

FILED

OCT 19 2022

DEPT. OF REAL ESTATE
By *ai Selous*

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9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-42476 LA
13)
14 JOHN O'CONNELL,) ACCUSATION
15)
16 Respondent.)
17)

18 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
19 of California, for cause of Accusation against JOHN O'CONNELL, also known as John
20 Oconnell, Patrick John Oconnell, John Patrick O'Connell, Patrick J. Oconnell, John Patrick
21 Connell, Patrick O'Connell, and Patrick John O'Connell ("Respondent"), alleges as follows:

22 1.

23 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
24 of California, makes this Accusation in her official capacity.

25 2.

26 Respondent presently has license rights under the Real Estate Law, Part 1 of
27 Division 4 of the California Business and Professions Code ("Code"), as a real estate broker
(License ID 01526364). Respondent's license is scheduled to expire on June 11, 2025, unless

1 renewed. Respondent has an approved individual MLO endorsement, NMLS No. 213088. The
2 MLO license endorsement is set to expire on December 31, 2022, unless renewed.

3 FIRST CAUSE OF ACCUSATION

4 (CRIMINAL CONVICTIONS)

5 3.

6 On or about June 23, 2021, in the Superior Court of California, County of
7 Orange, Case No. 18HM15947, Respondent was convicted on a plea of guilty for Count 1:
8 violation of Vehicle Code section 23152(a) (driving under the influence of alcohol with one
9 prior), Count 2: violation of Vehicle Code section 23152(b) (driving with a blood alcohol level
10 of .08% or more with one prior), and Count 3: violation of Vehicle Code section 20002(a) (hit
11 and run), all misdemeanors. Respondent also admitted to a previous violation of Vehicle Code
12 section 23152 on November 7, 2012, for which he was convicted on May 16, 2013, in the
13 Superior Court of California, County of Riverside, Case No. SWM1300082. As to Count 2, the
14 Court stayed the sentence pursuant to Penal Code section 654. As to Counts 1 and 3, the
15 imposition of the sentence was suspended. Respondent was placed on informal probation for
16 five (5) years, on certain terms and conditions, including, in part, serving sixty (60) days in
17 Orange County Jail, completion of fifteen (15) days Cal Trans/Physical Labor as directed by
18 OneOC, completion of an eighteen (18) month Multiple Offender Alcohol Program, completion
19 of Victim Impact Counseling, completion of self-help meetings, payment of victim restitution,
20 and payment of fines and fees.

21 4.

22 The convictions, as described in Paragraph 3 above, bear a substantial
23 relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the
24 qualifications, functions or duties of a real estate licensee.

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ACCUSATION

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

SECOND CAUSE OF ACCUSATION
(FAILURE TO REPORT CONVICTIONS)

6.

Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "the conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or misdemeanor" to the Department of Real Estate ("Department") within thirty (30) days of the conviction. Respondent failed to report in writing to the Department the convictions described in Paragraph 3 above, within thirty (30) days of the conviction date.

7.

Respondent's failure to timely report the convictions constitutes cause under Section 10186.2 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)

8.

California Business and Professions Code section 10106, provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of Respondent JOHN O'CONNELL under the Real Estate Law, for the costs of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California this 14th day of October, 2022.

Maria Suarez
Maria Suarez
Supervising Special Investigator

cc: JOHN O'CONNELL
Maria Suarez
Sacto.