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BUREAU OF REAL ESTATE

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8 BEFORE THE BUREAU OF REAL ESTATE
 9 STATE OF CALIFORNIA

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 11 In the Matter of the Accusation of) No. H-39385 LA
)
 12 ROSEMARIE L. WILSON and) ACCUSATION
 JOSEPH BUSTAMANTE GONZALES,)
 13)
 Respondents.)
 14)

15 The Complainant, Veronica Kilpatrick, a Deputy Real Estate Commissioner of the State
 16 of California, for cause of Accusation against ROSEMARIE L. WILSON and JOSEPH
 17 BUSTAMANTE GONZALES (collectively "Respondents"), is informed and alleges as follows:

18 1.

19 The Complainant, Veronica Kilpatrick, a Deputy Real Estate Commissioner of the State
 20 of California, makes this Accusation in her official capacity.

21 2.

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

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3.

From April 21, 2011, through the present, ROSEMARIE L. WILSON (“WILSON”) has been licensed as a real estate salesperson (License ID 01869009) by the Bureau of Real Estate (“Bureau”). JOSEPH BUSTAMANTE GONZALES has been listed as WILSON’s employing broker from April 21, 2011, through the present.

4.

From March 28, 1975 through the present, Respondent JOSEPH BUSTAMANTE GONZALES (“GONZALES”) has been licensed by the Bureau as a real estate broker (License ID 00399062).

5.

On May 21, 2012, Coastal Sky Realty, Inc. (“CSRI”) filed an application for a real estate corporation license with the Bureau.

6.

GONZALES is listed as the Broker-Officer and a director for CSRI on CSRI’s corporation license application. The application was certified and signed under penalty of perjury by GONZALES on May 18, 2012.

7.

On June 12, 2009, the Bureau filed an Accusation against GONZALES in Bureau Case No. H-36049 LA. On September 20, 2010, the Bureau suspended GONZALES’ real estate broker license for 60 days, which was stayed upon certain terms and conditions pursuant to the Stipulation and Agreement reached between the parties in Case No. H-36049 LA.

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8.

In response to Question 19 of CSRI's corporation license application, to wit: "HAVE YOU EVER HAD A DENIED, SUSPENDED, RESTRICTED OR REVOKED BUSINESS OR PROFESSIONAL LICENSE (INCLUDING REAL ESTATE) IN CALIFORNIA OR ANY OTHER STATE?", GONZALES replied "no" and failed to reveal the prior suspension of his real estate broker's license as described above in paragraph 7.

9.

GONZALES' failure to disclose the prior suspension of his real estate broker license, as set forth above in Paragraph 8, constitutes the attempt to procure 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 cause for the suspension or revocation of Respondent GONZALES' license under Business and Professions Code ("Code") Section 10177, subdivision

(a).

10.

Code Section 10131 defines a real estate broker as a person who:

"(a) Sells or offers to sell, buys or offers to buy, solicits prospective sellers or purchasers of, solicits or obtains listing of, or negotiates the purchase, sale or exchange of real property or a business opportunity;

(b) leases or rents or offers to lease or rent, or places for rent, or solicits listings of places for rent, or solicits for prospective tenants, or negotiates the sale, purchase, or exchanges of leases on real property, or on a business opportunity, or collects rents from real property or improvements thereon, or from business opportunities."

11.

CSRI is a California corporation formed on or about January 24, 2011, by Delon Ridke ("Ridke"). Ridke is listed as the agent for service of process on CSRI's Articles of Incorporation

1 which was filed with the California Secretary of State on January 31, 2011. On March 4, 2011, a
2 Statement of Information was filed with the California Secretary of State which listed WILSON
3 as the CEO, Secretary, and CFO for CSRI. On August 1, 2011, a Statement of Information was
4 filed with the California Secretary of State which listed GONZALES as a director for CSRI and
5 listed WILSON as the CEO, Secretary, and CFO for CSRI. The type of business the corporation
6 engaged in was listed as property management and real estate sales.

7 12.

8 For an unknown period of time, CSRI has been soliciting and offering to perform
9 property management and real estate sales services on a website located at www.csrinc.us. CSRI
10 also uses the fictitious business names CSRinc Property Services and Management and
11 CSRinc/IVR. On its website, CSRI claims to be operating under CalBRE License No.
12 01869009. That Bureau license number is associated with WILSON, a real estate salesperson.

13 13.

14 CSRI has been operating from an office located at 24487 Sunnymead Blvd., Moreno
15 Valley, CA 92553. GONZALES listed this address as a branch office on his real estate broker
16 license from February 10, 2011, through July 22, 2013.

17 14.

18 Respondents' acts, while doing business as CSRI, as described above in paragraphs 12
19 and 13, are in violation of Code sections 10130 and constitute cause for the suspension or
20 revocation of all licenses and licensing rights of Respondents WILSON and GONZALES under
21 Code Section 10177, subdivision (d).

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15.

The conduct, acts and/or omissions of Respondent GONZALES, in allowing Respondent WILSON to violate the Real Estate Law as set forth above, constitutes a failure by Respondent GONZALES to exercise reasonable supervision over the activities conducted by WILSON, his salesperson, as required under Regulation 2725 of the Regulations of the Real Estate Commissioner, Title 10, Chapter 6, California Code of Regulations, and constitutes cause to suspend or revoke the real estate license and license rights of Respondent GONZALES pursuant to Code Section 10177, subdivisions (h), (d) and/or (g).

IN AGGRAVATION

16.

Ridke has never been licensed in any capacity by the Bureau.

17.

On June 27, 2012, the Bureau filed an Order to Desist and Refrain (“D&R”) against Ridke for violation of Code section 10130 in Bureau Case No. H-38220 LA. Ridke, WILSON, and Jessica Harkins, among others, engaged in property management services while doing business as Rent for Tomorrow’s World.

18.

The Bureau revoked the real estate corporation license of Rent For Tomorrow’s World on January 2, 2013, in Case No. H-38152 LA.

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Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau of Real Estate, 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/or license rights of Respondents ROSEMARIE L. WILSON and JOSEPH BUSTAMANTE GONZALES, 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 provisions of law.

Dated at San Diego, California

this 25th day of March, 2014.


VERONICA KILPATRICK
Deputy Real Estate Commissioner

cc: Rosemarie L. Wilson
Joseph Bustamante Gonzales
Veronica Kilpatrick
Sacto.