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BUREAU OF REAL ESTATE

By B. Nicholas

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)

DANIEL YU DING,)

Respondent.)

No. H-6325 SAC

ACCUSATION

The Complainant, TRICIA D. PARKHURST, in her official capacity as a Supervising Special Investigator of the Bureau of Real Estate ("Bureau") of the State of California, brings this Accusation against DANIEL YU DING ("Respondent"), and is informed and alleges as follows:

1

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

2

At all times relevant herein, Respondent was and is a member of the State Bar of California ("State Bar") and has held a license to practice law ("law license") since on or about December 8, 2011. Since February 1, 2013, Respondent has voluntarily placed his law license on inactive status with the State Bar. On or about November 3, 2014, in Case No. 14-O-03201, after

1 giving Respondent fair notice of the pending charges and being afforded the opportunity for a
2 hearing and other due process protections, the State Bar Court of California and Respondent
3 entered into a "Stipulation Re Facts, Conclusions of Law and Disposition and Order Approving"
4 ("Stipulation") recommending to the California Supreme Court that Respondent be disciplined
5 by imposing one (1) year suspension from the practice of law within the State of California, all
6 stayed, along with other terms and conditions. The Stipulation was based upon the finding that
7 grounds to suspend Respondent's law license existed pursuant to Sections 6125 and 6126 of the
8 Code (holding oneself out as entitled to practice law when not an active member of the State
9 Bar). On or about March 19, 2015, in Case No. S223450, the California Supreme Court adopted
10 the Stipulation and ordered that Respondent be suspended from the practice of law for one (1)
11 year, with a stay of execution, and placed him on one (1) year of probation subject to enumerated
12 terms and conditions.

13 3

14 Respondent's law license suspension identified in paragraph 2, above, was for acts
15 which, if done by a real estate licensee, would be grounds for the suspension or revocation of a
16 California real estate license under Sections 10130 (unlawful advertisement or acting in capacity
17 of real estate licensee without an active real estate license) and 10177(g) (negligence in
18 performing an act requiring a license) of the Code.

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20 The facts alleged in paragraphs 2 and 3, above, constitute cause for the suspension
21 or revocation of Respondent's real estate license and license rights pursuant to Sections 10177(f)
22 (license discipline for acts that, if done by a real estate licensee, would be grounds for the
23 suspension or revocation of a California real estate license) and 10177(g) (negligence in
24 performing an act requiring a license) of the Code.

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26 Pursuant to Section 10186.2 of the Code, effective January 1, 2012, a licensee
27 shall report in writing to the Bureau any disciplinary action taken by another licensing entity or

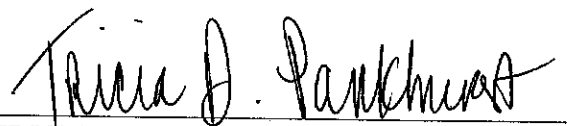
1 authority of this state or of another state or an agency of the federal government, within thirty
2 (30) days of the date of the disciplinary action. Respondent failed to report the State Bar
3 disciplinary action identified in paragraph 2, above, to the Bureau in writing within the time
4 required by Section 10186.2 of the Code. Such failure constitutes grounds for the suspension
5 or revocation of all licenses and license rights of Respondent pursuant to Section 10177(d)
6 (willful disregard or violation of the Real Estate Law) of the Code, in conjunction with Section
7 10186.2 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
15 allegations of this Accusation and that upon proof thereof, a decision be rendered revoking all
16 licenses and license rights of Respondent under the Real Estate Law (Part 1 of Division 4 of the
17 Business and Professions Code), for the cost of investigation and enforcement as permitted by
18 law, and for such other and further relief as may be proper under other provisions of law.

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21 TRICIA D. PARKHURST
22 Supervising Special Investigator

23 Dated at Sacramento, California,
24 this 3rd day of November, 2015.
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