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2 On or about November 13, 2012, in the Superior Court of the State of California,
3 County of Alameda, Case No. H52891A, a First Amended Information (“the Information”) was
4 filed alleging Respondent committed acts constituting twelve (12) felonies, identified as
5 follows:

- 6 a) One (1) Count in violation of Penal Code Sections 487(a) and
7 12022.6(a)(2) (grand theft of personal property, excessive loss over
8 \$200,000.00), a felony;
- 9 b) One (1) Count in violation of Penal Code Section 487(a) (grand theft of
10 personal property, value exceeding \$950.00), a felony;
- 11 c) Six (6) Counts in violation of Penal Code Section 368(d) (theft from elder
12 or dependent adult, value exceeding \$950.00), all felonies; and,
- 13 d) Four (4) Counts in violation of Penal Code Sections 487(a) and
14 12022.6(a) (grand theft of personal property, excessive loss over
15 \$65,000.00), all felonies.

16 In November 2012, Respondent was served with the Information, and therefore
17 was notified of the felony charges pending against him.

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19 Pursuant to Section 10186.2 of the Code, a licensee shall report in writing to the
20 Bureau the bringing of an indictment or information charging a felony against the licensee,
21 within thirty (30) days of the date of the bringing of the indictment or the charging of a felony.
22 At no time since Respondent was made aware of the Information charging felonies against him,
23 identified in paragraph 2, above, has Respondent reported said charges to the Bureau in writing,
24 as required by Section 10186.2 of the Code. Such failure constitutes grounds for the suspension
25 or revocation of all licenses and license rights of Respondent pursuant to Section 10177(d)
26 (willful disregard or violation of the Real Estate Law) of the Code, in conjunction with Section
27 10186.2 of the Code.

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2 Previous Administrative Proceeding

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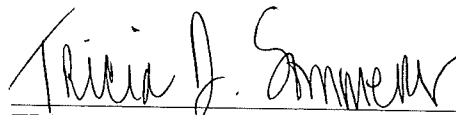
4 Effective March 24, 2009, in Case No. H-5010 SAC, the Real Estate
5 Commissioner suspended Respondent's real estate broker license for one-hundred (100) days,
6 and stayed the suspension for two (2) years, subject to the terms, conditions, and restrictions set
7 forth in Section 10175.2 of the Code, for violation of Sections 10137 and 10177(h) of the Code.

8 Cost Recovery

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10 Section 10106 of the Code provides, in pertinent part, that in any order issued in
11 resolution of a disciplinary proceeding before the Bureau, the commissioner may request the
12 administrative law judge to direct a licensee found to have committed a violation of this part to
13 pay a sum not to exceed 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 (Part 1 of Division 4 of the Business and
17 Professions Code), for the cost of investigation and enforcement as permitted by law, and for
18 such other and further relief as may be proper under the provisions of law.

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21 TRICIA D. SOMMERS
22 Deputy Real Estate Commissioner

23 Dated at Sacramento, California,
24 this 5th day of November, 2013.