

FILED

APR 11 2023

DEPARTMENT OF REAL ESTATE
By J. Taggart

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8 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,)
14 Respondent.) ACCUSATION

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
25 242/243(a) (willfully and unlawfully use force and violence upon a person) and 594(a)
26 (vandalism-over \$400) of the California Penal Code, misdemeanors and crimes that bear a
27 substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant

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.

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15 STEPHANIE YEE

16 Supervising Special Investigator

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19 Dated at Oakland, California,

20 this 7th day of April, 2023.

DISCOVERY DEMAND

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