEFF ALLEN was licensed under the employment  
12 of QUEST. JEFF ALLEN's real estate salesperson license is currently restricted and in non-  
13 working status, "NBA." JEFF ALLEN may not perform acts for which a real estate license is  
14 required while he is not under the employment of a licensed broker. JEFF ALLEN was issued a  
15 restricted salesperson license by the Bureau in Case No. H-03736 SD.

16 8.

17 From March 10, 2016 through the present, Respondent CASSAUNDR A PATTERSON  
18 ("PATTERSON") aka Cassaundra Patterson, Cassaundra L. Allen, and Cassaundra Lynn  
19 Henderson, has been licensed by the Bureau as a real estate salesperson, License ID 01997087.  
20 From March 10, 2016 through February 21, 2017, PATTERSON was licensed under the  
21 employment of QUEST.

22 ///

23 ///

24

1 9.

2 Respondents MARY ALLEN, JEFF ALLEN, and PATTERSON are related.

3 10.

4 According to filings with the Secretary of State for the State of California, QUEST is a  
5 California corporation formed on or about June 4, 2009. MARY ALLEN is the Chief Executive  
6 Officer and a director of QUEST. JEFF ALLEN was a director for QUEST. PATTERSON is  
7 the Secretary and Agent for Service of Process for QUEST.

8 FIRST CAUSE OF ACCUSATION

9 (Property Management-Conversion/Fraud/Dishonest Dealing)

10 11.

11 During the previous three years while doing business as QUEST, Respondents engaged  
12 in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in  
13 the State of California, within the meaning of Code Section 10131, subdivision (b), in that they  
14 offered to lease or rent, place for rent, solicit listings of rentals, solicit for prospective tenants,  
15 negotiate the leases on real property, or collect rents from real properties for others including, but  
16 not limited to, G.S.<sup>1</sup>, S.R., B.A., V.D., P.K., J.T., P.S., J.B., A.A., V.M., S.M., M.P., D.M., M.G.,  
17 A.P., A.G., P.G., K.J., S.G., R.K., N.K., Y.,D., L.S., M.M., H.K., L.L., S.L., A.M., K.D., M.D.,  
18 R.K., M.A., and A.P.

19 ///

20 ///

21 ///

22  
23 <sup>1</sup> Initials are used in place of individuals' full names to protect their privacy. Documents containing individuals' full  
24 names will be provided during the discovery phase of this case to Respondents and/or their attorneys, after service of  
a timely and proper request for discovery on Complainant's counsel.

1 12.

2 QUEST entered into property management agreements as an agent for approximately 37  
3 property owners as QUEST's clients and beneficiaries. QUEST collected trust funds in the form  
4 of security deposits and rent payments belonging to the property owners. QUEST charged an  
5 average property management compensation fee of five percent (5%) of all monthly rents  
6 collected for each property owner.

7 13.

8 In or around February of 2017, QUEST and Respondents stopped communicating with  
9 property owners and tenants and stopped disbursing security deposits and rental payments to the  
10 property owners. The property owners and their tenants were informed that QUEST intended to  
11 file bankruptcy. Respondents have not returned or provided an accounting for the trust funds  
12 belonging to QUEST's clients since January of 2017. The approximate amount of trust funds  
13 misappropriated by Respondents is estimated at \$183,563.

14 14.

15 On or about September 16, 2015, Respondents JEFF ALLEN and MARY ALLEN leased  
16 an office space for QUEST located at 14027 Midland Road, Poway, California 92064. JEFF  
17 ALLEN signed the lease as Chief Executive Officer for QUEST. MARY ALLEN signed the  
18 lease as Secretary for QUEST. On or about February 14, 2017, the management for the office  
19 space posted a Notice of Belief of Abandonment pursuant to Civil Code section 1951.3 for  
20 QUEST, MARY ALLEN, and JEFF ALLEN. Respondents were given notice that the lease was  
21 to be terminated as of March 4, 2017 for failure to pay rent and apparent abandonment of the  
22 office location.

23 ///

24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

15.

The conduct, acts and/or omissions of Respondents as described above in Paragraphs 11 through 14, are in violation of Code Sections 10162(c)(2), 10145, and Regulations 2710(c), 2715, 2831 through 2832.1 and constitute cause for the suspension or revocation of all real estate license and license rights of Respondents under the provisions of Code Sections 10165, 10177(d), 10176(i) or 10177(j), and/or 10177(g).

16.

The conduct, acts and/or omissions of Respondent MARY ALLEN, in allowing QUEST, JEFF ALLEN and PATTERSON to violate the Real Estate Law, as set forth above, constitutes a failure by Respondent MARY ALLEN to exercise the supervision and control over the activities of QUEST, JEFF ALLEN, AND PATTERSON, as required by Code Section 10159.2 and Regulation 2725, and is cause to suspend or revoke the real estate license and license rights of Respondent MARY ALLEN pursuant to Code Sections 10177(h), 10177(d) and/or 10177(g).

SECOND CAUSE OF ACCUSATION

(Audit/Failure to Retain Records)

17.

There is hereby incorporated in this Second, separate and distinct Cause of Accusation, all of the allegations contained in Paragraphs 1 through 16, with the same force and effect as if herein fully set forth.

18.

The Bureau attempted to conduct an audit of Respondent QUEST's property management activities in January of 2017, for Audit No. SD160023. On February 21, 2017, the Bureau served a subpoena duces tecum on PATTERSON as the Agent for Service of Process for

1 QUEST. The subpoena requested production for inspection and copying of all records and  
2 documents related to QUEST's property management activities for the prior three years.

3 19.

4 On February 23, 2017, the Bureau received a letter from an attorney representing QUEST  
5 and MARY ALLEN indicating that Respondents intended to cooperate with the Bureau's  
6 investigation. As of this date, no records have been provided to the Bureau for inspection by  
7 Respondents. As of this date, Respondents have failed to appear or produce records for the  
8 Bureau's audit.

9 20.

10 The conduct, acts and/or omissions of Respondents, as described above in Paragraphs 18  
11 and 19, are in violation of Code Section 10148 and constitute cause for the suspension or  
12 revocation of all real estate license and license rights of Respondents under the provisions of  
13 Code Sections 10177(d) and 10177(j).

14 21.

15 The conduct, acts and/or omissions of Respondent MARY ALLEN, in allowing QUEST,  
16 JEFF ALLEN and PATTERSON to violate the Real Estate Law, as set forth above, constitutes a  
17 failure by Respondent MARY ALLEN to exercise the supervision and control over the activities  
18 of QUEST, JEFF ALLEN, AND PATTERSON, as required by Code Section 10159.2 and  
19 Regulation 2725, and is cause to suspend or revoke the real estate license and license rights of  
20 Respondent MARY ALLEN pursuant to Code Sections 10177(h), 10177(d) and/or 10177(g).

21 ///

22 ///

23 ///

24

1 THIRD CAUSE OF ACCUSATION

2 (Failure to Disclose)

3 22.

4 There is hereby incorporated in this Third, separate and distinct Cause of Accusation, all  
5 of the allegations contained in Paragraphs 1 through 21, with the same force and effect as if  
6 herein fully set forth.

7 23.

8 On December 14, 2015, Respondent PATTERSON submitted a salesperson exam/license  
9 application to the Bureau. In response to Question 18, to wit, "HAVE YOU USED ANY  
10 OTHER NAMES (I.E. MAIDEN NAMES, FORMER MARRIED NAMES, AKA'S, ETC)?"  
11 PATTERSON replied "yes" and listed Cassandra L. Allen for all names used. Respondent  
12 PATTERSON failed to disclose the use of the alias, Cassandra Lynn Henderson, on the  
13 salesperson license application. Respondent PATTERSON also failed to disclose any personal  
14 name change to the Bureau subsequent to the submission of the license application.

15 24.

16 Respondent PATTERSON signed the application certifying that all answers and  
17 statements in the application were true and correct. Respondent MARY ALLEN signed  
18 PATTERSON's license application on behalf of QUEST as PATTERSON's sponsoring broker  
19 and also certified that MARY ALLEN had reviewed the applicant's answers to all questions in  
20 the application.

21 ///

22 ///

23 ///

24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

25.

Respondent PATTERSON's failure to disclose the use of an alias, as set forth in Paragraph 23 above, in her license application to the Bureau or thereafter, constitutes the procurement of a real estate license by fraud, misrepresentation, or deceit, or by making a false statement of material fact required to be revealed in said application, which is grounds for revocation of Respondent PATTERSON's license pursuant to Business and Professions Code Sections 498 and 10177(a) and Regulations 2710(c) and 2715.5.

26.

Respondent MARY ALLEN's certification of PATTERSON's application and failure to disclose PATTERSON's use of an alias to the Bureau is in violation of Code Section 499 and constitute cause for the suspension or revocation of all real estate licenses and license rights of Respondent MARY ALLEN under the provisions of Code Sections 499 and 10177(d).

Audit Costs

27.

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

///  
///  
///  
///  
///

1 Enforcement and Investigation Costs

2 28.

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

7 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this  
8 Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action  
9 against all licenses and/or license rights of Respondents QUEST REALTY & PROPERTY  
10 MANAGEMENT SERVICES, INC., MARY JANE ALLEN, individually and as former  
11 designated officer for Quest Realty & Property Management Services, Inc., JEFFREY ALLEN,  
12 and CASSAUNDR A PATTERSON, under the Real Estate Law (Part 1 of Division 4 of the  
13 Business and Professions Code), for the cost of investigation and enforcement as permitted by  
14 law, and for such other and further relief as may be proper under other provisions of law.

15 Dated at San Diego, California this 20<sup>th</sup> day of July, 2017.

16  
17   
18 VERONICA KILPATRICK  
19 Supervising Special Investigator

20 cc: Quest Realty & Property Management Services, Inc.  
21 Mary Jane Allen  
22 Jeffrey Allen  
23 Cassandra Patterson  
24 Realty Source Incorporated  
Veronica Kilpatrick  
Sacto.