

FILED

APR 11 2023

DEPARTMENT OF REAL ESTATE
By J. Taggart

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	DRE No. H-07184 SAC
)	
MICHAEL PAUL SIZEMORE,)	
)	
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 02/27/2023, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, MICHAEL PAUL SIZEMORE (“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.

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.

FINDINGS OF FACT

1.

On November 15, 2022, Tricia Parkhurst 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 address on file with the Department on November 15, 2022.

On February 27, 2023, 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 salesperson. Respondent's real estate salesperson license expired on January 10, 2023. Pursuant to Code Section 10103, the Department retains jurisdiction.

3.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on November 15, 2022, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

The allegations contained in the Accusation, constitute cause under Sections 490 (conviction of a crime), 10177(b) (conviction of a crime), and 10177(j) (fraud or dishonest dealing) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

2.

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

ORDER

All licenses and licensing rights of Respondent MICHAEL PAUL SIZEMORE 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 MAY 01 2023.

DATED: 4/10/2023.

Douglas R. McCauley
Real Estate Commissioner


By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner

1 Department of Real Estate
2 1651 Exposition, Blvd.
3 Sacramento, CA, 95815
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9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:) DRE NO. *H-07184 SAC*
12 MICHAEL PAUL SIZEMORE,) DEFAULT ORDER
13 Respondent.)
14 _____)

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

18 IT IS SO ORDERED FEBRUARY 22, 2023.

19 DOUGLAS R. McCAULEY
20 REAL ESTATE COMMISSIONER

21
22 By: 
23 CHIKA SUNQUIST
24 Assistant Commissioner, Enforcement
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