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1 Department of Real Estate
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916) 227-0789

FILED

AUG 20 2012

DEPARTMENT OF REAL ESTATE
By *L. A. Just*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11	In the Matter of the Accusation of)	
12)	H-5864 SAC
13	FRANK LIVINGSTON HICKS,)	(B & P CODE SECTION 10186.1)
14	Respondent.)	

15 ORDER SUSPENDING REAL ESTATE LICENSE

16 TO: FRANK LIVINGSTON HICKS
17 CDC#AK4000
18 North Kern State Prison
19 PO Box 587
Delano, CA 93216

20 FRANK LIVINGSTON HICKS
21 3820 Woodcrest Rd.
Sacramento, CA 95821

22 On October 27, 2010, a real estate salesperson license was issued by the
23 Department of Real Estate to FRANK LIVINGSTON HICKS (herein "Respondent") subject to
24 Respondent's compliance with the Real Estate Law, Part 1 of Division 4 of the Business and
25 Professions Code (herein "the Code"), and Regulations, title 10, chapter 6, California Code of
26 Regulations.

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1 On August 20, 2012, in Case No. H-5864 SAC, an Accusation by a Deputy Real
2 Estate Commissioner of the State of California was filed charging Respondent with a violation of
3 sections 490 and 10177(b) of the Code in that on or about November 14, 2011, in the Superior
4 Court of the State of California, County of Sacramento, Case No. 11F00941, Respondent was
5 convicted of violating Penal Code sections 184(a)(1) (conspiracy), 524 (attempted extortion), 523
6 (threatening letters), and two counts of section 422 (terrorist threats), all felonies which bear a
7 substantial relationship under section 2910, title 10, California Code of Regulations to the
8 qualifications, functions or duties of a real estate licensee. Respondent is presently incarcerated,
9 having been sentenced on the above convictions to serve three (3) years in state prison
10 beginning November 14, 2011. The Commissioner has determined that Respondent has
11 been incarcerated after conviction of a felony, in violation of sections 490 and 10177 (b) of
12 the Code. Pursuant to section 10186.1 of the Code, Respondent's salesperson license shall
13 be suspended automatically.

14 NOW, THEREFORE, IT IS ORDERED under authority of section 10186.1 of
15 the Code of the State of California that the real estate salesperson license heretofore issued to
16 Respondent, and the exercise of any privileges thereunder, is hereby suspended pending final
17 determination made after the hearing on the aforesaid Accusation, or pending another hearing
18 (see "Hearing Rights" set forth below).

19 IT IS FURTHER ORDERED that all license certificates and identification cards
20 issued by the Department of Real Estate which are in the possession of Respondent be
21 immediately surrendered by personal delivery or by mailing in the enclosed self-addressed
22 envelope to:

23 DEPARTMENT OF REAL ESTATE
24 ATTN: Flag Section
25 Post Office Box 187000
26 Sacramento, CA 95818-7000

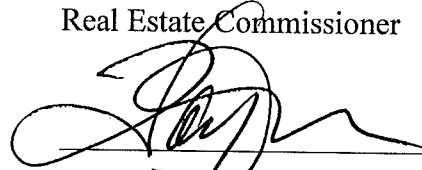
26 HEARING RIGHTS: Pursuant to the provisions of section 10186.1 of the Code,
27 you have the right to a hearing to contest the Commissioner's determination that you are in

1 violation of sections 490 and 10177(b) of the Code. If you desire a hearing, you must submit a
2 written request. The request may be in any form, as long as it is in writing and indicates that you
3 want a hearing. Unless a written request for a hearing, signed by or on behalf of you, is delivered
4 or mailed to the Department of Real Estate at PO Box 187007, Sacramento, California, 95818-
5 7007, within twenty (20) days after the date that this Order was mailed to or served on you; the
6 Department will not be obligated or required to provide you with a hearing.

7 This order shall be effective immediately.

8 DATED: July 13, 2012

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10 Real Estate Commissioner

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12 By WAYNE S. BELL
13 Chief Counsel
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