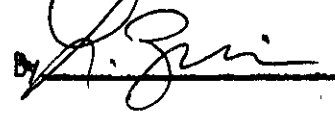


FILED

AUG 11 2011

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of

ANTON ALERIC EWING,

Respondent.

H-4192 SD

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 13, 2011, 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 crimes.

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 ANTON ALERIC EWING (hereinafter "Respondent").

FINDINGS OF FACT

1

On April 22, 2011, Joseph Aiu filed the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on April 22, 2011 and May 11, 2011.

On July 13, 2011, no Notice of Defense having been received or 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 Business and Professions Code) (hereinafter "Code") as a real estate broker.

3

On approximately November 10, 2010, in the United States District Court, Southern District of California, Respondent was convicted of 18 U.S.C. section 1962(d) (conspiracy to conduct enterprise affairs through a pattern of racketeering activity), a felony and a crime which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

4

On approximately November 19, 2010, in the Superior Court, County of San Diego, State of California, Respondent was convicted of violating Section 646.99(a) of the California Penal Code (stalking), a felony and a crime which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

#### DETERMINATION OF ISSUES

1

Cause of disciplinary action against Respondent exists with reference to the convictions set out in Paragraphs 3 and 4, above, pursuant to Business and Professions Code Sections 490 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially Related to Qualifications, Functions or Duties of Real Estate Licensee).

2

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

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ORDER


All licenses and licensing rights of Respondent ANTON ALERIC EWING 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 - 1 2011

DATED: 8/1/11

BARBARA J. BIGBY  
Acting Real Estate Commissioner

  
\_\_\_\_\_

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007  
4 Telephone: (916) 227-0789

**FILED**  
JUL 13 2011

DEPARTMENT OF REAL ESTATE

By 

8 BEFORE THE  
9 DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of )  
13 ANTON ALERIC EWING, )  
14 Respondent. )

NO. H-4192 SD  
DEFAULT ORDER

15  
16 Respondent, ANTON ALERIC EWING, having failed to file a Notice of Defense  
17 within the time required by Section 11506 of the Government Code, is now in default. It is,  
18 therefore, ordered that a default be entered on the record in this matter.

19 IT IS SO ORDERED July 13, 2011.

20  
21 BARBARA J. BIGBY  
Acting Real Estate Commissioner

22  
23 By: 

24 PHILLIP IHDE  
Regional Manager  
25  
26  
27

1 ANGELA L. CASH, Counsel (SBN 230882)  
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5 Telephone: (916) 227-0789  
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FILED

APR 22 2011

DEPARTMENT OF REAL ESTATE

*[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of

12 ANTON ALERIC EWING,

13 Respondent.

No. H-4192 SD

ACCUSATION

14  
15 The Complainant, Joseph Aiu, a Deputy Real Estate Commissioner of the State of  
16 California (hereinafter "Complainant"), for cause of Accusation against ANTON ALERIC  
17 EWING (hereinafter "Respondent"), is informed and alleges as follows:

18 1

19 Complainant makes this Accusation against Respondent in his official capacity.

20 2

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

24 3

25 On approximately November 10, 2010, in the United States District Court,  
26 Southern District of California, Respondent was convicted of 18 U.S.C. section 1962(d)  
27 (conspiracy to conduct enterprise affairs through a pattern of racketeering activity), a felony and a

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

3 4

4 On approximately November 19, 2010, in the Superior Court, County of San  
5 Diego, State of California, Respondent was convicted of violating Section 646.99(a) of the  
6 California Penal Code (stalking), a felony and a crime which bears a substantial relationship  
7 under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or  
8 duties of a real estate licensee.

9 The facts alleged above constitute cause under Sections 490 (Relationship of  
10 Crime to Licensed Activity – Conviction of Crime) and 10177(b) (Conviction of Crime  
11 Substantially Related to Qualifications, Functions or Duties of Real Estate Licensee) of the Code  
12 for suspension or revocation of all licenses and license rights of Respondent under the Real  
13 Estate Law.

14 WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
15 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary  
16 action against all licenses and license rights of Respondent under the Real Estate Law (Part 1 of  
17 Division 4 of the Business and Professions Code), and for such other and further relief as may be  
18 proper under the provisions of law.

19  
20  
21   
JOSEPH AIU  
Deputy Real Estate Commissioner

22 Dated at San Diego, California,  
23 this 21 day of April, 2011  
24  
25  
26  
27