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FILED

MAR 26 2019

DEPT. OF REAL ESTATE

By John Caputo

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation Against) No. H-05058 SD
12 SHAWN STEVE CASEY,) ACCUSATION
13 Respondent.)
14)

15 The Complainant Veronica Kilpatrick a Supervising Special Investigator of the
16 State of California, acting in her official capacity, for cause of Accusation against SHAWN
17 STEVE CASEY aka Shawn Casey ("Respondent") alleges as follows:

18 1.

19 All references to the "Code" are to the California Business and Professions
20 Code, all references to the "Real Estate Law" are to Part 1 of Division 4 of the Code, and all
21 references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

22 2.

23 Respondent is presently licensed and/or has license rights under the Real Estate
24 Law as a real estate salesperson. Respondent was first issued a real estate salesperson license
25 by the Department of Real Estate ("Department") on July 30, 2015. Respondent's real estate
26 license will expire on July 29, 2019.

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1 (CRIMINAL CONVICTION)

2 3.

3 On or about May 15, 2017, in the Superior Court of California, County of San
4 Diego, in Case No. SCD270829, Respondent was convicted of violating Vehicle Code Section
5 23152(a) (Driving Under the Influence of Alcohol with Prior Felony DUI), a felony. This
6 crime is substantially related to the qualifications, functions or duties of a real estate licensee
7 under Regulation 2910.

8 (IN AGGRAVATION)

9 4.

10 In aggravation, on or about October 5, 2009, in the Superior Court of California,
11 County of San Diego, in Case No. SCD220142, Respondent was convicted of violating Vehicle
12 Code Section 23152(a) (Driving Under the Influence of Alcohol with Prior DUI), a felony.
13 This crime is substantially related to the qualifications, functions or duties of a real estate
14 licensee under Regulation 2910.

15 5.

16 In aggravation, on or about August 26, 2002, in the Superior Court of California,
17 County of San Diego, in Case No. M867656, Respondent was convicted of violating Vehicle
18 Code Sections 23152(a) (Driving Under the Influence of Alcohol with Prior DUI) and
19 14601.5(a) (Driving while License Suspended by DUI), both misdemeanors. These crimes are
20 substantially related to the qualifications, functions or duties of a real estate licensee under
21 Regulation 2910.

22 6.

23 In aggravation, on or about April 16, 2002, in the Superior Court of California,
24 County of San Diego, in Case No. M854088, Respondent was convicted of violating Vehicle
25 Code Section 23152(a) (Driving Under the Influence of Alcohol), a misdemeanor. This crime
26 is substantially related to the qualifications, functions or duties of a real estate licensee under
27 Regulation 2910.

1 7.

2 In aggravation, on or about October 14, 1999, in the Superior Court of
3 California, County of San Diego, in Case No. T210835, Respondent was convicted of violating
4 Vehicle Code Section 23152(a) (Driving Under the Influence of Alcohol), a misdemeanor.
5 This crime is substantially related to the qualifications, functions or duties of a real estate
6 licensee under Regulation 2910.

7 8.

8 The crimes of which Respondent was convicted, as described above, constitute
9 cause under Code Sections 490 and 10177(b) for the suspension or revocation of the license
10 and license rights of Respondent under the Real Estate Law.

11 9.

12 California Business and Professions Code Section 10106 provides, in pertinent
13 part, that in any order issued in resolution of a disciplinary proceeding before the Department,
14 the Commissioner may request the administrative law judge to direct a licensee found to have
15 committed a violation of this part to pay a sum not to exceed the reasonable costs of
16 investigation and enforcement of the case.

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