

**FILED**

**APR 06 2017**

**BUREAU OF REAL ESTATE**

By M. Roberts

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7  
8 **BEFORE THE BUREAU OF REAL ESTATE**  
9 **STATE OF CALIFORNIA**

10 \* \* \*

11 In the Matter of the Application of )  
12 ALLA SAMCHUK, ) NO. H-6523 SAC  
13 ) ACCUSATION  
14 Respondent. )

15 The Complainant, TRICIA PARKHURST, acting in her official capacity as a  
16 Supervising Special Investigator of the State of California, for this Accusation against ALLA  
17 SAMCHUK ("Respondent"), is informed and alleges as follows:

18 1

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

22 CRIMINAL CONVICTION

23 2

24 On or about February 24, 2017, in the United States District Court, Eastern  
25 District of California, case No. 2:12CR00066-1, Respondent was convicted of six counts of  
26 violating section 1344 of title 18 of the United States Code (bank fraud), six counts of violating  
27 section 1014 of title 18 of the United States Code (false statement), one count of violating section

1 1957 of title 18 of the United States Code (money laundering), and one count of violating  
2 section 1028A(a)(1) of title 18 of the United States Code (aggravated identity theft), felonies and  
3 crimes that bear a substantial relationship to the qualifications, functions or duties of a real estate  
4 licensee pursuant to section 2910, title 10, of the California Code of Regulations.

5 FAILURE TO NOTIFY BUREAU OF CRIMINAL CONVICTION

6 3

7 On February 10, 2016, a diligent search was made of the records of the Bureau of  
8 Real Estate ("Bureau") relating to Respondent's real estate salesperson license No. 01452260.  
9 No record or written notice was received from Respondent notifying the Bureau, in writing, of  
10 any arrest, conviction, indictment or license disciplinary action.

11 GROUND FOR DISCIPLINE

12 4

13 The facts alleged above in Paragraph 2 constitute cause under sections 490  
14 (conviction of substantially related crime), 10177(b) (conviction of substantially related crime),  
15 and 10177(j) (engaged in conduct that constitutes fraud or dishonest dealing) of the Code for  
16 the suspension or revocation of all licenses and license rights of Respondent under the Real  
17 Estate Law.

18 5

19 The facts alleged above in Paragraphs 2 and 3, constitute a violation section  
20 10186.2 (a) (conviction reporting requirements) of the Code, and are grounds under sections  
21 10177(d) (willful disregard or violation of Real Estate Law) and 10186.2 (b) (failure to report) of  
22 the Code for suspension or revocation of all licenses and license rights of Respondent under the  
23 Real Estate Law.

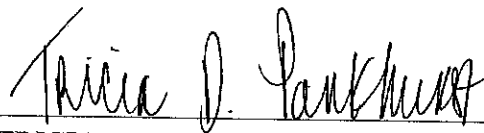
24 COST RECOVERY

25 6

26 The Bureau will seek to recover cost of the investigation and prosecution of this  
27 case pursuant to section 10106 of the Code which provides, in pertinent part, that in any order

1 issued in resolution of a disciplinary proceeding before the Bureau, the Commissioner may  
2 request the administrative law judge to direct a licensee found to have committed a violation of  
3 this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of  
4 the case.

5 WHEREFORE, the Complainant prays that the above-entitled matter be set for  
6 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to  
7 authorize the issuance of, and deny the issuance of, a real estate salesperson/broker license to  
8 Respondent, and for such other and further relief as may be proper under applicable provisions of  
9 law.

10   
11 TRICIA D. PARKHURST  
12 Supervising Special Investigator

13 Dated at Sacramento, California,  
14 this 5<sup>th</sup> day of April, 2017.

15  
16  
17 DISCOVERY DEMAND

18 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the  
19 Department hereby makes demand for discovery pursuant to the guidelines set forth in the  
20 *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the  
21 exclusion of witnesses and documents at the hearing or other sanctions that the Office of  
22 Administrative Hearings deems appropriate.