

COMPLAINT FORM INFORMATION

RE 519A (Rev. 6/24)

Thank you for contacting the Department of Real Estate. We hope that we can be of assistance to you with your real estate problem. Please review the following information carefully as it will assist you in filing your complaint.

The Department of Real Estate investigates complaints against real estate brokers and salespersons who are accused of misleading or defrauding consumers. If we can prove a violation of the real estate license laws within our jurisdiction, a formal hearing may be held which could result in discipline of the agent's license.

We also investigate complaints against subdividers who are accused of violating subdivision laws and, if we can prove a violation, further sales may be stopped by the issuance of a Desist and Refrain Order until the violations are corrected.

All complaints must be in writing. Upon receipt, your complaint will be reviewed and you may be requested to provide additional information. If your complaint is assigned for investigation, you will be notified of the name of the investigator as well as the outcome of our inquiry.

Please understand that we cannot act as a court of law, thus we are not able to order that monies be refunded, contracts be cancelled, damages be awarded, etc. If you have this type of concern, you should consult with an attorney since we are not authorized to give legal advice or act as your counsel. Most county bar associations in the state have lawyer referral services which are able to arrange a consultation for a modest fee.

In preparing your complaint, please summarize your concerns in a chronological manner using these guidelines:

- Tell us **what** happened. Start from the beginning and describe the events as they occurred. Be specific as to **what** was said and **who** said it.
- Tell us **who** was present during these conversations or acts.
- Tell us **when** and **where** these conversations/acts took place.

Documentary evidence is especially important! Therefore you should include legible photocopies of all documents relating to your transaction such as listings, offers, deposit receipts, notes and trust deeds, correspondence, copies of the front and back of checks involved, escrow documents, advertising, etc., and attach them to the written complaint. If you are unable to submit photocopies, you may submit the originals which will be copied and returned to you.

Although the Department is anxious to assist you, it should be noted that the burden of proof established for license disciplinary actions exceeds that required to prove a case in civil court proceedings. Prior to filing its disciplinary actions, the Department must have evidence that will clearly and convincingly demonstrate to an Administrative Law Judge that a violation of the Real Estate Law has occurred. This means, for example, that where the parties offer

conflicting testimony and the complainants version is either not supported by additional evidence or is contradicted by a written document, the Department's burden of proof will not have been met and the Commissioner would not be in a position to proceed with disciplinary action against the licensee.

In addition, the period of time during which the Commissioner can exercise the Department's disciplinary functions is governed by a statute of limitations. Generally, formal disciplinary action must be filed by the Department of Real Estate not later than three years from the occurrence of the alleged grounds for license discipline. However, when the acts or omissions with which the licensee is charged involve fraud, misrepresentation or a false promise, formal charges can also be filed within one year after the date of discovery by the aggrieved party. In no case shall formal pleadings be filed later than ten years from the occurrence of the alleged grounds for disciplinary action.

Disciplinary hearings are presided over by an Administrative Law Judge who is employed by a state agency independent of the Department of Real Estate. The hearings are conducted in a manner similar to court trials without a jury. At the hearing, the Department has the burden of proving the charges contained in the pleadings and usually does so by calling witnesses and presenting documents in evidence. After the hearing is concluded, the Administrative Law Judge prepares a proposed decision which is sent to the Real Estate Commissioner for his/her consideration and final decision.

We at the Department of Real Estate trust that this information has been of assistance and ask that you retain this material for your future reference. If you have Internet access, much more information about the Department and its functions is available on our Web page at www.dre.ca.gov. This includes access to the public license information records of brokers and salespersons, and the actual text of the license and subdivisions laws we administer.

Thank you.

SUBMITTING THE COMPLAINT FORM

Mail or hand deliver your completed complaint form and attachments to DRE, Attention: Complaints.

Fresno	2550 Mariposa Mall, Room 3070 Fresno, CA 93721-2273
Los Angeles	320 West 4th Street, Suite 350 Los Angeles, CA 90013-1105
Oakland	1515 Clay Street, Suite 702 Oakland, CA 94612-1462
Sacramento	651 Bannon Street, STE 503 Sacramento, CA 95811
San Diego	8620 Spectrum Center Blvd., Suite 301 San Diego, CA 92123

LICENSING/SUBDIVIDER COMPLAINT

RE 519 (Rev. 2/20)

- ❖ Read instructions on Complaint Form Instructions (RE 519A) before completing this form.
- ❖ Type or print clearly in ink.
- ❖ Mail or hand deliver completed form and attachments to the appropriate office; see RE 519A.

RECEIVED DATE

INFORMATION ABOUT YOU

NAME (ENTER YOUR FULL NAME)

RENEE SHIZUE YAMAGISHI aka RENEE SHIZUE RAMOS

RESIDENCE ADDRESS (STREET ADDRESS, CITY, STATE AND ZIP CODE)

2703 Mathews Street, Berkeley, CA 94702

BUSINESS ADDRESS (STREET ADDRESS, CITY, STATE AND ZIP CODE)

2930 Domingo Ave. #231, Berkeley CA 94705

OCCUPATION

Caregiver, Advocate

BUSINESS TELEPHONE NO. (INCLUDE AREA CODE)

RESIDENCE TELEPHONE NO. (INCLUDE AREA CODE)

CELL PHONE NO. (INCLUDE AREA CODE)

510-295-7214

EMAIL ADDRESS

ryamagishi@protonmail.com

NAME OF NEAREST RELATIVE

RELATIVE'S PHONE NUMBER (INCLUDE AREA CODE)

INFORMATION ABOUT PERSON/COMPANY YOU ARE COMPLAINING AGAINST

1. FULL NAME OF BUSINESS, COMPANY, FIRM

WEDGEWOOD HOMES REALTY

LICENSE NUMBER

00966019

NMLS ID NUMBER

BUSINESS ADDRESS (STREET ADDRESS, CITY, STATE AND ZIP CODE; INCLUDE ROOM, APARTMENT OR SUITE #, IF ANY)

2015 Manhattan Beach Blvd. #100

BUSINESS TELEPHONE NO. (INCLUDE AREA CODE)

310-879-5183

2. FULL NAME OF SALESPERSON, AGENT, OR REPRESENTATIVE

Diane Uribe Fitzpatrick

LICENSE NUMBER

01946307

NMLS ID NUMBER

AFFILIATED WITH

FULL NAME OF SECOND LICENSEE, IF ANY

David Randall Wehrly

LICENSE NUMBER

00921515

NMLS ID NUMBER

AFFILIATED WITH

3. DATE(S) OF TRANSACTION

PLACE(S) WHERE TRANSACTION(S) OCCURRED

12/4/2024 approx.

on the property of 2703 Mathews Street Berkeley CA 94702

ADDRESS OF PROPERTY INVOLVED

2703 Mathews Street Berkeley CA 94702

4. HAVE YOU CONTACTED THE BUSINESS REGARDING YOUR COMPLAINT?

NO YES IF YES, COMPLETE THE FOLLOWING.

DATE(S) OF CONTACT

PERSON(S) CONTACTED

12/4/2024

Listing agent designated by Wedgewood et al (NOT Wedgewood): Ben Levin, Red Oak Realty, El Cerrito CA

12/19/2024

Brandon Trout, in-house counsel Wedgewood, et al. refused to speak.

RESULTS OF CONTACT

Ben Levin's RE brokerage did remove listing and the for sale sign. Brandon Trout in-house counsel refused to speak further asking for an email only.

My single family home whose address is 2703 Mathews Street, Berkeley CA 94702 is the subject of ongoing active litigation

and a Lis Pendens is recorded at Alameda County Clerk Recorder's Office, yet Wedgewood et al deliberately misrepresented legal status of the subject property to a local realtor and Red Oak Realty put up a For Sale sign on 12/3/2024 with an Open House date for two days later, until I called and informed Ben Levin of active litigation, so they apologized to me and removed the sign and cancelled the listing. I have text messages and voicemail proving this from Mr. Levin. See also documents of public record in my Appeal Case # A170664 RAMOS v WILMINGTON et al, 1st District Court of Appeal - CA; most recent grant of extension of time to file my Appellant's Opening Brief. Horrible business practices and disservice to local real estate community and the public! Incompetence and contempt of court proceedings.

5. HAVE YOU FILED THIS COMPLAINT WITH ANOTHER LAW ENFORCEMENT OR CONSUMER PROTECTION AGENCY?

NO YES IF YES, COMPLETE THE FOLLOWING.

NAME OF AGENCY not yet but it will be documented in lawsuit	ADDRESS OF AGENCY
RESULTS OF THAT COMPLAINT	

6. HAVE YOU RETAINED AN ATTORNEY TO ASSIST IN RESOLVING THIS MATTER?

NO YES IF YES, COMPLETE THE FOLLOWING.

NAME OF ATTORNEY decline to state, current status of case is formally self-represented	BUSINESS TELEPHONE NUMBER
ADDRESS OF ATTORNEY	

MAY WE CONTACT YOUR ATTORNEY WITH REFERENCE TO THIS MATTER?

NO YES

7. IS THIS COMPLAINT INVOLVED IN A CIVIL ACTION (LAWSUIT) FILED OR PENDING IN ANY COURT?

NO YES IF YES, COMPLETE THE FOLLOWING.

NAME OF COURT First District Court of Appeals, San Francisco, CA - case on appeal	
ADDRESS OF COURT Alameda County Superior Court, Fallon Street courthouse Oakland - underlying case	
TYPE OF ACTION Wrongful foreclosure complaint # 23CV029813 (trial court underlying case)	CASE NUMBER #A170664 (Appellate case)

8. ARE YOU WILLING TO APPEAR AS A WITNESS, BE SWORN, TESTIFY AND CROSS-EXAMINED CONCERNING THE ALLEGATIONS MADE IN THIS COMPLAINT?

NO YES IF NO, LIST REASONS BELOW.

It is not necessary to have an administrative or other hearing as long as the MLS and DRE registrants

do not breach law and protocol and try to list the house on the MLS with an active Lis Pendens on record. And disclose to all potential realtors, agents, investors / buyers / would-be less-holders that any and all of them subject themselves to be added as defendants.

f they disturb the current status quo of my case and property

9. WERE THERE ANY WITNESSES TO THE DESCRIBED TRANSACTIONS?

NO YES IF YES, COMPLETE THE FOLLOWING AND DESCRIBE IN ITEM #11 WHAT THEY SPECIFICALLY WITNESSED.

FULL NAME OF WITNESS #1 Arvaughn Manning		
RESIDENCE ADDRESS 2700 Mathews St Berkeley CA 94702		
YOUR RELATIONSHIP TO THE WITNESS friend neighbor	BUSINESS TELEPHONE NUMBER (INCLUDE AREA CODE)	RESIDENCE TELEPHONE NUMBER (INCLUDE AREA CODE) 510-706-3751

FULL NAME OF WITNESS #2
Ben Levin (realtor listed above) We discussed by phone they weren't informed of litigation by Wedgewood et al, so his broker immediately removed the listing from their rolls

RESIDENCE ADDRESS 7502 Fairmount Ave, El Cerrito, CA 94530 (office of real estate)		
YOUR RELATIONSHIP TO THE WITNESS	BUSINESS TELEPHONE NUMBER (INCLUDE AREA CODE) 510-600-2222	RESIDENCE TELEPHONE NUMBER (INCLUDE AREA CODE)

10. INDICATE WHICH OF THE FOLLOWING DOCUMENTS ARE ATTACHED, INCORPORATED AND MADE PART OF THIS COMPLAINT.

ATTACHED	NOT AVAILABLE	TYPE OF DOCUMENT
<input type="checkbox"/>	<input type="checkbox"/>	LISTING AGREEMENT
<input type="checkbox"/>	<input type="checkbox"/>	DEPOSIT RECEIPT (OFFER)
<input type="checkbox"/>	<input type="checkbox"/>	CASH RECEIPT(S)
<input type="checkbox"/>	<input type="checkbox"/>	CANCELLED CHECK(S)
<input type="checkbox"/>	<input type="checkbox"/>	ESCROW INSTRUCTIONS, AMENDMENTS & CLOSING STATEMENTS (IF ANY)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	COPIES OF ALL DOCUMENTS WHICH RELATE TO YOUR COMPLAINT AND WHICH ARE NOT LISTED ABOVE.

IN THE FORM OF A BRIEF STATEMENT, GIVE THE FULL ESSENTIALS OF YOUR COMPLAINT BELOW.

- REFER TO RE 519A FOR GUIDELINES RELATING TO STATEMENT PREPARATION.
- INCLUDE FULL NAMES OF INDIVIDUALS, INCLUDING ALL WITNESSES PRESENT DURING THE TRANSACTION(S). BE FACTUAL. TRY TO ANSWER THE QUESTIONS WHO, WHAT, WHERE AND WHEN. ATTACH EXTRA SHEETS IF MORE ROOM IS NEEDED.

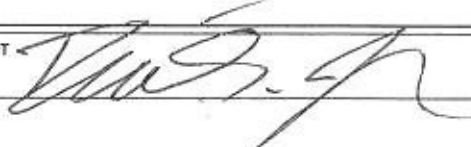
Photo of the real estate for sale sign erected on my property on or about 12/4/2024.
The sign was removed on or about 12/5/2024.

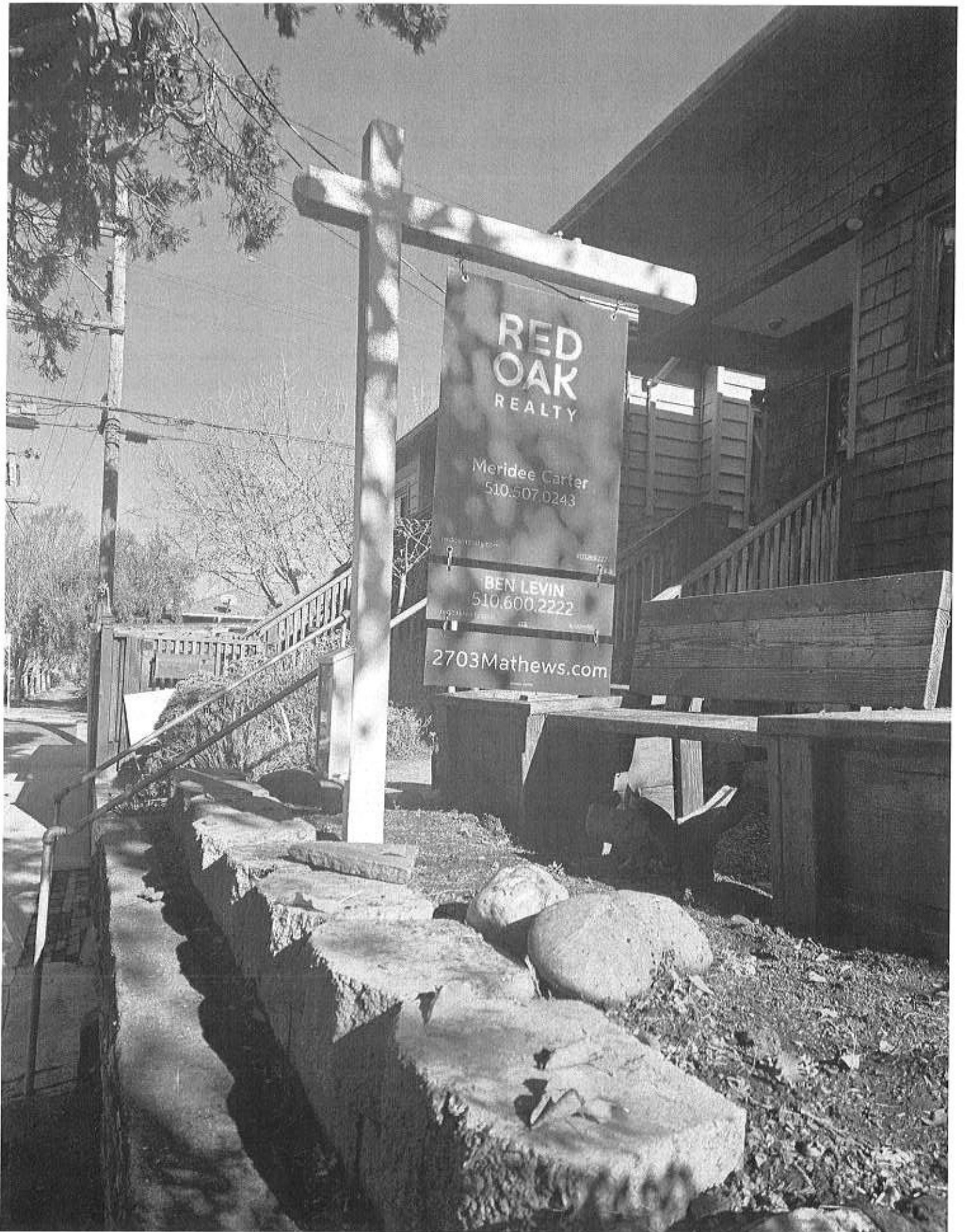
All other witnesses and individuals are for the most part listed above. I am very close with my neighbors and all witnessed the for sale sign go up and then get removed the next day. At the minimum the entire block of residences on Mathews Street between Derby and Ward Street, Berkeley, 94702 and more are aware of litigation on my family home of 60 years continually since 1965. Complex wrongful foreclosure case on appeal, pending. Title company would be remiss in not disclosing the Lis Pendens to any potential agent or buyer. As party to the appeal and plaintiff homeowner this complaint should serve as notice that any entity who interferes or inserts themselves in any way to change the current status of the property and/or the litigation parties or case status, will force themselves into the pending litigation as adverse to my interests as plaintiff and appellant.

CERTIFICATION

I certify under penalty of perjury that the foregoing statement and attachments thereto are true and correct. Signed this 19th day of December, 2024 in the city of Berkeley, State of California.

SIGNATURE OF COMPLAINANT






Office DEPOT OfficeMax3535 HOLLIS STREET
EMERYVILLE

CA 94608 (510) 547-9660

Store # 02299
Date: 01/06/2025
Carrier: USPS
Service: Priority Mail**Recipient Information:**D.R.E.
1515 Clay St
OaklandCA 94612-
1499 5102957214**Customer Information:**Renee Yamagishi
2930 Domingo Ave #231
Berkeley CA 94705 5102957214

SKU	Description	Price	Tracking
 00164466000010454	Other/Ins Fees Declared Value: Cost:	\$0.00 \$0.00 \$10.45	9405509109375504386205 Weight: 1.00 Dimensions: L = 13 W = 10 H = 1 Estimated Delivery Date: 2025-01-07
Totals:		\$10.45	

- I understand that Office Depot is not liable for packages improperly packaged.
- I understand that Office Depot will not ship any hazardous materials, as designated by the Department of Transportation or any other materials restricted by FedEx or US Post Office rules. Please see an Office Depot associate if you have any item in question.
- I represent that my description of the materials I am shipping is accurate.
- Packing guidelines and Restricted items are available at the Copy & Print Depot counter.
- I have declared a value for my package and paid for insurance if optioned.
- To ensure your packages are shipped your receipt must be validated by a cashier at the time of purchase. The validated copy will be retained by the cashier.
- Please retain this receipt as proof of shipment in the event a claim needs to be filed with FedEx or USPS.
- **USPS Claims are to be made by the shipper directly to local USPS office or through their website. www.usps.com**
- **FedEx claims for lost/damaged and missing content packages and late shipments are to be made by the customer/shipper.**
- You acknowledge and agree that each FedEx shipment you tender is governed by the applicable FedEx Express Terms and conditions and/or FedEx Ground Tariff, as contained in the FedEx Service Guide at fedex.com. Unless a higher value is declared and for, the maximum liability for each shipment you tender is US \$100. You acknowledge and agree that shipment(s) does not contain any items, hazardous materials or dangerous goods

Customer Signature

Important Information Regarding Packing and Shipping Program

FedEx – Your Package can be tracked online at www.fedex.comUSPS – Your package can be tracked online at www.usps.com only if you purchased this additional service.