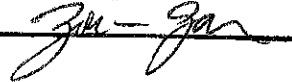


1 JUDITH B. VASAN, Counsel (SBN 278115)  
2 Bureau of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105  
5 Telephone: (213) 576-6982  
6 (Direct) (213) 576-6904

**FILED**

OCT - 5 2016

BUREAU OF REAL ESTATE

By 

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

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-40414 LA  
12 )  
13 BRIAN MATTHEW RICH, ) ACCUSATION  
14 )  
15 Respondent. )

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the  
17 State of California, for cause of Accusation against BRIAN MATTHEW RICH  
18 (“Respondent”), alleges as follows:

19 1.

20 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the  
21 State of California, makes this Accusation in her official capacity.

22 2.

23 Respondent presently has license rights under the Real Estate Law, Part 1 of  
24 Division 4 of the California Business and Professions Code (“Code”), as a real estate broker.  
25 Respondent’s license expires on October 13, 2016, unless renewed.

26 ///

27 ///

ACCUSATION OF BRIAN MATTHEW RICH

(CRIMINAL CONVICTION)

3.

On or about August 26, 2014, in the United States District Court for the Western District of North Carolina, Case No. DNCW312CR00369-003, Respondent pled guilty to and was convicted for violation of Title 18 of the United States Code Section 371 (conspiracy to defraud the United States – access protected computers for commercial advantage and financial gain in violation of Title 18 of the United States Code Sections 1030(a)(2)(C) and 1030(c)(2)(B)(i) and (iii)), a felony. Respondent was ordered to serve 24 months in prison and, upon release, placed on supervised release for 2 years. On or about February 2, 2016, an Amended Judgement was entered ordering Respondent to pay \$3,244,135.00 in restitution to LendingTree, LLC. This conviction bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

4.

On or about October 9, 2014, in the United States Court of Appeals for the Fourth Circuit, Case No. 14-4774, Respondent filed an appeal. On or about June 29, 2015, the Court of Appeals issued an Opinion, affirming the conviction described in Paragraph 3, above.

5.

The crime of which Respondent was convicted, as described in Paragraph 3, above, constitutes cause under Sections 490, 10177(b), and 10177(j) of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

(COSTS OF INVESTIGATION AND ENFORCEMENT)

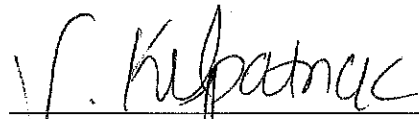
6.

California Business and Professions Code Section 10106, provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau of Real Estate, the Commissioner may request the administrative law judge to direct a licensee

1 found to have committed a violation of this part to pay a sum not to exceed the reasonable costs  
2 of the investigation and enforcement of the case.

3 WHEREFORE, Complainant prays that a hearing be conducted on the  
4 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing  
5 disciplinary action against all the licenses and license rights of Respondent BRIAN  
6 MATTHEW RICH under the Real Estate Law for the costs of investigation and enforcement as  
7 permitted by law, and for such other and further relief as may be proper under other applicable  
8 provisions of law.

9  
10 Dated at San Diego, California this 3rd day of October, 2016

11  
12  
13 

14 Veronica Kilpatrick  
15 Supervising Special Investigator  
16  
17  
18  
19  
20  
21  
22  
23  
24

25 cc: BRIAN MATTHEW RICH  
26 Veronica Kilpatrick  
27 Sacto.