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**FILED**  
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DEPARTMENT OF REAL ESTATE  
By: *J. Taggart*

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of: )  
12 RUDY ALDERETTE, ) No. H-3415 FR  
13 Respondent. ) ACCUSATION

14  
15 The Complainant, BRENDA SMITH, acting in her official capacity as a  
16 Supervising Special Investigator of the State of California, for cause of Accusation against  
17 RUDY ALDERETTE ("Respondent"), is informed and alleges as follows:

18 1

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

22 CRIMINAL CONVICTIONS

23 2

24 On or about September 17, 2020, in the Superior Court of the State of California,  
25 County of Fresno, Case No. F18900846, Respondent was convicted of violating Penal Code  
26 Sections 192(c)(2) (vehicular manslaughter) and Vehicle Code Section 20001(b)(2) (leaving the  
27 scene of an accident), misdemeanors which bear a substantial relationship under Section 2910,

1 2910, Title 10, California Code of Regulations (“the Regulations”) to the qualifications,  
2 functions, or duties of a real estate licensee.

3 3

4 The facts alleged above in Paragraph 2 constitute grounds under Sections 490  
5 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of  
6 Respondent under Part 1 of Division 4 of the Code.

7 FAILURE TO DISCLOSE FILING OF INDICTMENT AND/OR CONVICTIONS

8 4

9 A diligent search was made of the records of the Department of Real Estate  
10 (“Department”) relating to Respondent’s Real Estate Salesperson License No. 01517470. As a  
11 result of said search, no record was discovered having been received from Respondent notifying  
12 the Department, in writing, of any conviction, or the bringing of any complaint, information, or  
13 indictment related to Paragraph 2, above.

14 5

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

22 LICENSE DISCIPLINE

23 6

24 Effective July 28, 2021, in agency Case No. PLBS 14414-A, the Department of  
25 Insurance revoked Respondent’s license to act as an accident and health agent and life-only  
26 agent (“Insurance license”), and issued Respondent a restricted Insurance License based upon  
27 Respondent’s criminal convictions, as described above in Paragraph 2, and upon Respondent’s

1 admission that he failed to notify the Department of Insurance, within thirty days, of the filing  
2 of a felony complaint, or his subsequent misdemeanor convictions.

3 7

4 The facts alleged above in paragraph 6 constitute grounds for the suspension or  
5 revocation of all real estate licenses and license rights of Respondent pursuant to Section  
6 10177(f) of the Code (license issued by another agency of this state suspended or revoked for  
7 acts that, if done by a real estate licensee, would be grounds for the suspension or revocation of a  
8 California real estate license).

9 FAILURE TO DISCLOSE LICENSE DISCIPLINE

10 8

11 Pursuant to Section 10186.2(a)(1)(C) of the Code, a licensee is required to  
12 report, within 30 days, any disciplinary action taken by another licensing entity or authority of  
13 this state.

14 9

15 The facts alleged above in Paragraph 6 indicate Respondent's failure to comply  
16 with Sections 10186.2(a)(1)(C) of the Code, and constitute cause under Section 10177(d)  
17 (willful disregard or violation of the Real Estate Law; Part 1 of Division 4 of the Code) for  
18 revocation of all licenses and license rights of Respondent under said Real Estate Law.

19 COST RECOVERY

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

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