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BUREAU OF REAL ESTATE

By *R. dew*

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8 **BEFORE THE BUREAU OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Accusation of)

No. H-6367 SAC

12 BROOKE MICHELE CARDENAS,)

ACCUSATION

13 Respondent.)

14 The Complainant, TRICIA PARKHURST, in her official capacity as a
15 Supervising Special Investigator of the Bureau of Real Estate of the State of California
16 ("Bureau") brings this Accusation against BROOKE MICHELE CARDENAS ("Respondent")
17 and is informed and alleges as follows:

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19 Respondent is presently licensed by the Bureau and/or has license rights under the
20 Real Estate Law, Part 1 of Division 4 of the California¹ Business and Professions Code ("Code")
21 as a real estate salesperson.

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

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FIRST CAUSE OF ACTION

Criminal Conviction

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On or about April 2, 2013, in the Superior Court of the State of California, County of Sacramento, Case No. 2012184464, Respondent was convicted, upon a plea of *nolo contendere*, of violating Section 20002(a) of the Vehicle Code (hit and run), a misdemeanor and a crime which bears a substantial relationship under Section 2910, Title 10, of the California Code of Regulations ("Regulations"), to the qualifications, functions, or duties of a real estate licensee.

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The allegations contained at Paragraph 2, above, constitute cause pursuant to Section 10177(b) (conviction of a crime substantially related to the qualifications, functions or duties of a real estate licensee) and Section 490 (conviction of a crime) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

SECOND CAUSE OF ACTION

Failure to Disclose within Thirty (30) Days

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Each and every allegation contained at Paragraphs 1 through 3, inclusive, is incorporated by reference as if fully set forth herein.

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A diligent search was made of the records of the Bureau relating to Respondent's real estate license. As a result of said search no written record was discovered having been received from Respondent notifying the Bureau in writing and within 30 days of either the bringing of an indictment or the charging of a felony, the conviction of Respondent of one or more misdemeanor and/or felony convictions, and/or any disciplinary action taken by another licensing agency.

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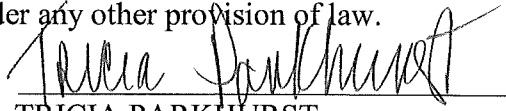
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The allegation contained at Paragraph 5, above, constitutes cause under Sections 10177(d) (willful disregard or violation of the Real Estate Law) and 10186.2 (failure to disclose) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

Cost Recovery

Section 10106 of the Code provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau, the Real Estate Commissioner may request the Administrative Law Judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered revoking all licenses and license rights of Respondent under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under any other provision of law.


TRICIA PARKHURST
Supervising Special Investigator

Dated at Sacramento, California,
this 29th day of February, 2016.

DISCOVERY DEMAND

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