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FILED
AUG 04 2021
DEPT. OF REAL ESTATE
By John Aguilera

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-05246 SD
13 CHARLES PHILIP BROWN,) ACCUSATION
14 Respondent.)
15 _____)

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
17 State of California, for cause of Accusation against CHARLES PHILIP BROWN, a.k.a.
18 "Charles Brown" and "Charles P. Brown" ("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 broker
25 and as an officer, license ID no. 01396528. On August 18, 2019, Respondent's broker license
26 expired. On June 30, 2021, Respondent's officer license expired, under Governor Newsom's
27 Executive Order N-83-20. Pursuant to Code Section 10201, Respondent retains for two years

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1 the renewal rights for his broker license and his officer license. The Department of Real Estate
2 holds jurisdiction over the lapsed licenses, pursuant to Code Section 10103.

3 (CRIMINAL CONVICTIONS)

4 3.

5 On or about November 15, 2017, in the Superior Court of California, County of
6 San Diego, Case No. CN376760, Respondent was convicted on a plea of guilty for violating
7 Vehicle Code section 23152(b) (DUI with over .08% BAC), enhanced by violation of Vehicle
8 Code section 23578 (BAC of .15% or more), a misdemeanor. The court suspended the
9 imposition of sentence and placed Respondent on summary probation for five (5) years, under
10 certain terms and conditions, including in part, 80 hours of volunteer work at a non-profit
11 organization, completion of a first conviction program, completion of a MADD program, and
12 payment of fines and fees.

13 4.

14 On or about August 22, 2018, in the Superior Court of California, County of San
15 Diego, Case No. CN389128, Respondent was convicted on a plea of guilty for violating
16 Vehicle Code section 23153(b) (DUI with over .08% BAC causing injury), a misdemeanor
17 under Penal Code section 17(b)(4), enhanced by a prior conviction in Case No. CN376760 as
18 described in Paragraph 3 above. The court suspended the imposition of sentence and placed
19 Respondent on summary probation for five (5) years, under certain terms and conditions,
20 including in part, two (2) days in county jail, 80 hours of volunteer work at a non-profit
21 organization, completion of a multiple conviction program, one (1) self-help meeting per week
22 for one (1) year, and payment of fines and fees.

23 5.

24 The convictions, as described in Paragraphs 3 and 4 above, bear a substantial
25 relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the
26 qualifications, functions or duties of a real estate licensee.

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1 6.

2 The crimes for which Respondent was convicted, as described in Paragraphs 3
3 and 4 above, constitute cause under Code sections 490 and 10177(b) for the suspension or
4 revocation of the license and license rights of Respondent under the Real Estate Law.

5 (FAILURE TO REPORT CONVICTIONS)

6 7.

7 Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "the
8 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any
9 felony or misdemeanor" to the Department of Real Estate ("Department") within thirty (30)
10 days of the conviction. Respondent failed to report in writing to the Department the convictions
11 described in Paragraphs 3 and 4 above, within thirty (30) days of the conviction dates.

12 8.

13 Respondent's failure to timely report the convictions described in Paragraphs 3
14 and 4 above constitutes cause under Section 10186.2 of the Code for the suspension or
15 revocation of the license and license rights of Respondent under the Real Estate Law.

16 (COSTS OF INVESTIGATION AND ENFORCEMENT)

17 9.

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

23 10.

24 These proceedings are brought under the provisions of Section 10100, Division
25 4 of the Business and Professions Code of the State of California and Sections 11500 through
26 11528 of the California Government Code.

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ACCUSATION

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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 CHARLES PHILIP BROWN 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 08/04/2021 day of August, 2021.

Veronica Kilpatrick

Veronica Kilpatrick
Supervising Special Investigator

cc: **CHARLES PHILIP BROWN**
Veronica Kilpatrick
Sacto.