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1 2 3 4 5 6	KYLE T. JONES, Counsel (SBN 300751)   Department of Real Estate   P.O. BOX 137007   Sacramento, CA 95813-7007   Telephone: (916) 576-8700   (916) 263-3767 (Fax)   (916) 576-7840 (Direct)
7	BEFORE THE DEPARTMENT OF REAL ESTATE
-9	STATE OF CALIFORNIA
10	***
11	In the Matter of the Accusation of )
12	) No. H-12664 SF
13	ARTISHA SUMLER-HERBERT, ) ) <u>ACCUSATION</u>
14	Respondent. )
15	The Complainant, STEPHANIE YEE, acting in her official capacity as a
16	Supervising Special Investigator of the State of California, for this Accusation against ARTISHA
17	SUMLER-HERBERT ("Respondent"), is informed and alleges as follows:
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19	Respondent is presently licensed and/or has license rights under the Real Estate
20	Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real
21	estate salesperson.
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23	On or about July 24, 2020, in the Superior Court of the State of California,
24	County of Contra Costa, Case No. 02-331191-7, Respondent was convicted of violating Sections
25 26	242/243(a) (willfully and unlawfully use force and violence upon a person) and 594(a) (vandalism-over \$400) of the California Penal Code, misdemeanors and crimes that bear a
20	substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant
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to Section 2910, Title 10, of the California Code of Regulations. 1 2 3 3 On February 3, 2023, a diligent search was made of the records of the Department 4 of Real Estate ("Department") relating to Respondent's real estate license No. 01993125. No 5 record or written notice was received within 30 days from Respondent notifying the Department, 6 in writing, of any conviction, license disciplinary action, criminal complaint, information, or 7 indictment charging a felony. 8 **GROUNDS FOR DISCIPLINE** 9 4 10 The facts alleged in Paragraphs 2, above, constitute cause under Sections 490 (conviction of substantially related crime) and 10177(b) (conviction of substantially related 11 12 crime) of the Code for the suspension or revocation of all licenses and license rights of 13 Respondent under the Real Estate Law. 14 5 Respondent's failure to report the conviction to the Department, as described in 15 Paragraph 4, above, violates Section 10186.2 (a) (conviction reporting requirements) of the 16 17 Code, and constitutes cause under Section 10177(d) (willful disregard or violation of Real Estate Law) of the Code for the suspension or revocation of all licenses and license rights of 18 19 Respondent under the Real Estate Law. 20 AGGRAVATION 21 6 22 On or about June 19, 1998, in the Superior Court of the State of California, 23 County of Contra Costa, Case No. 162032-7, Respondent was convicted of violating Sections 24 470 (forgery of check) and 496(a) (receiving stolen property) of the California Penal Code, 25 misdemeanors. 26 /// 27 ///

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1	COST RECOVERY	
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3	The Department will seek to recover the costs of the investigation and prosecution	
4	of this case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any	
5	order issued in resolution of a disciplinary proceeding before the Department, the Commissioner	
6	may request the administrative law judge to direct a licensee found to have committed a violation	-
7	of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement	
8	of the case.	
9	WHEREFORE, Complainant prays that a hearing be conducted on the allegations	
10	of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary	
11	action against all licenses and license rights of Respondent under the Real Estate Law, for the	
12	cost of investigation and enforcement as permitted by law, and for such other and further relief as	
13	may be proper under other provisions of law.	
14 15	Stuppin 20	
16	STEPHANIE YEE	
17	Supervising Special Investigator	
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19	Dated at Oakland, California,	
20	this <u>Hh</u> day of <u>April</u> , 2023.	
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1	DISCOVERY DEMAND
2	Pursuant to Sections 11507.6, et seq. of the Administrative Procedure Act, the
3	Department hereby makes demand for discovery pursuant to the guidelines set forth in the
4	Administrative Procedure Act. Failure to provide Discovery to the Department may result in the
5	exclusion of witnesses and documents at the hearing or other sanctions that the Office of
6	Administrative Hearings deems appropriate.
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