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DIANE LEE, Counsel (SBN 247222)  
Bureau of Real Estate  
320 West 4th Street, Suite 350  
Los Angeles, California 90013  
Telephone: (213) 576-6982  
(Direct) (213) 576-6907

**FILED**

DEC 20 2013

BUREAU OF REAL ESTATE

By *[Signature]*

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )	No. H-04550 SD
PHILLIP SOTELO, )	<u>A C C U S A T I O N</u>
Respondent. )	

The Complainant, Veronica Kilpatrick, a Deputy Real Estate Commissioner of the State of California for cause of Accusation against PHILLIP SOTELO ("Respondent") alleges as follows:

1.

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

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code as a real estate salesperson.

1 (CRIMINAL CONVICTION)

2 3.

3 On or about June 9, 2013, in the Superior Court of  
4 California, County of Stanislaus, case no. 1434317, Respondent  
5 was convicted of violating California Penal Code section 470(d)  
6 (forgery of writing), a felony. This crime is substantially  
7 related to the qualifications, functions, or duties of a real  
8 estate licensee under Section 2910, Title 10, Chapter 6,  
9 California Code of Regulations.

10 4.

11 The crime of which Respondent was convicted, as  
12 described above, constitutes cause under California Business and  
13 Professions Code sections 490 and 10177(b) for the suspension or  
14 revocation of the license and license rights of Respondent under  
15 the Real Estate Law.

16 5.

17 California Business and Professions Code section 10106  
18 provides, in pertinent part, that in any order issued in  
19 resolution of a disciplinary proceeding before the bureau, the  
20 Commissioner may request the administrative law judge to direct  
21 a licensee found to have committed a violation of this part to  
22 pay a sum not to exceed the reasonable costs of investigation  
23 and enforcement of the case.

24 WHEREFORE, Complainant prays that a hearing be  
25 conducted on the allegations of this Accusation and that upon  
26 proof thereof, a decision be rendered imposing disciplinary  
27 action against all licenses and/or license rights under the Real

1 Estate Law (Part 1 of Division 4 of the California Business and  
2 Professions Code) of Respondent PHILLIP SOTELO for the cost of  
3 investigation and enforcement as permitted by law, and for such  
4 other and further relief as may be proper under applicable  
5 provisions of law.

6 Dated at San Diego, California: December 4, 2013.

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10 Veronica Kilpatrick  
11 Deputy Real Estate Commissioner  
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25 cc: PHILLIP SOTELO  
26 Real Estate Broker Services, Inc.  
27 Veronica Kilpatrick  
Sacto.