

FILED

AUG 17 2023

DEPARTMENT OF REAL ESTATE
By B. Nichols

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)
AMANDA NICOLE SZEKULA,) NO. H-3496 FR
Respondent.)

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on July 20, 2023, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1.

On May 25, 2023, BRENDA SMITH made the Accusation in her official capacity as a Supervising Special Investigator of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by regular and certified mail, to Respondent's last known mailing address on file with the Department on May 25, 2023.

On July 20, 2023, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2.

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.

3.

On or about April 25, 2022, in the Superior Court of the State of California, County of Madera, Case No. MCR067160A, Respondent was convicted of violating Penal Code Section 503 (embezzlement), a felony which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations ("the Regulations"), to the qualifications, functions, or duties of a real estate licensee.

4.

Pursuant to Section 10186.2 of the Code, effective January 1, 2012, a licensee shall report in writing to the Department the conviction of a licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or misdemeanor, within thirty (30) days of the date of the conviction, verdict or plea. At no time since Respondent was convicted of the crimes identified above in paragraph 3 has Respondent reported said convictions to the Department in writing, as required by Section 10186.2 of the Code.

DETERMINATION OF ISSUES

1.

Cause for the suspension or revocation of all licenses and license rights of Respondent exists pursuant to Business and Professions Code Sections 490 and 10177(b).

2.

Cause for the suspension or revocation of all licenses and license rights of Respondent exists with reference to the facts set out above in paragraphs 3 and 4 pursuant to Section 10177(d) of the Code, in conjunction with Section 10186.2 of the Code.

3.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondent AMANDA NICOLE SZEKULA, under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on _____.

SEP 07 2023

DATED: 8/8/2022

REAL ESTATE COMMISSIONER
DOUGLAS R. McCUALEY



Department of Real Estate
1651 Exposition, Blvd.
Sacramento, CA, 95815

FILED

JUL 27 2023

DEPARTMENT OF REAL ESTATE
By B. Nichols

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:) DRE NO. ***H-3496 FR***
AMANDA NICOLE SZEKULA,) **DEFAULT ORDER**
Respondent.)

Respondent AMANDA NICOLE SZEKULA, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED July 20, 2023.

DOUGLAS R. McCUALEY
REAL ESTATE COMMISSIONER

By: CHIKA SUNQUIST
CHIKA SUNQUIST
Assistant Commissioner, Enforcement