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FILED

MAY 13 2019

DEPARTMENT OF REAL ESTATE
By B. Nicholas

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of)
12) No. H-6834 SAC
13 GABRIELA CARTER,)
14 Respondent.) ACCUSATION

15 The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a
16 Supervising Special Investigator of the State of California, for this Accusation against
17 GABRIELA CARTER ("Respondent"), is informed and alleges as follows:

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

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23 On or about February 4, 2019, in the United States District Court, Eastern District
24 of California, Case No. 2:15-cr-00046-GEB, Respondent was convicted of violating Section
25 1344(1)/1344(2) (bank fraud), Title 18, of the United States Code, a felony and a crime that bears
26 a substantial relationship to the qualifications, functions or duties of a real estate licensee
27 pursuant to Section 2910, Title 10, of the California Code of Regulations.

On April 22, 2015, a diligent search was made of the records of the Department of Real Estate ("Department") relating to Respondent's real estate salesperson license No. 01193391. No record or written notice was received from Respondent notifying the Department, in writing, of any arrest, indictment, or license disciplinary action.

GROUND FOR DISCIPLINE

The facts alleged in Paragraph 2, above, constitute cause under Sections 490 (conviction of substantially related crime), 10177(b) (conviction of substantially related crime), and 10177(j) (fraud or dishonest dealing) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

Respondent's failure to report the indictment to the Department, as described in Paragraph 3, above, violates Section 10186.2 (a) (conviction reporting requirements) of the Code, and constitutes cause under Section 10177(d) (willful disregard or violation of Real Estate Law) of the Code for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

COST RECOVERY

The Department will seek to recover the costs of the investigation and prosecution of this case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, the 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.

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