

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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FILED

JAN 21 2026

DEPT. OF REAL ESTATE

By 

In the Matter of the Accusation of: )  
ANDREW S LOUIS, )  
Respondent. )  
DRE No. H-05848 SD  
OAH No. 2025030782

DECISION

The Proposed Decision dated December 09, 2025, of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

Pursuant to Section 11517(c)(2) of the Government Code, the following corrections are made to the Proposed Decision.

Page 12, Paragraph 4 should read:

“Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, FLAG Section, 651 Bannon Street, Suite 504, Sacramento, California 95811. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.”

The Decision suspends or revokes one or more real estate licenses, but the right to a restricted broker license is granted to Respondent.

Pursuant to Government Code Section 11521, the Department of Real Estate (the Department) may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department's power to order reconsideration of this Decision shall expire thirty (30) days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first.

The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

This Decision shall become effective at 12 o'clock noon on FEB 20 2026.

IT IS SO ORDERED 1/16/2026

Chika Sunquist  
REAL ESTATE COMMISSIONER



By: Marcus L. McCarther  
Chief Deputy Real Estate Commissioner

**BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA**

**In the Matter of the Accusation Against:**

**ANDREW S. LOUIS, Respondent**

**Agency Case No. H-5848 SD**

**OAH No. 2025030782**

**PROPOSED DECISION**

Sharon Lahey, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter by videoconference on November 12, 2025.

Kevin H. Sun, Staff Counsel, represented Complainant Veronica Kilpatrick, Supervising Special Investigator, Department of Real Estate (Department), State of California.

Respondent Andrew S. Louis represented himself.

Oral and documentary evidence was received. The record was closed, and the matter was submitted for decision on November 12, 2025.

## **FACTUAL FINDINGS**

### **Background**

1. On July 16, 2008, the Department issued respondent real estate broker license number 01832287. The license expires on July 15, 2028, unless renewed. There is a prior history of formal discipline against respondent's license: On May 21, 2012, the Department filed an accusation that resulted in a public reproof on March 13, 2014.

2. On December 30, 2024, complainant, in her official capacity, signed and filed the accusation seeking discipline against respondent's license based on his November 29, 2023, felony conviction for driving under the influence of alcohol and causing injury to another. Complainant also seeks investigation and enforcement costs.

3. Respondent filed a time notice of defense. This hearing followed.<sup>1</sup>

### **Respondent's Convictions**

#### **NOVEMBER 29, 2023 CONVICTION**

4. On November 29, 2023, in the Superior Court of California, San Diego County, on his plea of guilty, respondent was convicted for driving with a blood alcohol concentration (BAC) greater than 0.08 percent and causing bodily injury to

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<sup>1</sup> At respondent's request, the hearing date was continued on May 29, 2025, and October 21, 2025. At the start of the hearing, respondent moved for a third continuance to retain counsel. The motion was denied for a lack of good cause pursuant to Government Code section 11524, subdivision (a).

another, a felony, under Vehicle Code section 23153, subdivision (b). The court placed him on formal probation for three years, ending on January 9, 2027, with terms that included home detention, regular drug and alcohol testing, the completion of drug and alcohol education courses, and the payment of fines and fees.

5. Records from the California Highway Patrol (CHP) set forth the facts underlying the conviction. On February 2, 2023, CHP officers arrived at the scene of a traffic collision on the I-5 highway. Two vehicles were parked on the highway shoulder. A driver of one vehicle reported that a sports car (later found to be driven by respondent), had hit her vehicle, collided with the second vehicle, and drove away at a high speed without stopping. The driver of the second vehicle reported back, shoulder, and leg pain. CHP officers subsequently found respondent parked in a sports car in a lot off the highway. Respondent admitted to being involved in a collision on the highway. He stated that after the collision, he stopped at the closest off-ramp but was afraid to stay there and exited the highway. A CHP officer noted respondent's eyes were red and watery, his speech was slurred, and he smelled strongly of alcohol. Respondent stated that he had not been drinking alcohol. The CHP officer administered field sobriety testing, which respondent could not perform in a satisfactory manner. Respondent refused to consent to chemical testing. He was arrested and transported to a CHP office, where CHP obtained a warrant and administered blood alcohol testing.<sup>2</sup> He was then transported to a detention facility for booking.

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<sup>2</sup> The CPH records do not set forth the results of the blood alcohol testing.

## **FEBRUARY 20, 2002 CONVICTION**

6. As evidence of an aggravating factor, complainant submitted records from the Superior Court of California, San Diego County, showing that, on February 20, 2002, respondent was convicted for assault with a deadly weapon and/or force likely to cause great bodily injury, a misdemeanor, under Penal Code section 245, subdivision (a)(1). The court placed him on informal probation for three years, ending on February 19, 2005, with terms that included the completion of community service and the payment of fines, fees, and restitution. On March 30, 2004, the court found respondent completed the terms of his probation and granted his motion for the early termination of probation. On November 19, 2013, the court granted respondent's petition to dismiss the conviction pursuant to Penal Code section 1203.4.

## **Respondent's Testimony**

7. In discussing the events underlying his November 29, 2023, conviction, respondent described February 2, 2023, as, "the worst day of [his] life." He had gone to dinner with friends outside the area and drank four beers and three tequila shots. Rather than stay in a nearby hotel, he made the "dangerous and terrible" decision to drive home to San Diego. While he was on the highway, he clipped a car, rear-ended a pickup truck, and hit a wall. He continued driving because he was afraid to stop on the highway. He took the next exit and parked in a nearby parking lot. He attempted to call the police, but the call did not go through. Police officers found him in the parking lot. They administered field sobriety testing, which, in respondent's opinion, he passed. He admitted that alcohol played a role in the collisions and stated he should not have been driving, regardless of the results of his field sobriety testing. His blood alcohol testing showed a BAC of 0.09 percent.

8. Respondent acknowledged that he made a bad decision and should not have been driving on the evening of February 2, 2023. He was aware that he had injured another driver and was thankful the driver's injuries were not life threatening. He believed he deserved, at the very least, the consequences he faced for his actions. His November 29, 2023, conviction has been a humbling experience that has caused him embarrassment and humiliation.

9. Respondent has complied with the terms of his probation; he completed home confinement, passed twice-daily drug and alcohol testing, wore a tracking device and drug and alcohol monitors, completed drug and alcohol education classes, and paid all fines, fees, and restitution. In addition, he voluntarily completed a 60-day substance abuse program immediately after the February 2, 2023, accident and participated in 246 hours of drug and alcohol group education. He had no history of alcohol or drug-related issues prior to February 2, 2023, and he has not had any alcohol or drug-related issues since.

10. Respondent founded and runs a loan servicing company. In running his company, he is committed to protecting the public. He prioritizes avoiding foreclosures over profits and has invested his own time and money to achieve this objective. Following his November 29, 2023, conviction, he implemented a company-wide policy setting clear limits on alcohol consumption to promote professionalism, safety, good judgment, and safe transportation. He is an active donor and volunteer for programs supporting mental health and sober living.

### **Respondent's Character Evidence**

11. Respondent presented testimony at the hearing from two employees and a long-time business associate. He also submitted 18 character letters from

employees, business associates, and people familiar with his volunteer work. These individuals, most of whom have known respondent for well over a decade, attest to his trustworthiness, generosity, respect for others, and commitment to promoting public good. They note his transparency about his November 29, 2023, conviction, his accountability and regret, and his dedication to improving himself by "doubling down" on service to his community and industry. His employees state that his company prioritizes fairness, professionalism, and compassion and describe him as an inspirational leader who helps them professionally and personally and sets them up to succeed and learn from mistakes.

12. Respondent submitted a letter from the Honorable Runston Maino (retired), the judge who presided over respondent's 2002 criminal case. Judge Maino states that he found only a misdemeanor simple assault disposition was warranted, and no deadly weapon or great-bodily-injury findings were part of his final judgment. He has been in touch with respondent over the past 20 years. He is aware of constructive developments in respondent's personal and professional life. Shortly after respondent's 2023 arrest, respondent contacted Judge Maino to inform him of what had happened. Respondent accepted responsibility without excuses and expressed remorse for the actual and potential harm he caused.

13. Respondent submitted letters and certificates documenting his payment of court-ordered fines and ongoing participation in academic, sober living, and volunteer programs in 2024 and 2025.

## LEGAL CONCLUSIONS

### Burden and Standard of Proof

1. Complainant bears the burden of presenting clear and convincing evidence establishing cause to discipline a professional license. (Evid. Code, § 115; *Ettinger v. Bd. of Medical Quality Assurance* (1982) 135 Cal.App.3d 853, 856.) Such evidence must be so "clear, explicit, and unequivocal" that it "leaves no substantial doubt" and "command[s] the unhesitating assent of every reasonable mind." (*In re Marriage of Weaver* (1990) 224 Cal.App.3d 478, 487, fn. 8.)

### Applicable Law

2. Business and Professions Code section 490, subdivision (a), authorizes the Department to suspend or revoke a license if the licensee is convicted of a crime substantially related to the qualifications, functions, or duties of the profession for which the license was issued.

3. Business and Professions Code section 10177, subdivision (b), authorizes the Department to suspend or revoke a real estate license if the licensee is convicted of a felony and/or the licensee is convicted of a crime substantially related to the qualifications, functions, or duties of a real estate licensee.

4. A crime may be deemed to be substantially related to a licensee's qualifications, functions, or duties if it involves, "[d]oing . . . any unlawful act with the . . . threat of doing substantial injury to the person or property of another." (Cal. Code Regs., tit. 10, § 2910, subd. (a)(8).) An unlawful act poses a "threat" if it creates the imminent risk of substantial injury. (*Donley v. Davi* (2009) 180 Cal. App. 4th 447, 465.)

5. When considering a license suspension or revocation based on a conviction, the Department shall consider whether the licensee has shown rehabilitation. (Bus. & Prof. Code, § 482, subd. (b).) The Department must consider, in relevant part, the time elapsed since the unlawful act; the nature and severity of the unlawful act; the history of convictions and/or license discipline; fines paid in connection with the conviction; and significant and conscientious involvement in community programs designed to benefit society. (Cal. Code Regs., tit. 10, § 2912.)

### **Evaluation**

6. Clear and convincing evidence establishes cause to discipline respondent's license under Business and Professions Code sections 490, subdivision (a), and 10177, subdivision (b). Respondent's conviction of a felony, to wit, driving with a BAC greater than 0.08 percent and causing bodily injury to another, alone warrants discipline. (Bus. & Prof. Code, § 10177, subd. (b).) Respondent's felony conviction also warrants discipline because his unlawful conduct posed an imminent threat of substantial injury to a person and/or property of another and therefore substantially relates to the qualifications, functions, or duties of a real estate licensee (Bus. & Prof. Code, §§ 490, subd. (a), 10177, subd. (b); Cal. Code Regs., tit. 10, § 2910, subd. (a)(8); *Donley v. Davi* (2009) 180 Cal. App. 4th 447, 465.)

7. Rehabilitation is a state of mind; the law favors rewarding one who has achieved "reformation and regeneration" with the opportunity to serve. (*Pacheco v. State Bar* (1987) 43 Cal.3d 1041, 1058.) Respondent fully owned his "dangerous and terrible" conduct, expressed sincere remorse, and committed himself to using, "the worst day of [his] life," to learn, grow, and give back to his community. His actions corroborate his testimony. Beyond the requirements of his probation, he completed a 60-day substance abuse program, attended 246 hours of a drug and alcohol education

group, performed a significant amount of volunteer work, and implemented a responsible alcohol use policy at his company, among other efforts. He continues to participate in drug and alcohol education-oriented programs, which he said has been shame-inducing and humbling in light of his own misconduct. Statements from his employees, business associates, volunteer colleagues, and the judge who presided over his 2002 criminal case further reflect respondent's rehabilitation, echoing his testimony about remorse, commitment to personal growth, and dedication to giving back to his community and industry.

8. Still, the nature and severity of respondent's wrongful conduct in February 2023 is serious; he drove under the influence of alcohol, injured another driver, damaged property, and could have caused even graver harm. A significant amount of time has not elapsed, and he is not scheduled for release from formal probation until January 9, 2027. (See *In re Gossage* (2000) 23 Cal.4th 1080, 1099 [stating conduct on probation generally warrants little weight given intrinsic motivation to behave while under supervision]; *Seide v. Com. of Bar Examiners* (1989) 49 Cal.3d 933, 939 ["It is not enough that petitioner kept out of trouble while being watched on probation; he must affirmatively demonstrate over a prolonged period his sincere regret and rehabilitation."].) Respondent's prior conviction and formal discipline against his license are additional aggravating factors, though they merit little weight. His 2002 conviction occurred over two decades ago and was dismissed in 2013. Similarly, while the Department issued a public reproof in 2014, it was the only previous instance of formal discipline against respondent's license—which he has held since July 2008—and there was no evidence concerning the underlying facts and circumstances.

9. Considering all the evidence, revocation of respondent's license is unwarranted; permitting him to apply for and hold a restricted real estate broker license pursuant to Business and Professions Code section 10156.5, subdivision (a), is sufficient to protect the public. (*Fahmy v. Medical Bd. of Cal.* (1995) 38 Cal.App.4th 810, 817 [the purpose of licensing proceedings is public protection, not punishment].) An extended term for the restricted license beyond the scheduled January 9, 2027, termination of respondent's formal probation will ensure his rehabilitated conduct continues once he is no longer under court supervision.

### **Cost Recovery**

10. Complainant is entitled to recover costs incurred in investigating and enforcing this matter under Business and Professions Code section 10106, subdivision (a). Complainant submitted a certified statement of investigation costs stating that the Department incurred \$762.55 in investigation costs; the certified statement sets forth the hours spent and rates charged for special investigator and supervisory services. Complainant submitted a certified statement of enforcement costs stating that the Department incurred \$1,557.60 in enforcement costs; a log attached to the certified statement sets forth the tasks performed, time spent per task, and hourly rate charged for legal services. The certified statements establish actual investigation and enforcement costs totaling \$2,320.15, in compliance with Business and Professions Code section 10106, subdivision (d).

11. In assessing the reasonableness of costs, the administrative law judge should consider whether the licensee succeeded in getting charges reduced or dismissed, whether the licensee had a good-faith belief in the merits of his position, whether the licensee raised a colorable challenge to the discipline sought, the licensee's ability to pay, and the reasonableness of the scope of the Department's

investigation. (See *Zuckerman v. State Bd. of Chiropractic Examiners* (2002) 29 Cal.4th 32, 45.) Here, while respondent had a good-faith belief in the merits of his position, raised a colorable challenge to the Department's proposed discipline, and obtained a reduced level of discipline, the scope of the Department's investigation was reasonable, and respondent did not assert he was financially unable to pay the Department's requested costs. Accordingly, after considering the *Zuckerman* criteria, awarding complainant investigation and enforcement costs in the amount of \$2,320.15 is reasonable.

## **ORDER**

All licenses and licensing rights of Respondent Andrew S. Louis under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to respondent pursuant to Business and Professions Code section 10156.5 if respondent applies therefor and pays to the Department the appropriate fee for the restricted license and \$2,320.15 in investigation and enforcement costs within 90 days from the effective date of this decision. The restricted license issued to respondent shall be subject to all of the provisions of Business and Professions Code section 10156.7 and the following limitations, conditions, and restrictions imposed pursuant to Business and Professions Code section 10156.6:

1. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license or the removal of any of the conditions, limitations, or restrictions of a restricted license until four years have elapsed from the effective date of this decision.

2. The restricted license issued to respondent may be suspended prior to hearing by order of the Real Estate Commissioner (Commissioner) in the event of respondent's conviction or plea of nolo contendere to a crime that is substantially related to respondent's fitness or capacity as a real estate licensee.

3. The restricted license issued to respondent may be suspended prior to hearing by order of the Commissioner on evidence satisfactory to the Commissioner that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or conditions attaching to the restricted license.

4. Respondent shall, within nine months from the effective date of this decision, present evidence satisfactory to the Commissioner that respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the respondent presents such evidence. The Commissioner shall afford respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

5. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post Office Box 187000, Sacramento, California 95818-7000. The letter shall set forth the date of respondent's arrest, the crime for which respondent was arrested, and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of

the restricted license and shall be grounds for the suspension or revocation of that license.

DATE: December 9, 2025



(PST)

SHARON LAHEY

Administrative Law Judge

Office of Administrative Hearings