

FILED

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BUREAU OF REAL ESTATE

By M Roberts

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8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of)
12)
13 THEODORE BEOTTGER HUTZ,)
14 Respondent.)
15)

NO. H- 6471 SAC

ACCUSATION

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.

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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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1 substantial relationship to the qualifications, functions, or duties of a real estate licensee
2 pursuant to Section 2910, Title 10, California Code of Regulations.

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

8 4

9 Respondent failed to notify the Bureau of Real Estate within thirty (30) days of
10 the convictions set forth in Paragraph 2. Such acts or omissions by Respondent violate Section
11 10186.2 (reporting requirements) of the Code, and constitute cause under Section 10177(d)
12 (willful disregard of Real Estate Law) of the Code for suspension or revocation of all licenses
13 and license rights of Respondent under the Real Estate Law.

14 COST RECOVERY

15 5

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

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