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FILED

DEC 30 2024

DEPT. OF REAL ESTATE

By- 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-05855 SD
)	
JOHN JOSEPH HODINA,)	<u>A C C U S A T I O N</u>
)	
Respondent.)	
_____)	

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California for cause of Accusation against JOHN JOSEPH HODINA ("Respondent") alleges as follows:

1.

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

(LICENSE HISTORY)

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code as a real estate broker (license no. 01884949).

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(CRIMINAL CONVICTIONS)

3.

On or about December 4, 2023, in the Superior Court of California, County of San Diego, case no. SCD300270, Respondent was convicted of violating California Vehicle Code section 23153(a) (driving under the influence), a felony, with prior driving under the influence convictions. Respondent was sentenced in part to serve two (2) years of formal probation, be committed to the sheriff for 365 days, and pay various fines and fees. The underlying facts occurred on or about June 20, 2023. This crime is substantially related to the qualifications, functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

4.

On or about May 14, 2024, in the Superior Court of California, County of San Diego, case no. SCD302965, Respondent was convicted of violating California Vehicle Code section 25312(b) (driving with a blood alcohol level of 0.08 percent or more), a felony, with a prior driving under the influence conviction pursuant to California Vehicle Code sections 23626 and 23550.5(a). Respondent was sentenced in part to serve sixteen (16) months in prison and pay various fines and fees. The underlying facts occurred on or about April 4, 2024. This crime is substantially related to the qualifications, functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

5.

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

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(FAILURE TO REPORT CONVICTION)

6.

A diligent search was made of the Department of Real Estate's records and no record or written notice was received from Respondent notifying the Department of Real Estate within thirty (30) days of the conviction described above in Paragraph 3.

7.

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

8.

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.

(COSTS)

9.

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, 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 investigation and enforcement of the case.

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1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of
4 Division 4 of the California Business and Professions Code) of Respondent JOHN JOSEPH
5 HODINA, for the cost of investigation and enforcement as permitted by law, and for such other
6 and further relief as may be proper under applicable provisions of law.

7 Dated at San Diego, California: December 30, 2024

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10 Veronica Kilpatrick
11 Supervising Special Investigator
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25 cc: JOHN JOSEPH HODINA
26 Jason Parson
27 Sacto.