

✓

1 JASON D. LAZARK, Counsel (SBN 263714)
2 Bureau of Real Estate
3 PO Box 137007
4 Sacramento, CA 95813-7007
5 Office: (916) 263-8670
6 Direct: (916) 263-8684

FILED

AUG 21 2013

BUREAU OF REAL ESTATE
By 

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

11 In the Matter of the Accusation of)
12) No. H-6008 SAC
13 REBEKAH SPRING HOEKSTRA,) 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 REBEKAH SPRING HOEKSTRA ("Respondent"), is informed and alleges as follows:

19 1.

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

22 CRIMINAL CONVICTIONS

23 2.

24 On or about December 19, 2012, in the Superior Court of the State of California,
25 County of Sacramento, Case No. 12F06181, Respondent was convicted of violating felony
26 Vehicle Code section 23152(a) (driving under the influence of alcohol or drugs) and
27 misdemeanor Penal Code section 148.9(a) (false information to a police officer), convictions

1 which bear a substantial relationship under title 10, section 2910, of the California Code
2 Regulations ("Regulations") to the qualifications, functions or duties of a real estate licensee.

3 3.

4 On or about September 10, 2012, in the Superior Court of the State of California,
5 County of Shasta, Case No. MC RD CRTR12002523, Respondent was convicted of violating
6 Vehicle Code sections 23152(b) (driving with a blood alcohol level at or above .08%) and
7 23247(e) (operating a vehicle w/out a functioning interlock device), misdemeanors which bear a
8 substantial relationship under section 2910 of the Regulations to the qualifications, functions or
9 duties of a real estate licensee.

10 4.

11 On or about September 10, 2012, in the Superior Court of the State of California,
12 County of Shasta, Case No. MC RD CRM 120002552, Respondent was convicted of violating
13 Penal Code section 148.9(a) (providing false information to a police officer), a misdemeanor
14 which bears a substantial relationship under section 2910 of the Regulations to the
15 qualifications, functions or duties of a real estate licensee.

16 MATTERS IN AGGRAVATION

17 5.

18 On or about August 9, 2010, in the Superior Court of the State of California,
19 County of Shasta, Case No. MC RD CRTR100004459, Respondent was convicted of violating
20 Vehicle Code sections 14601.5(a) (driving on a license suspended or revoked license due to a
21 DUI) and 23247(e) (operating a vehicle w/out a functioning interlock device), misdemeanors
22 which bear a substantial relationship section 2910 of the Regulations to the qualifications,
23 functions or duties of a real estate licensee.

24 6.

25 On or about May 3, 2010, in the Superior Court of the State of California,
26 County of Shasta, Case No. MC RD CRTR100002362, Respondent was convicted of violating
27 Vehicle Code section 23153(b) (driving with a blood alcohol level at or above .08%), a

1 misdemeanor which bears a substantial relationship under section 2910 of the Regulations to the
2 qualifications, functions or duties of a real estate licensee.

3 7.

4 On or about December 5, 2008, in the Superior Court of the State of California,
5 County of Shasta, Case No. MC RD CRTR080008348, Respondent was convicted of violating
6 Vehicle Code sections 23153(b) (driving with a blood alcohol level at or above .08%),
7 14601.1(a) (driving on a suspended or revoked license) and 23247(e) (operating a vehicle w/out
8 a functioning interlock device), misdemeanors which bear a substantial relationship under
9 section 2910 of the Regulations to the qualifications, functions or duties of a real estate licensee.

10 8.

11 The facts alleged above in Paragraphs 2 through 7 constitute grounds under
12 sections 490 and 10177(b) of the Business and Professions Code ("the Code") for suspension or
13 revocation of all licenses and license rights of Respondent under the Real Estate Law.

14 FAILURE TO NOTIFY DEPARTMENT OF CRIMINAL CHARGES

15 9.

16 A diligent search was made of the records of the Bureau of Real Estate
17 ("Department") relating to Respondent's Real Estate Salesperson License No. 01249409. As a
18 result of said search, no record was discovered having been received from Respondent notifying
19 the Bureau, in writing, of any arrest, conviction, indictment or license disciplinary action
20 occurring on or after January 1, 2012.

21 10.

22 The facts alleged above in Paragraph 9 indicate Respondent's failure to comply
23 with sections 10186.2(a)(1)(A), 10186.2(a)(1)(B) and 10186.2(a)(2) (failure to report in writing
24 to the Bureau of an indictment or information charging a felony and/or a conviction of any
25 felony or misdemeanor against Respondent within 30 days) of the Code, which constitutes
26 cause under section 10177(d) (willful disregard or violation the Real Estate Law), for revocation
27 of all licenses and license rights of Respondent under said Real Estate Law.

1 COST RECOVERY

2 11.

3 The Bureau will seek to recover costs of the investigation and prosecution of this
4 case pursuant to section 10106 of the Code which provides, in pertinent part, that in any order
5 issued in resolution of a disciplinary proceeding before the Bureau, the commissioner may
6 request the administrative law judge to direct a licensee found to have committed a violation of
7 this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of
8 the case.

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

14
15 
16 TRICIA D. SOMMERS
17 Deputy Real Estate Commissioner
18

19 Dated at Sacramento, California, on
20 this 21 day of August, 2013.

21 DISCOVERY DEMAND

22
23 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
24 Bureau hereby makes demand for discovery pursuant to the guidelines set forth in the
25 *Administrative Procedure Act*. Failure to provide Discovery to the Bureau may result in the
26 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
27 Administrative Hearings deems appropriate.