

FILED

OCT 02 2020

DEPT. OF REAL ESTATE

By *ZM-Ja*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:) DRE No. H-05134 SD
RAQUEL FRANCESCA REID,)
Respondent(s).)

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on September 4, 2020, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, RAQUEL FRANCESCA REID (“Respondent”); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses and/or license rights on grounds of conviction of crimes that are substantially related to the qualifications, functions or duties of a real estate licensee and Respondent’s failure to timely report said convictions.

Pursuant to Government Code Section 11521, the California Department of Real Estate (“the Department”) may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department’s power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner’s Criteria of Rehabilitation are attached hereto for the information of respondent.

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FINDINGS OF FACT

1.

On or about February 28, 2020, Veronica Kilpatrick made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing addresses on file with the Department on March 10, 2020 and August 7, 2020.

On September 4, 2020, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

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 ("the Code") as a real estate broker. The Department originally issued Respondent's REB license on or about January 9, 2013. Respondent's REB license is scheduled to expire on June 28, 2021, unless renewed.

3.

To date, the Department of Real Estate has incurred investigation costs of \$647.25.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on March 10, 2020, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

The allegations contained in the Accusation, constitute cause under Sections 490 and 10177(b) (conviction of a crime substantially related to the qualifications, functions or duties of a real estate licensee) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

2.

Respondent's failure to report the felony complaint as well as felony convictions constitutes cause for discipline under Code Section 10186.2 of the license and licensee rights of Respondent under the Real Estate Law.

3.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondent RAQUEL FRANCESCA REID under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on NOV 02 2020.

DATED: 9.24.20.

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

Douglas R. McCauley

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105

FILED

SEP 04 2020

DEPT. OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-05134 SD
12)
13 RAQUEL FRANCESCA REID,) DEFAULT ORDER
14) Respondent.)

15
16 Respondent RAQUEL FRANCESCA REID, having failed to file a Notice of
17 Defense within the time required by Section 11506 of the Government Code, is now in default.
18 It is, therefore, ordered that a default be entered on the record in this matter.

19 IT IS SO ORDERED SEP -4 2020.

20 DOUGLAS R. McCAULEY
21 Real Estate Commissioner

22
23 
24 JEFFREY OBOYSKI
25 Assistant Commissioner, Enforcement

EXHIBIT A

FILED

MAR 10 2020

DEPT. OF REAL ESTATE
By Kevin Sun

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4 Los Angeles, California 90013-1105
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7 Email: Kevin.Sun@dre.ca.gov
8 *Attorney for Complainant*

9 **BEFORE THE DEPARTMENT OF REAL ESTATE**
10 **STATE OF CALIFORNIA**

11 * * *

12 In the Matter of the Accusation of) No. H-05134 SD
13 RAQUEL FRANCESCA REID,) ACCUSATION
14 Respondent.)
15)

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
17 State of California, for cause of Accusation against RAQUEL FRANCESCA REID
18 ("Respondent") alleges as follows:

19 1.

20 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
21 State of California, makes this Accusation in her official capacity.

22 2.

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

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27 ///

1 LICENSE HISTORY

2 3.

3 a. Respondent is presently licensed and/or has license rights under the Real
4 Estate Law, Part 1 of Division 4 of the California Business and Professions Code, as a real
5 estate broker ("REB"), Department of Real Estate¹ ("Department") license ID 01505043.

6 b. The Department originally issued Respondent's REB license on or about
7 January 9, 2013.

8 c. Respondent's REB license is scheduled to expire on June 28, 2021, unless
9 renewed.

10 CAUSE FOR DISCIPLINE

11 (CRIMINAL CONVICTION)

12 4.

13 April 9, 2019; 18 United States Code ("U.S.C.") §1349 et. al.

14 a. On or about September 19, 2017, in the United States District Court, Southern
15 District of California, in Case No. 17CR2897WQH, United States of America v. Peter Cash
16 Doye and Raquel Reid, an indictment was filed against Respondent for violations of:

17 (1) one count of 18 U.S.C. §1349 (conspiracy to commit wire fraud),

18 (2) one count of 18 U.S.C. §1343 (wire fraud),

19 (3) two counts of 18 U.S.C. §1341 (mail fraud),

20 (4) two count of 18 U.S.C. §1028A (aggravated identity theft), and

21 (5) one count of 18 U.S.C. §1001(a)(2) (false statement to a Federal Officer).

22 b. On or about November 20, 2018, Respondent pled guilty to all seven counts
23 listed above.

24 c. On or about April 9, 2019, Respondent was found guilty on all seven counts
25 and sentenced to 65 months of imprisonment, attend a Residential Drug Abuse Program, 3
26

27 ¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

1 years of supervised release upon completion of her imprisonment, and pay restitution in the
2 amount of Forty-Three Million and Eight Hundred and Thirty-Two Thousand and Nine
3 Hundred and One Dollars (\$43,832,901).

4 5.

5 The crimes of which Respondent was convicted, as set forth in Paragraph 4
6 above, by their facts and circumstances, bear a substantial relationship under Section 2910,
7 Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a
8 real estate licensee and constitute cause under **Code Sections 490 and 10177(b)** for the
9 suspension or revocation of the license and license rights of Respondent under the Real Estate
10 Law.

11 SECOND CAUSE FOR DISCIPLINE

12 (FAILURE TO REPORT)

13 6.

14 Respondent did not report in writing to the Department her felony indictment
15 within thirty (30) days of the filing date (September 19, 2017).

16 7.

17 Respondent did not report in writing to the Department her felony convictions
18 within thirty (30) days of the conviction date (April 9, 2019).

19 8.

20 Respondent's failure to report her felony indictment and convictions constitutes
21 cause for discipline under **Code Section 10186.2²** of the license and license rights of
22 Respondent under the Real Estate Law.

23 ///

24 _____
25 ² Pursuant to Business and Professions Code 10186.2: (a)(1) A licensee shall report any of the following to the
26 department: (A) The bringing of an indictment or information charging a felony against the licensee. (B) The
27 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or
misdemeanor. (c) Any disciplinary action taken by another licensing entity or authority of this state or of another
state or an agency of the federal government. (2)The report required by this subdivision shall be made in writing
within 30 days of the date of the bringing of the indictment or the charging of a felony, the conviction, or the
disciplinary action. (b) Failure to make a report required by this section shall constitute a cause for discipline.

1 COSTS


2 9.

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

7 PRAYER

8 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of
9 this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action
10 against all licenses and/or license rights under the Real Estate Law (Part 1 of Division 4 of the
11 California Business and Professions Code) of Respondent RAQUEL FRANCESCA REID, for
12 the cost of investigation and enforcement as permitted by law, and for such other and further
13 relief as may be proper under applicable provisions of law.

14
15 Dated at San Diego, California this 28 day of February, 2020.

16
17
18 
19 Veronica Kilpatrick
20 Supervising Special Investigator

21 cc: RAQUEL FRANCESCA REID
22 Veronica Kilpatrick
23 Sacto.