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**FILED**

AUG 20 2012

DEPARTMENT OF REAL ESTATE  
By *L. Frost*

7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 ) No. H-5864 SAC  
13 FRANK LIVINGSTON HICKS, ) ACCUSATION  
14 Respondent. )  
15 )

16 The Complainant, TRICIA D. SOMMERS, acting in her official capacity as a  
17 Deputy Real Estate Commissioner of the State of California, for cause of Accusation against  
18 FRANK LIVINGSTON HICKS (herein "Respondent"), is informed and alleges as follows:

19 1.

20 Respondent is presently licensed and/or has license rights under the Real Estate  
21 Law Part 1 of Division 4 of the Business and Professions Code (herein "the Code") as a real  
22 estate salesperson.

23 2.

24 On or about November 14, 2011, in the Superior Court of the State of California,  
25 County of Sacramento, Case No. 11F00941, Respondent was convicted of violating Penal Code  
26 sections 184(a)(1) (conspiracy), 524 (attempted extortion), 523 (threatening letters), and two  
27 counts of section 422 (terrorist threats), all felonies which bear a substantial relationship under

1 section 2910, title 10, California Code Regulations to the qualifications, functions or duties of a  
2 real estate licensee.

3 3.

4 The facts alleged above in Paragraph 2 constitute grounds under sections 490 and  
5 10177(b) of the Code for suspension or revocation of all licenses and license rights of  
6 Respondent under Part 1 of Division 4 of the Code (herein "the Real Estate Law").

7 COST RECOVERY

8 4.

9 The Department will seek to recover costs of this suit pursuant to section 10106 of  
10 the Code which provides, in pertinent part, that in any order issued in resolution of a disciplinary  
11 proceeding before the Department, the commissioner may request the administrative law judge  
12 to direct a licensee found to have committed a violation of this part to pay a sum not to exceed  
13 the reasonable costs of the investigation and enforcement of the case.

14 WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
15 of this Accusation and that upon proof thereof, a decision be rendered revoking all licenses and  
16 license rights of Respondent under the Real Estate Law, for the cost of investigation and  
17 enforcement as permitted by law, and for such other and further relief as may be proper under  
18 other provisions of law.

19  
20  
21   
22 TRICIA D. SOMMERS  
23 Deputy Real Estate Commissioner

24 Dated at Sacramento, California,  
25 this 17th day of July, 2012.