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FILED

JUN 15 2012

DEPARTMENT OF REAL ESTATE

By K. Contreras

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

11 * * *

12 In the Matter of the Accusation of)
13) NO. H-5834 SAC
14 ARTHUR RAY SMITH,)
15) ACCUSATION
Respondent.)
_____)

16 The Complainant, TRICIA SOMMERS, a Deputy Real Estate Commissioner of
17 the State of California, for cause of Accusation against ARTHUR RAY SMITH (herein
18 "Respondent"), is informed and alleges as follows:

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20 The Complainant makes this Accusation in her official capacity.

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22 At all times herein mentioned, Respondent was licensed and/or has license rights
23 under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code
24 (herein "Code") as a real estate broker.

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26 On or about April 9, 2010, in the Superior Court of the State of California,
27 County of Solano, Respondent was convicted of the crime of Driving On A Suspended License,

1 in violation of Section 14601.2 of the Vehicle Code, a misdemeanor that bears a substantial
2 relationship under Section 2910, Chapter 6, Title 10, California Code of Regulations (herein “the
3 Regulations”), to the qualifications, functions or duties of a real estate licensee.

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5 The facts alleged in Paragraph 3, above, constitute cause under Section 10177(b)
6 (Conviction Of Crime Substantially Related To Qualifications, Functions Or Duties Of Real
7 Estate Licensee) and Section 490 (Conviction Substantially Related Crime) of the Code for
8 suspension or revocation of Respondent’s license under the Real Estate Law.

9 MATTERS IN AGGRIVATION

10 5

11 On or about March 3, 2008, in the Superior Court of the State of California,
12 County of Solano, Respondent was convicted of the crime of Driving On A Suspended License,
13 in violation of Section 14601.2 of the Vehicle Code, a misdemeanor that bears a substantial
14 relationship, under Section 2910 of the Regulations, to the qualifications, functions or duties of
15 a real estate licensee.

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17 On or about January 27, 2003, in the Superior Court of the State of California,
18 County of Alameda, Respondent was convicted of the crime of Driving Under The Influence Of
19 Alcohol, in violation of Section 23152(a) of the California Vehicle Code, a misdemeanor that
20 bears a substantial relationship, under Section 2910 of the Regulations, to the qualifications,
21 functions or duties of a real estate licensee.

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23 On or about November 2, 2000, in the Superior Court of the State of California,
24 County of Alameda, Respondent was convicted of the crime of Driving Under The Influence Of
25 Alcohol, in violation of Section 23152(a) of the California Vehicle Code, a misdemeanor that
26 bears a substantial relationship, under Section 2910 of the Regulations, to the qualifications,
27 functions or duties of a real estate licensee.

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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 license rights of Respondent under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of the investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.



TRICIA SOMMERS
Deputy Real Estate Commissioner

Dated at Sacramento, California
this 11 day of March, 2012.