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1	FILED
2	KYLE T. JONES, Counsel (SBN 300751)FEB 0 5 2021Department of Real EstateFEB 0 5 2021
	P.O. BOX 137007 DEPARTMENT OF DEALEDATATE
3	Sacramento, CA 95813-7007
4	Telephone: (916) 576-8700
5	(916) 263-3767 (Fax) (916) 576-7840 (Direct)
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8	BEFORE THE DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * *
11	In the Matter of the Accusation of
12) No. H-7007 SAC
13	RUBEN G. VENEGAS,)) <u>ACCUSATION</u>
14	Respondent.
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 RUBEN
17	G. VENEGAS ("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
21	restricted real estate salesperson.
22	2
23	On or about July 10, 2020, in the Superior Court of the State of California, County
24	of Kern, Case No. BM942375A, Respondent was convicted of violating Section 23152(a)
25	(driving under the influence) of the California Vehicle Code, a misdemeanor and a crime that
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1	bears a substantial relationship to the qualifications, functions or duties of a real estate licensee	
2	pursuant to Section 2910, Title 10, of the California Code of Regulations.	
3	MATTERS IN AGGRAVATION	
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5	Effective September 7, 2011, in Case No. H-5525 SAC, before the Department of	
6	Real Estate, Respondent's license was revoked but he was granted a right to apply for a restricted	
7	real estate license through a Stipulation and Agreement.	
8	4	
9	Effective September 28, 2007, in Case No. H-4836 SAC, before the Department	
10	of Real Estate, Respondent's application for a real estate salesperson license was denied but he	
11	was granted a restricted real estate license through a Stipulation and Waiver.	
12	5	
13	On or about June 19, 1998, in the Superior Court of the State of California,	
14	County of Monterey, Case No. MS165369, Respondent was convicted of violating Section	
15	14601.5(a) (driving with a suspended license) of the California Vehicle Code, a misdemeanor.	
16	6	
17	On or about January 29, 1998, in the Superior Court of the State of California,	
18	County of Monterey, Case No. MS162733, Respondent was convicted of violating Section	
19	23152(a) of the California Vehicle Code, a misdemeanor.	
20	7	
21	On or about February 4, 1997, in the Superior Court of the State of California,	
22	County of Monterey, Case No. MS150164, Respondent was convicted of violating Section	
23	14601.5(a) of the California Vehicle Code, a misdemeanor.	
24	8	
25	On or about August 2, 1996, in the Superior Court of the State of California,	
26	County of Monterey, Case No. MS146584, Respondent was convicted of violating Section	
27	23103.5 (reckless driving involving alcohol) of the California Vehicle Code, a misdemeanor.	
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5. J. F.	
1	GROUNDS FOR DISCIPLINE
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3	The facts alleged in Paragraph 2, above, constitute cause under Sections 490
4	(conviction of substantially related crime) and 10177(b) (conviction of substantially related
5	crime) of the Code for the suspension or revocation of all licenses and license rights of
6	Respondent under the Real Estate Law.
7	COST RECOVERY
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9	The Department will seek to recover the costs of the investigation and prosecution
10	of this case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any
11	order issued in resolution of a disciplinary proceeding before the Department, the Commissioner
12	may request the administrative law judge to direct a licensee found to have committed a violation
13	of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement
14	of the case.
15	WHEREFORE, Complainant prays that a hearing be conducted on the allegations
16	of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
17	action against all licenses and license rights of Respondent under the Real Estate Law, for the
18	cost of investigation and enforcement as permitted by law, and for such other and further relief as
19	may be proper under other provisions of law.
20	Airie of Pouldand
21	TRICIA D. PARKHURST
22	Supervising Special Investigator
23	
24	Dated at Sacramento, California,
25 26	this day of MWW 2021.
26 27	
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1	DISCOVERY DEMAND
2	Pursuant to Sections 11507.6, et seq. of the Administrative Procedure Act, the
3	Department hereby makes demand for discovery pursuant to the guidelines set forth in the
4	Administrative Procedure Act. Failure to provide Discovery to the Department may result in the
5	exclusion of witnesses and documents at the hearing or other sanctions that the Office of
6	Administrative Hearings deems appropriate.
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