

FILED

JUN 12 2013

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of

GREGORY BRIAN COBABE,

Respondent.

No. H-5872 SAC

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the California¹ Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on November 5, 2012, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions, (2) affidavits, and (3) other evidence.

This Decision revokes a real estate license and/or license rights on grounds of the conviction of a crime pursuant to the Real Estate Law, Part I of Division 4, of the Business and Professions Code (hereinafter "the Code"), Sections 490 (conviction of crime) and 10177(b) (conviction of crime).

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

¹ All references herein are to California Codes and Regulations, unless otherwise stated.

FINDINGS OF FACT

1

On August 27, 2012, Tricia D. Sommers made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on August 30, 2012.

On November 5, 2012, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2

Respondent GREGORY BRIAN COBABE ("hereinafter "Respondent") is presently licensed and/or has license rights under the Code as a real estate broker.

3

On or about May 11, 2012, in the Superior Court of the State of California, County of El Dorado, in Case No. P11CRM1454, Respondent was convicted of violating Section 273.5(a) of the Penal Code (willful infliction of corporal injury resulting in traumatic condition to spouse), a misdemeanor, and a crime which bears a substantial relationship under Section 2910, Title 10, of the Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

DETERMINATION OF ISSUES

1

Cause for disciplinary action against all licenses and license rights of Respondent GREGORY BRIAN COBABE exists with reference to the facts set out in Paragraph 3, above, pursuant to Sections 490 (conviction of crime) and 10177(b) (conviction of crime substantially related to the qualifications, functions or duties of a real estate licensee) of the Code.

2

The standard of proof applied was clear and convincing proof to a reasonable certainty.

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ORDER

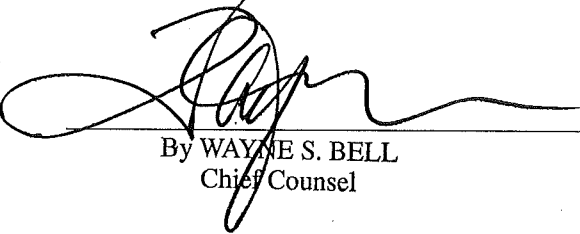
All licenses and licensing rights of Respondent GREGORY BRIAN COBABE
under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on

JUL 03 2013

DATED: 11/28/2012

REAL ESTATE COMMISSIONER



By WAYNE S. BELL
Chief Counsel

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DEPARTMENT OF REAL ESTATE
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9 STATE OF CALIFORNIA

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13 GREGORY BRIAN COBABE,)

14 Respondent.)
15

No. H-5872 SAC

DEFAULT ORDER

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17 Respondent, GREGORY BRIAN COBABE, having failed to file a Notice of
18 Defense within the time required by Section 11506 of the Government Code, is now in default.
19 It is, therefore, ordered that a default be entered on the record in this matter as to Respondent
20 GREGORY BRIAN COBABE.

21 IT IS SO ORDERED November 5, 2012.

22 REAL ESTATE COMMISSIONER
23

24 By:

Joe M. Carrillo
25 JOE M. CARRILLO
26 Northern Regional Manager
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