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FILED

OCT 25 2019

DEPARTMENT OF REAL ESTATE
By S. Krapp

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:) NO. H- 6841 SAC
12)
13 DANCE HALL INVESTORS, INC.,) ACCUSATION
14 OHD, INC., WAYNE THOMAS HALL,)
15 RONALD EDWARD KEEFER,)
16 GREGORY THOMAS PHILLIPS, and)
17 RACHEL ADAMS LEE,)
18 Respondents.)

18 The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a
19 Supervising Special Investigator of the State of California, for cause of Accusation against
20 Respondents DANCE HALL INVESTORS, INC. ("DANCE HALL"), OHD, INC. ("OHD"),
21 WAYNE THOMAS HALL ("WAYNE HALL"), RONALD EDWARD KEEFER ("KEEFER"),
22 GREGORY THOMAS PHILLIPS ("PHILLIPS"), and RACHEL ADAMS LEE ("LEE")
23 (collectively referred to as "Respondents"), is informed and alleges as follows:

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RESPONDENTS

1.

DANCE HALL is presently licensed by the Department of Real Estate ("Department") and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Code ("the Real Estate Law") as a corporate real estate broker, and at all relevant times herein was acting by and through WAYNE HALL as its designated officer.

2.

OHD is presently licensed by the Department and/or has license rights under the Real Estate Law as a corporate real estate broker, and at all relevant times herein was acting by and through KEEFER as its designated officer.

3.

WAYNE HALL is presently licensed by the Department and/or has license rights under the Real Estate Law as a real estate broker. At all relevant times, WAYNE HALL was the designated officer of DANCE HALL.

4.

KEEFER is presently licensed by the Department and/or has license rights under the Real Estate Law as a real estate broker. At all relevant times, KEEFER was the designated officer of OHD.

5.

PHILLIPS is presently licensed by the Department and/or has license rights under the Real Estate Law as a real estate salesperson. At all relevant times OHD served as PHILLIPS' broker of record.

6.

LEE is presently licensed by the Department and/or has license rights under the Real Estate Law as a real estate salesperson. At all relevant times DANCE HALL served as LEE's broker of record.

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7.

Whenever reference is made in an allegation in this Accusation to an act or omission of DANCE HALL, such allegation shall be deemed to mean that the employees, agents, real estate licensees, and others employed by or associated with DANCE HALL committed such acts or omission while engaged in furtherance of the business or operations of DANCE HALL, and while acting within the course and scope of their authority and employment.

8.

Whenever reference is made in an allegation in this Accusation to an act or omission of OHD, such allegation shall be deemed to mean that the employees, agents, real estate licensees, and others employed by or associated with OHD committed such acts or omission while engaged in furtherance of the business or operations of OHD, and while acting within the course and scope of their authority and employment.

9.

At all times herein mentioned, Respondents engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers within the State of California on behalf of others, for compensation or in expectation of compensation within the meaning of Section 10131(a) of the Code, including the operation and conduct of a residential resale brokerage wherein Respondents bought, sold, or offered to buy or sell, solicited or obtained listings of, and negotiated the purchase, sale or exchange of real property or business opportunities, all for or in expectation of compensation.

FIRST CAUSE OF ACTION
Team Name Violations
(As to LEE and DANCE HALL)

10.

Each and every allegation in paragraphs 1 through 9, inclusive, above, is incorporated by this reference as if fully set forth herein.

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11.

On or about January 30, 2018, LEE changed her last name from Adams to LEE. Despite changing her name, LEE continued to use the name "The Rachel Adams Group" in advertising and marketing materials related to her real estate business activities after she changed her last name to LEE.

12.

Between January 30, 2018 and February 18, 2019, DANCE HALL served as the broker of record for Matthew James Aitchison.

13.

After LEE changed her last name, LEE continued to work with Matthew James Aitchison to provide real estate services. LEE and Matthew James Aitchison also represented themselves to the public as being part of the following teams, groups, and/or associations known as "Aitchison & Adams," "Aitchison & Adams Real Estate Team," and "A&A Team."

14.

On or about February 19, 2019, Matthew James Aitchison discontinued his affiliation with DANCE HALL. Despite Matthew James Aitchison discontinuing his affiliation with DANCE HALL, LEE continued to provide real estate services and/or represent herself to the public as being part of a team, group, and/or association known as "Aitchison & Adams," "Aitchison & Adams Real Estate Team," and "A&A Team."

15.

The acts and/or omissions of LEE and DANCE HALL, as described above in Paragraphs 10 through 14, violated the team name requirements of 10159.7 of the Code in that the team names used by LEE, described above in Paragraphs 11 and 14, did not include the surname of at least one of the licensee members of the team, group, or association.

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1 16.

2 The acts and/or omissions of LEE and DANCE HALL, as alleged above in
3 Paragraphs 10 through 15, constitute grounds for the suspension or revocation of all licenses and
4 license rights of LEE and DANCE HALL under Sections 10177(d), 10177(g), 10159.5 and/or
5 10159.7 of the Code, in conjunction with Section 2731 of Title 10 of the California Code of
6 Regulations ("the Regulations").

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8 SECOND CAUSE OF ACTION
9 Fictitious Business Name Violations
(As to PHILLIPS and OHD)

10 17.

11 Each and every allegation in paragraphs 1 through 16, inclusive, above, is
12 incorporated by this reference as if fully set forth herein.

13 18.

14 At all relevant times OHD served as PHILLIPS' broker of record. Nevertheless,
15 PHILLIPS performed real estate services under the team name "The Rachel Adams Group" in the
16 following transactions:

Transaction address	Close of Escrow Date
2306 Las Palomas Loop, Lincoln CA 95648	April 25, 2017
272 Helen Way, Livermore CA 94550	May 29, 2017
2135 Ranch View Drive, Rocklin CA 95765	July 11, 2017
1632 Carmelo Drive, Carmichael CA 95608	July 11, 2017
4679 Branding Iron Drive, Fairfield CA 94534	August 3, 2017

21 19.

22 At all relevant times the advertising and soliciting materials for PHILLIPS
23 regarding "The Rachel Adams Group" implied the existence of a real estate entity independent of
24 OHD.

25 20.

26 At all relevant time, the responsible broker for "The Rachel Adams Group," as
27 required by Section 10159.6 of the Code, was DANCE HALL, not OHD.

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21.

The acts and/or omissions of PHILLIPS and OHD, as described above in Paragraphs 17 through 20, violated the fictitious business name requirements of 10159.5 and/or 10159.6 of the Code in that PHILLIPS used a fictitious business name that was not authorized or permitted by OHD.

22.

The acts and/or omissions of PHILLIPS and OHD, as alleged above in Paragraphs 17 through 21, constitute grounds for the suspension or revocation of all licenses and license rights of LEE and OHD under Sections 10177(d), 10177(g) 10159.5 and/or 10159.6 of the Code, in conjunction with Section 2731 of the Regulations.

THIRD CAUSE OF ACTION
Failure to Supervise
(As to WAYNE HALL)

23.

Each and every allegation in paragraphs 1 through 22, inclusive, above, is incorporated by this reference as if fully set forth herein.

24.

At all relevant times, WAYNE HALL, as the supervising broker of DANCE HALL, was required to exercise reasonable supervision and control over the activities of DANCE HALL pursuant to Section 10177(h) of the Code and Section 2725 of the Regulations.

25.

WAYNE HALL failed to exercise reasonable supervision over the acts and/or omissions of DANCE HALL in such a manner as to allow the acts and/or omissions as described in the First Cause of Action to occur, which constitutes cause for the suspension or revocation of the license(s) and license rights of WAYNE HALL under Sections 10177(d) and/or 10177(g) of the Code, 10177(h), and 10159.2 of the Code, in conjunction with Section 2725 of the Regulations.

1 FOURTH CAUSE OF ACTION

2 Failure to Supervise

3 (As to KEEFER)

4 26.

5 Each and every allegation in paragraphs 1 through 25, inclusive, above, is
6 incorporated by this reference as if fully set forth herein.

7 27.

8 At all relevant times, KEEFER, as the supervising broker of OHD, was required
9 to exercise reasonable supervision and control over the activities of OHD pursuant to Section
10 10177(h) of the Code and Section 2725 of the Regulations.

11 28.

12 KEEFER failed to exercise reasonable supervision over the acts and/or omissions
13 of OHD in such a manner as to allow the acts and/or omissions as described in the Second Cause
14 of Action to occur, which constitutes cause for the suspension or revocation of the license(s) and
15 license rights of KEEFER under Sections 10177(d) and/or 10177(g) of the Code, 10177(h), and
16 10159.2 of the Code, in conjunction with Section 2725 of the Regulations.

17 PRIOR DISCIPLINE

18 29.

19 Effective November 5, 2010, in Case No. H-5482 SAC, the Real Estate
20 Commissioner suspended the real estate broker license of WAYNE HALL for violating 10159.3,
21 10177(d), and 10177(h) of the Code, and 2725 of the Regulations.

22 30.

23 Effective November 5, 2010, in Case No. H-5482 SAC, the Real Estate
24 Commissioner suspended the real estate broker license of DANCE HALL for violating 10177(g)
25 of the Code.

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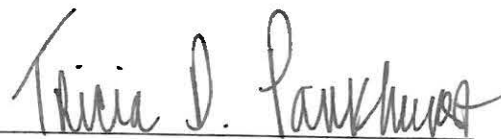
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1 COST RECOVERY

2 31.

3 Section 10106 of the Code provides, in pertinent part, that in any order issued in
4 resolution of a disciplinary proceeding before the Department, the Commissioner may request the
5 Administrative Law Judge to direct a licensee or licensees found to have committed a violation
6 of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement
7 of the case.

8 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
9 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
10 action against all licenses and license rights of Respondents under the Code, for the cost of
11 investigation and enforcement as permitted by law, for the cost of the audit, and for such other
12 and further relief as may be proper under other provisions of law.

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15 TRICIA D. PARKHURST
16 Supervising Special Investigator

17 Dated at Sacramento, California,
18 this 18th day of October, 2019

19
20 DISCOVERY DEMAND

21 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
22 Department hereby makes demand for discovery pursuant to the guidelines set forth in the
23 *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the
24 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
25 Administrative Hearings deems appropriate.