

1 KYLE T. JONES, Counsel (SBN 300751)
2 Department of Real Estate
3 P.O. BOX 137007
4 Sacramento, CA 95813-7007

5 Telephone: (916) 576-8700
6 (916) 263-3767 (Fax)
7 (916) 576-7840 (Direct)

FILED

DEC 01 2020

DEPARTMENT OF REAL ESTATE
By B. Nicholas

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 RUBEN MARTINEZ,) No. H-7014 SAC
13) ACCUSATION
14 Respondent.)
15)

16 The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a
17 Supervising Special Investigator of the State of California, for this Accusation against RUBEN
18 MARTINEZ ("Respondent"), 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 December 23, 2019, in the Superior Court of the State of California,
25 County of Sacramento, Case No. 19FE007953, Respondent was convicted of violating Sections
26 20001(a) (hit and run) and 23153(b) (driving under the influence with injury-over .08%) of the
27 California Vehicle Code, felonies and crimes that bear a substantial relationship to the

///

qualifications, functions or duties of a real estate licensee pursuant to Section 2910, Title 10, of the California Code of Regulations.

GRUNDS FOR DISCIPLINE

3

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.

COST RECOVERY

4

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.

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

Tricia J. Lankhurst

TRICIA D. PARKHURST
Supervising Special Investigator

Dated at Sacramento, California,
this 30th day of November, 2020.

DISCOVERY DEMAND

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