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DEPARTMENT OF REAL ESTATE
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the First Amended Accusation of:) H-6972 SAC
)
 MATTHEW ROWAN DAVIES,) FIRST AMENDED
) ACCUSATION
 Respondent.)

The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a Supervising Special Investigator of the State of California, for cause of First Amended Accusation against MATTHEW ROWAN DAVIES ("Respondent"), 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 salesperson.

CRIMINAL CONVICTIONS

2.

On or about October 9, 2019, in the Superior Court of the State of California, County of San Joaquin, Case No. CR-2019-2996, Respondent was convicted of violating felony Penal Code Section 245(a)(4) (assault with force likely to produce great bodily injury) and

1 misdemeanor Penal Code Section 242 (battery), crimes which bear a substantial relationship
2 under Section 2910, Title 10, California Code Regulations to the qualifications, functions or
3 duties of a real estate licensee

4 3.

5 The facts alleged above in Paragraph 2 constitute grounds under sections 490
6 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of
7 Respondent under Part 1 of Division 4 of the Code (herein "the Real Estate Law").

8 MATTERS IN AGGRAVATION

9 4.

10 On or about December 13, 2013, in the United States District Court for the
11 Easter District of California, Case No. 2:12CR00255-01, Respondent was convicted of violating
12 21 U.S.C. § 846 and 841(a)(1) (conspiracy to manufacture, distribute and possess with the intent
13 to distribute marijuana), two (2) counts of 21 U.S.C. § 841(a)(1) (manufacturing marijuana) and
14 seven (7) counts of 21 U.S.C § 841(a)(1) (distributing marijuana), all felonies.

15 COST RECOVERY

16 5.

17 The Department will seek to recover cost of this suit pursuant to section 10106 of
18 the Code which provides, in pertinent part, that in any order issued in resolution of a disciplinary
19 proceeding before the Department, the commissioner may request the administrative law judge
20 to direct a licensee found to have committed a violation of this part to pay a sum not to exceed
21 the reasonable costs of the investigation and enforcement of the case.

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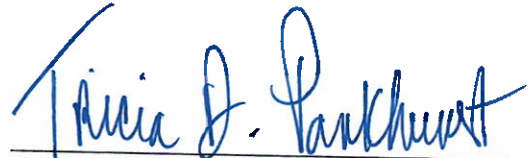
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1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this First Amended Accusation and that upon proof thereof, a decision be rendered revoking
3 all licenses and license rights of Respondent under the Real Estate Law, 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 other provisions of law.

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8 TRICIA D. PARKHURST
9 Deputy Real Estate Commissioner

10 Dated at Sacramento, California,
11 this 9th day of November, 2020.

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16 DISCOVERY DEMAND

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