

FILED

JAN 18 2017

BUREAU OF REAL ESTATE

By *M Roberts*

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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- 6490 SAC

12 )  
13 KENNETH ROBERT HUBERT, )

ACCUSATION

14 Respondent. )  
15 )

16 The Complainant, TRICIA PARKHURST, in her official capacity as a  
17 Supervising Special Investigator of the State of California, for cause of Accusation against  
18 KENNETH ROBERT HUBERT ("Respondent"), is informed and alleges as follows:

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20 Respondent is presently licensed and/or has license rights under the Real Estate  
21 Law, Part 1 of Division 4 of the Business and Professions Code ("the Code"), as a real estate  
22 broker, whose license expires on June 08, 2020.

23 2

24 On or about February 23, 2015, in the Superior Court of the State of California,  
25 County of Placer, Case No. 62-133873, Respondent was convicted of violating Section  
26 23152(a) of the California Vehicle Code (driving under the influence), and Section 20002(a) of  
27 the Vehicle Code (hit-and-run), both misdemeanors and crimes which bear a substantial

1 relationship under Section 2910, Title 10, California Code of Regulations ("Regulations") to  
2 the qualifications, functions or duties of a real estate licensee.

3 MATTERS IN AGGRAVATION

4 3

5 . On or about October 13, 1998, in the Superior Court of the State of California,  
6 County of Yolo, Case No. 98-4516, Respondent was convicted of violating Section 23103 of  
7 the California Vehicle Code (reckless driving), and Section 23103.5 of the Vehicle Code (wet  
8 reckless), both misdemeanors and crimes which bear a substantial relationship under Section  
9 2910 of the Regulations to the qualifications, functions or duties of a real estate licensee.

10 GROUND FOR DISCIPLINE

11 4

12 The facts alleged in Paragraph 2, above, constitute cause under Sections 490  
13 (conviction of crime) and 10177(b) (conviction of a crime) of the Code for the suspension or  
14 revocation of all licenses and license rights of Respondent under the Real Estate Law.

15 COST RECOVERY

16 5

17 Section 10106 of the Code provides, in pertinent part, that in any order issued in  
18 resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the  
19 administrative law judge to direct a licensee found to have committed a violation of this part to  
20 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1                   WHEREFORE, Complainant prays that a hearing be conducted on the  
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing  
3 disciplinary action against all licenses and license rights of Respondent under the Code, and for  
4 such other and further relief, including reasonable investigation and enforcement costs, as may  
5 be proper under the provisions of law.

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7   
8 TRICIA PARKHURST  
9 Supervising Special Investigator

10 Dated at Sacramento, California,  
11 this 10<sup>th</sup> day of January, 2017.

12  
13                   DISCOVERY DEMAND

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