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BUREAU OF REAL ESTATE

By H. Contreras

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)

LIONEL SALINAS, JR.,)

Respondent.)

NO. H-2869 FR

ACCUSATION

The Complainant, BRENDA SMITH, a Deputy Real Estate Commissioner
(herein "Complainant") of the State of California, Bureau of Real Estate (herein the "Bureau"),
for cause of Accusation against LIONEL SALINAS, JR. (herein the "Respondent"), is informed
and alleges as follows:

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The Complainant makes this Accusation in her official capacity.

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At all times herein mentioned, Respondent was licensed and/or has license
rights under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code
(herein "Code") as a real estate salesperson.

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On or about January 9, 2013, in the Superior Court of the State of California,
County of Napa, Respondent was convicted of the crime of Possession of Marijuana for Sale, in

1 violation of Section 11359 of the Health and Safety Code, a felony that bears a substantial
2 relationship under Section 2910, Chapter 6, Title 10, California Code of Regulations (herein
3 "the Regulations"), to the qualifications, functions or duties of a real estate licensee.

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5 On about December 10, 2013, a diligent search was made of the records of the
6 Bureau relating to Respondent's Real Estate Salesperson License No. 01874954. As a result of
7 said search, no record was discovered having been received from Respondent notifying the
8 Bureau, in writing, of any conviction, indictment, information or license disciplinary action.

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10 The facts alleged in Paragraph 3, above, constitute cause under Section 10177(b)
11 (Conviction Of Crime Substantially Related To Qualifications, Functions Or Duties Of Real
12 Estate Licensee) and Section 490 (Conviction Substantially Related Crime) of the Code for
13 suspension or revocation of Respondent's license under the Real Estate Law.

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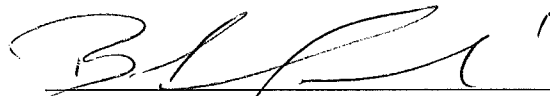
15 The facts alleged above in Paragraph 4 indicate Respondent's failure to comply
16 with Sections 10186.2(a)(1)(A), 10186.2(a)(1)(B), and 10186.2(a)(2) (failure to report in
17 writing to the Bureau of the bringing of an indictment or information charging a felony and/or a
18 conviction of any felony or misdemeanor against Respondent within 30 days) of the Code, and
19 constitute cause under Code Section 10177(d) (willful disregard or violation of the Real Estate
20 Law; Part 1 of Division 4 of the Code) for revocation of all licenses and license rights of
21 Respondent under said Real Estate Law.

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23 Investigation and Enforcement Costs

24 Section 10106 of the Code provides, in pertinent part, that in any order issued in
25 resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the
26 Administrative Law Judge to direct a licensee found to have committed a violation of this part to
27 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
3 action against all licenses and license rights of Respondent under the Real Estate Law (Part 1 of
4 Division 4 of the Business and Professions Code), for the cost of the investigation and
5 enforcement as permitted by law, and for such other and further relief as may be proper under
6 other applicable provisions of law.

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10 BRENDA SMITH
11 Deputy Real Estate Commissioner

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13 Dated at Fresno, California
14 this 3 day of February, 2014.

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16 DISCOVERY DEMAND

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