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DEPARTMENT OF REAL ESTATE

By B. dew

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

KOLTON JON PICO,

Respondent.

No. H-3418 FR

ACCUSATION

The Complainant, BRENDA SMITH, acting in her official capacity as a Supervising Special Investigator of the State of California, for cause of Accusation against KOLTON JON PICO also known as KOLTON JON MATOSICH (Respondent), is informed and alleges as follows:

1

At all times herein mentioned, Respondent was and 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 (the Code) by the Department of Real Estate (the Department) as a real estate salesperson.

2

On or about December 3, 2020, in the Superior Court of California, County of Santa Cruz, Case No. 20CR03754, Respondent was convicted of violating Section 23153 (b) (Driving with a 0.08% Blood Alcohol Content Causing Injury) of the California Vehicle Code, a

1 felony and crime which bears a substantial relationship under Section 2910, Title 10, Chapter 6,
2 California Code of Regulations (Regulations), to the qualifications, functions or duties of a real
3 estate licensee.

4 3

5 The facts alleged above, in Paragraph 2, constitute grounds under Sections 490
6 (Conviction of Crime) and 10177 (b) (Conviction of Crime) of the Code for suspension or
7 revocation of all licenses and license rights of Respondent under the Real Estate Law.

8 FACTOR IN AGGRAVATION

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10 On or about December 1, 2017, in the Superior Court of California, County of
11 Santa Cruz, Case No. 17CR05363, Respondent was convicted of violating Section 23152 (b) of
12 the California Vehicle Code (Driving with a Blood Alcohol Level 0.08% or More), a
13 misdemeanor.

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15 On or about May 9, 2014, in the Superior Court of California, County of San
16 Diego, Case No. M183626, Respondent was convicted of violating Sections 23152 (a) (Driving
17 Under the Influence of Alcohol) and 23152 (b) of the California Vehicle Code, both
18 misdemeanors.

19 COST RECOVERY

20 6

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

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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 revoking all licenses and
3 license rights of Respondent under the Real Estate Law, for the cost of investigation and
4 enforcement as permitted by law, and for such other and further relief as may be proper under
5 other provisions of law.

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8 
9 BREND A SMITH
10 Supervising Special Investigator

11 Dated at Fresno, California, on
12 this 11 day of February, 2022.
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14 DISCOVERY DEMAND

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