

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

FILED

OCT 28 2013

BUREAU OF REAL ESTATE

By L. Trust

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

10 * * *

11 In the Matter of the Bar Order Against:)
12 FRANK LIVINGSTON HICKS,) DRE NO. H-5865 SAC
13) BAR ORDER
14 Respondent,) (B&P Code § 10087)

15 TO: FRANK LIVINGSTON HICKS
16 CDC# AK4000
17 North Kern State Prison
18 PO Box 587
19 Delano, CA 93216

20 FRANK LIVINGSTON HICKS
21 3820 Woodcrest Rd.
22 Sacramento, CA 95821

23 Pursuant to Section 10087(b) of the California Business and Professions Code
24 (“Code”), FRANK LIVINGSTON HICKS (“Respondent”) was notified on August 20, 2012 of
25 the intention of the California Real Estate Commissioner (“Commissioner”) to issue a Bar Order
26 pursuant to Section 10087(a) of the Code. Respondent failed to request a hearing in writing
27 within fifteen (15) days of service of the *Preliminary Bar Order and Notice of Intention to Issue Bar Order*.

1 Pursuant to the authority granted by Section 10087 of the Code, and after review
2 and consideration of the following facts, the Commissioner makes the following:

3 FINDINGS OF FACT

4 1. On or about November 14, 2011, in the Superior Court of the State of
5 California, County of Sacramento, Case No. 11F00941, Respondent was convicted of violating
6 Penal Code Sections 184(a)(1) (conspiracy), 524 (attempted extortion), 523 (threatening letters),
7 and two counts of Section 422 (terrorist threats), all felonies.

8 2. The felony convictions enumerated above bear a substantial relationship
9 under Section 2910, Title 10, California Code of Regulations to the qualifications, functions, or
10 duties of a real estate licensee.

11 CONCLUSIONS OF LAW

12 Based on the findings set forth above in paragraphs 1 and 2, the Commissioner
13 determines that you have been convicted of an offense reasonably related to the qualifications,
14 functions, or duties of a person engaged in the real estate business in accordance with the
15 provisions of this the Real Estate Law.

16 ORDER

17 NOW, THEREFORE, IT IS ORDERED, pursuant to the authority of Section
18 10087 of the Code, that FRANK LIVINGSTON HICKS is hereby barred and prohibited for a
19 period of thirty-six (36) months from the effective date of this Bar Order, from engaging in any
20 of the following activities in the State of California:

- 21 (A) Holding any position of employment, management, or control in a real
22 estate business;
- 23 (B) Participating in any business activity of a real estate salesperson or a real
24 estate broker;

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- (C) Engaging in any real estate related business activity on the premises where a real estate salesperson or real estate broker is conducting business; and,
- (D) Participating in any real estate related business activity of a finance lender, residential mortgage lender, bank, credit union, escrow company, title company, or underwritten title company.

THIS BAR ORDER IS EFFECTIVE IMMEDIATELY.

It is so ordered on 7/12/2013.

REAL ESTATE COMMISSIONER



NOTICE

Pursuant to Section 10185 of the Business and Professions Code: Any person, including officers, directors, agents or employees of corporations, who willfully violates or knowingly participates in the violation of this (Bar Order) shall be guilty of a misdemeanor punishable by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the county jail not exceeding six months, or by a fine and imprisonment.

FLG

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7000
4 Telephone: (916) 227-0789

FILED
AUG 20 2012
DEPARTMENT OF REAL ESTATE
By *L. Just*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of:) NO. H-5865 SAC
12)
13 FRANK LIVINGSTON HICKS,) PRELIMINARY BAR ORDER
14) AND NOTICE OF INTENTION
15) TO ISSUE BAR ORDER
) (B&P Code § 10087)
) Respondent.)
)

16 TO: FRANK LIVINGSTON HICKS
17 CDC# AK4000
18 North Kern State Prison
19 PO Box 587
20 Delano, CA 93216
21 FRANK LIVINGSTON HICKS
22 3820 Woodcrest Rd.
23 Sacramento, CA 95821

24 Pursuant to section 10087(c) of the California Business and Professions Code
25 (herein "the Code"), you, FRANK LIVINGSTON HICKS (herein "Respondent"), are hereby
26 notified of the intention of the California Real Estate Commissioner (herein "Commissioner") to
27 issue a Bar Order pursuant to section 10087(a)(2) of the Code on the following grounds:

On or about November 14, 2011, in the Superior Court of the State of California,
County of Sacramento, Case No. 11F00941, Respondent was convicted of violating Penal Code

1 sections 184(a)(1) (conspiracy), 524 (attempted extortion), 523 (threatening letters), and two
2 counts of section 422 (terrorist threats), all felonies which bear a substantial relationship under
3 section 2910, title 10, California Code Regulations to the qualifications, functions or duties of a
4 real estate licensee and constitutes grounds under sections 490 and 10177(b) of the Code for the
5 suspension or revocation of all licenses and license rights of Respondent under Part 1 of Division
6 4 of the Business and Professions Code (herein "the Real Estate Law").

7 The events and circumstances leading to the above convictions are that
8 Respondent attempted to extort \$3,000,000 from the Chief Executive Officer (herein "CEO") of
9 a local corporation by delivering a threatening note to the home of said CEO detailing how to
10 deliver the money to Respondent.

11 Please take notice that the Commissioner seeks to bar and prohibit you for a
12 period of thirty-six (36) months from the effective date of the Bar Order from engaging in any of
13 the following activities in the State of California:

- 14 (A) Holding any position of employment, management, or control in a real estate
15 business;
- 16 (B) Participating in any business activity of a real estate salesperson or a real
17 estate broker;
- 18 (C) Engaging in any real estate related business activity on the premises where a
19 real estate salesperson or real estate broker is conducting business; and,
- 20 (D) Participating in any real estate related business activity of a finance lender,
21 residential mortgage lender, bank credit union, escrow company, title
22 company, or underwritten title company.

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24 **YOU ARE IMMEDIATELY PROHIBITED FROM ENGAGING IN ANY BUSINESS**
25 **ACTIVITY INVOLVING REAL ESTATE THAT IS SUBJECT TO REGULATION**
26 **UNDER THE REAL ESTATE LAW.**

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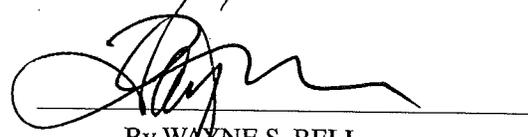
NOTICE OF RIGHT AND OPPORTUNITY FOR A HEARING

Pursuant to Section 10087 of the Code, you have the right to request a hearing under the California Administrative Procedure Act (Chapter 4.5 – commencing with Section 11400 of the Government Code). If you desire a hearing, you must submit a written request within fifteen (15) days after the mailing or service of this “Notice of Intention to Issue Bar Order and Preliminary Bar Order.” The request may be in any form provided it is in writing, includes your current return address, indicates that you want a hearing, is signed by you or on your behalf, and is mailed to the Department of Real Estate, P. O. Box 187007, Sacramento, California 95818-7007, attention: Legal Section; or, delivered personally to the offices of the Department of Real Estate, 2201 Broadway, Sacramento, California.

If no hearing is requested within said fifteen (15) day time period, your failure to request a hearing shall constitute a waiver of the right to a hearing.

It is so ordered this 13th day of July, 2012.

Real Estate Commissioner



By WAYNE S. BELL
Chief Counsel