

KYLE T. JONES, Counsel (SBN 300751)
Department of Real Estate
P.O. BOX 137007
Sacramento, CA 95813-7007

Telephone: (916) 576-8700
(916) 263-3767 (Fax)
(916) 576-7840 (Direct)

FILED

JUN 10 2020

DEPARTMENT OF REAL ESTATE
By B. Nicholas

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	No. H-3328 FR
BROOKE ELIZABETH FRASER,)	
)	<u>ACCUSATION</u>
Respondent.)	

The Complainant, BRENDA SMITH, acting in her official capacity as a
Supervising Special Investigator of the State of California, for this Accusation against BROOKE
ELIZABETH FRASER ("Respondent"), is informed and alleges as follows:

1

Respondent is presently licensed and/or has license rights under the Real Estate
Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real
estate salesperson.

2

On or about July 10, 2019, in the Superior Court of the State of California, County
of San Luis Obispo, Case No. 18F-02731, Respondent was convicted of violating Section
594(b)(1) (vandalism) of the California Penal Code, a misdemeanor and a crime that bears a
substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant
to Section 2910, Title 10, of the California Code of Regulations ("Regulations").

On or about August 14, 2018, in the Superior Court of the State of California, County of Santa Barbara, Case No. 18CR07533, Respondent was convicted of violating Section 148(a)(1) (resist, obstruct, or delay a peace officer) of the California Penal Code, a misdemeanor and a crime that bears a substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the Regulations.

On or about November 28, 2017, in the Superior Court of the State of California, County of San Luis Obispo, Case No. 17M-06439, Respondent was convicted of violating Section 23152(b) (driving under the influence-over .08%) of the California Vehicle Code, a misdemeanor and a crime that bears a substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the Regulations.

On April 2, 2020, a diligent search was made of the records of the Department of Real Estate ("Department") relating to Respondent's real estate salesperson license No. 01968328. No record or written notice was received from Respondent notifying the Department, in writing, of any arrest, conviction, indictment or license disciplinary action.

GROUND FOR DISCIPLINE

The facts alleged in Paragraphs 2, 3, and 4, above, constitute cause under Sections 490 (conviction of substantially related crime) and 10177(b) (conviction of substantially related crime) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

Respondent's failure to report the convictions to the Department, as described in Paragraph 5, above, violates Section 10186.2 (a) (conviction reporting requirements) of the Code, and constitutes cause under Section 10177(d) (willful disregard or violation of Real Estate

1 Law) of the Code for the suspension or revocation of all licenses and license rights of
2 Respondent under the Real Estate Law.

3 COST RECOVERY

4 8

5 The Department will seek to recover the costs of the investigation and prosecution
6 of this case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any
7 order issued in resolution of a disciplinary proceeding before the Department, the Commissioner
8 may request the administrative law judge to direct a licensee found to have committed a violation
9 of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement
10 of the case.

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

16 
17 BREND A SMITH
18 Supervising Special Investigator

19 Dated at Fresno, California,
20 this 5 day of June, 2020.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

4