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FILED

MAY 31 2013

DEPARTMENT OF REAL ESTATE

By K. Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

10 In the Matter of the Accusation of)
11) No. H-11554 SF
12 OLIVIA LEE,)
13) ACCUSATION
14 Respondent.)

15 The Complainant, ROBIN S. TANNER, acting in her official capacity as a
16 Deputy Real Estate Commissioner of the State of California, for cause of Accusation against
17 OLIVIA LEE (hereinafter "Respondent"), is informed and alleges as follows:

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

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21 At all times mentioned herein, Respondent was licensed and/or had license rights
22 under the Real Estate Appraiser's Licensing and Certification Law, Part 3 of Division 4, of the
23 Code as a real estate appraiser.

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24 On or about November 1, 2012, before the Office of Real Estate Appraisers for
25 the State of California (hereinafter "OREA"), Case No. C110404-06, Respondent's real estate

1 appraiser license was ordered revoked, subject to stay for two (2) years, and suspended for a
2 period of forty-five (45) days. Additionally, Respondent was ordered to pay costs of \$3,000.00,
3 a fine of \$5,000.00, monitoring costs, submission to probation, and additional compliance
4 requirements regarding continuing education courses.

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6 The facts alleged in paragraph 3, above, were based upon Respondent's violations
7 of the following Rules of the Uniform Standards of Professional Appraisal Practice (hereinafter
8 "USPAP"): 1-2(e)(i), 1-3(b), 2-2(b)(iii), and (b)(ix) (failure to identify zoning); 1-2(e)(i), 2-1(a),
9 and 2-2(b)(viii) (failure to identify relevant property characteristics, to wit, misstated condition
10 of property); 1-2(e)(i) and 2-2(b)(iii) (failure to identify relevant property characteristics, to wit,
11 misrepresentation of condition); 1-5(a) and 2-2(b)(viii) (failure to analyze contract price);
12 1-1(a) (failure to employ recognized methods and techniques); 1-1(b) (commission of
13 substantial errors); and, failure to comply with the conduct section of the USPAP Ethics Rule;
14 in conjunction with Sections 3701, 3702, and 3721 of the California Code of Regulations
15 (hereinafter "the Regulations").

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17 The facts alleged in paragraphs 3 and 4, above, constitute cause for the suspension
18 or revocation of all licenses and licensing rights of Respondent pursuant to the Real Estate Law
19 under Sections 10177(f) and 10177(g) of the Code.

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21 On March 11, 2013, a diligent search was made of the records of the Department
22 of Real Estate (hereinafter the "Department"), relating to Respondent's Real Estate Salesperson
23 License No. 01245407. As a result of said search, no record was discovered having been
24 received from Respondent notifying the Department, in writing, of license disciplinary action.

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26 The facts alleged above in Paragraph 6 indicate Respondent's failure to comply
27 with Section 10186.2 (failure to notify in writing to the Department of any disciplinary action

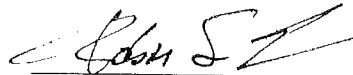
1 taken against Respondent by another licensing authority within 30 days) of the Code, and
2 constitute cause under Section 10177(d) (willful disregard or violation of the Real Estate Law)
3 of the Code for revocation of all licenses and license rights of Respondent under said Real Estate
4 Law.

5 COST RECOVERY

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7 The Department will seek to recover costs of the investigation and prosecution of
8 this case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any
9 order issued in resolution of a disciplinary proceeding before the Department, the Commissioner
10 may request the Administrative Law Judge to direct a licensee found to have committed a
11 violation of this part to pay a sum not to exceed the reasonable costs of the investigation and
12 enforcement of the case.

13 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
14 of this Accusation and that upon proof thereof, a decision be rendered revoking all licenses and
15 license rights of Respondent under the Real Estate Law, for the cost of investigation and
16 enforcement as permitted by law, and for such other and further relief as may be proper under
17 other provisions of law.

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21 ROBIN S. TANNER
22 Deputy Real Estate Commissioner

23 Dated at Oakland, California, on
24 this 29th day of May, 2013.