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**FILED**

**JAN 15 2021**

**DEPT. OF REAL ESTATE**  
By 

9 **BEFORE THE DEPARTMENT OF REAL ESTATE**

10 **STATE OF CALIFORNIA**

11 \* \* \*

12 In the Matter of the Accusation of ) No. H-05186 SD  
13 HEATHER JULIANNA HENRY, ) ACCUSATION  
14 Respondent. )  
15 )

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the  
17 State of California, for cause of Accusation against HEATHER JULIANNA HENRY, a.k.a.  
18 "Heather Julianna Miller" and "Heather Miller" ("Respondent"), alleges as follows:

19 1.

20 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the  
21 State of California, makes this Accusation in her official capacity.

22 2.

23 Respondent presently has license rights under the Real Estate Law, Part 1 of  
24 Division 4 of the California Business and Professions Code ("Code"), as a real estate  
25 salesperson (License ID 02026646). Respondent's license is set to expire on May 17, 2021,  
26 unless renewed.

27 ///

**ACCUSATION**

1 (CRIMINAL CONVICTION)

2 3.

3 On or about January 24, 2020, in the Superior Court of California, County of  
4 Riverside, Case No. SWF1900711, Respondent was convicted, upon a guilty plea, of violation  
5 of Penal Code section 273.5 (inflict corporal injury to spouse), a misdemeanor. The court  
6 suspended the imposition of sentence and placed Respondent on summary probation for 36  
7 months, under certain terms and conditions, including in part, 90 days in custody of the  
8 Riverside County Sheriff's Department, completion of 20 hours of community service,  
9 completion of a 52-week domestic violence program, and payment of fines, fees and restitution.

10 4.

11 The conviction, as described in Paragraph 3 above, bears a substantial  
12 relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the  
13 qualifications, functions or duties of a real estate licensee.

14 5.

15 The crime for which Respondent was convicted, as described in Paragraph 3  
16 above, constitutes cause under Code sections 490 and 10177(b) for the suspension or revocation  
17 of the license and license rights of Respondent under the Real Estate Law.

18 (FAILURE TO REPORT CONVICTION)

19 6.

20 Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "the  
21 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any  
22 felony or misdemeanor" to the Department of Real Estate ("Department") within thirty (30)  
23 days of the conviction. Respondent failed to report in writing to the Department the conviction  
24 described in Paragraph 3 above, within thirty (30) days of the conviction date.

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7.

Respondent's failure to timely report the conviction described in Paragraph 3 above constitutes cause under Section 10186.2 of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

(COSTS OF INVESTIGATION AND ENFORCEMENT)

8.

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

9.

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the California Government Code.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of HEATHER JULIANNA HENRY under the Real Estate Law, for the costs of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at San Diego, California

this 8 day of December, 2020.

  
Veronica Kilpatrick  
Supervising Special Investigator

ACCUSATION

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cc: HEATHER JULIANNA HENRY  
Atlas Realty, Inc.  
Veronica Kilpatrick  
Sacto.