

1 TRULY SUGHRUE, Counsel
2 State Bar No. 223266
3 Department of Real Estate
4 P.O. Box 137007
5 Sacramento, CA 95813-7007

6 Telephone: (916) 576-8700
7 (916) 576-7847 (Direct)
8 Fax: (916) 263-3767

FILED

APR 29 2020

DEPARTMENT OF REAL ESTATE
By B. Nicholas

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of

13 FRANK JOSEPH CECCHINI IV,

14 Respondent.

No. H- 6943 SAC

ACCUSATION

15 The Complainant, TRICIA D. PARKHURST, in her official capacity as a
16 Supervising Special Investigator of the Department of Real Estate ("Department") of the State of
17 California, brings this Accusation against Respondent FRANK JOSEPH CECCHINI IV
18 ("Respondent"), and is informed and alleges as follows:

19 1

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

23 2

24 On or about April 18, 2019, in the Superior Court of the State of California,
25 County of San Joaquin, Case No. CR-2018-12678, Respondent was convicted of violating
26 Sections 148.5(a) (false report crime to specific peace officer), of the California Penal Code, a
27 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.

On or about May 17, 2018, in the Superior Court of the State of California, County of San Joaquin, Case No. CR-18-9070, Respondent was convicted of violating Section 23152(b) (driving under the influence) of the California Vehicle Code, a crime which bears a substantial relationship under Section 2910 of the Regulations to the qualifications, functions or duties of a real estate licensee.

At no time did Respondent provide notice of the bringing of an indictment, 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, as required by Section 10186.2 of the Code.

GROUND FOR DISCIPLINE

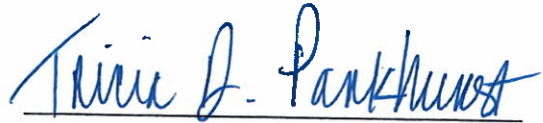
The facts identified in paragraphs 2 and 3, constitutes cause under Sections 490 and 10177(b) of the Code, for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

The facts alleged in paragraphs 2 through 4 constitute cause under Sections 10177(d) and 10186.2 of the Code for suspension or revocation of Respondent's license 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 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.

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

6
7 
8 TRICIA D. PARKHURST
Supervising Special Investigator

9 Dated at Sacramento, California,
10 this 3rd day of April, 2020
11
12
13

14 DISCOVERY DEMAND

15 Pursuant to Sections 11507.6, *et seq.* of the *Government Code*, the Department of
16 Real Estate hereby makes demand for discovery pursuant to the guidelines set forth in the
17 *Administrative Procedure Act*. Failure to provide Discovery to the Department of Real Estate
18 may result in the exclusion of witnesses and documents at the hearing or other sanctions that the
19 Office of Administrative Hearings deems appropriate.
20
21
22
23
24
25
26
27