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FILED

APR 08 2022

DEPARTMENT OF REAL ESTATE
By B. Nicholas

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:) H-3433 FR
)
ANDREW BILL KATAKIS,) ACCUSATION
)
Respondent.)
)

The Complainant, BRENDA SMITH, acting in her official capacity as a
Supervising Special Investigator of the State of California, for cause of Accusation against
ANDREW BILL KATAKIS ("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 Business and Professions Code ("the Code") as a real estate
broker.

CRIMINAL INDICTMENT

2.

On or about May 8, 2013, in the United States District Court for the Eastern
District of California, Case No. 2:11CR00511-2, Respondent was indicted on suspicion of
violating one (1) count of 15 U.S.C. § 1 (bid rigging), a felony.

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1 CRIMINAL CONVICTIONS

2 3.

3 On or about November 7, 2017, in the United States District Court for the
4 Eastern District of California, Case No. 2:11CR00511-2, Respondent was convicted of violating
5 one (1) count of 15 U.S.C. § 1, a felony which bears a substantial relationship under Section
6 2910, Title 10, California Code Regulations to the qualifications, functions or duties of a real
7 estate licensee. Defendant subsequently appealed the judgment of conviction. On January 16,
8 2020, the United States Court of Appeals for the Ninth Circuit issued a decision dismissing in
9 part, and affirming, in part, defendant's conviction. The Ninth Circuit decision did not overturn
10 Respondent's judgment.

11 4.

12 The facts alleged above in Paragraph 3 constitute grounds under sections 490
13 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of
14 Respondent under Part 1 of Division 4 of the Code (herein "the Real Estate Law").

15 FAILURE TO DISCLOSE FILING OF INDICTMENT

16 5.

17 A diligent search was made of the records of the Department of Real Estate
18 ("Department") relating to Respondent's Real Estate Salesperson License No. 01060598. As a
19 result of said search, no record was discovered having been received from Respondent notifying
20 the Department, in writing, of any conviction, or the bringing of any complaint, information, or
21 indictment as set forth above in Paragraph 2.

22 6.

23 The facts alleged above in Paragraphs 2 and 5 indicate Respondent's failure to
24 comply with Sections 10186.2(a)(1)(A), 10186.2(a)(1)(B), and 10186.2(a)(2) (failure to report
25 in writing to the Department of the bringing of a complaint, indictment, or information charging
26 a felony and/or a conviction of any felony or misdemeanor against Respondent within 30 days)
27 of the Code, and constitute cause under Section 10177(d) (willful disregard or violation of the

1 Real Estate Law; Part 1 of Division 4 of the Code) for revocation of all licenses and license
2 rights of Respondent under said Real Estate Law.

3 COST RECOVERY

4 7.

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

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

15 
16 BREND A SMITH
Supervising Special Investigator

17 Dated at Fresno, California,

18 this 4 day of April, 2022.

19
20 DISCOVERY DEMAND

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