	C I L E IN
1	ADRIANA Z. BADILAS, Counsel (SBN 283331) JAN 1 2 2017
2	Bureau of Real Estate P. O. Box 137007 BUREAU OF REAL ESTATE
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8	BEFORE THE BUREAU OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * *
11	In the Matter of the Accusation of
12) NO. H- 6471 SAC)
13	THEODORE BEOTTGER HUTZ,) <u>ACCUSATION</u>
14	Respondent.
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16	The Complainant, TRICIA PARKHURST, in her official capacity as a
17	Supervising Special Investigator of the State of California, for cause of Accusation against
18	THEODORE BEOTTGER HUTZ ("Respondent"), is informed and alleges as follows:
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20	Respondent is presently licensed and/or has license rights under the Real Estate
21	Law, Part 1 of Division 4 of the Business and Professions Code ("the Code"), as a real estate
22	broker.
23	2
24	On or about September 12, 2016, in the United States District Court Eastern
25	District of California, Case No. CR-S-10-238-01, Respondent was convicted of violating
26	Sherman Act, Title 15, U.S. Code, Section 1 (bid rigging), a felony and a crime which bears a
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substantial relationship to the qualifications, functions, or duties of a real estate licensee pursuant to Section 2910, Title 10, California Code of Regulations.

The facts alleged in Paragraphs 2, above, constitute cause under Sections 490 (conviction of crime), Section 10177(b) (conviction of crime), and Section 10177(j) (fraud or dishonest dealings) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

Respondent failed to notify the Bureau of Real Estate within thirty (30) days of the convictions set forth in Paragraph 2. Such acts or omissions by Respondent violate Section 10186.2 (reporting requirements) of the Code, and constitute cause under Section 10177(d) (willful disregard of Real Estate Law) of the Code for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

COST RECOVERY

Section 10106 of the Code provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau, 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.

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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 Code, and for such other and further relief, including reasonable investigation and enforcement costs, as may be proper under the provisions of law.

TRICIA PARKHURST

Supervising Special Investigator

Dated at Sacramento, California,

this The day of MMMM,

DISCOVERY DEMAND

Pursuant to sections 11507.6, et seq. of the Administrative Procedure Act, the Bureau hereby makes demand for discovery pursuant to the guidelines set forth in the Administrative Procedure Act. Failure to provide Discovery to the Bureau may result in the exclusion of witnesses and documents at the hearing or other sanctions that the Office of

Administrative Hearings deems appropriate.