

RICHARD K. UNO, Counsel III (SBN 98275)
Department of Real Estate
P. O. Box 137007
Sacramento, CA 95813-7007

Telephone: (916) 576-8700
(916) 576-7848 (Direct)
Email: Richard.Uno@dre.ca.gov



BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

MATTHEW CERECEDES,

Respondent.

No. H-7293 SAC

ACCUSATION

The Complainant, TRICIA D. PARKHURST, a Supervising Special Investigator
of the State of California, for cause of Accusation against MATTHEW CERECEDES,
(Respondent), is informed and alleges as follows:

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Complainant makes this Accusation against Respondent in her official capacity.

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At all times herein mentioned, Respondent was and is presently licensed and/or
has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and
Professions Code (the Code) by the Department of Real Estate (the Department) as a real estate
salesperson.

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On or about September 16, 2022, in the Superior Court of the State of California,
County of Placer, Case No. 62-183690, Respondent was convicted of violating Section 11364(a)

1 of the California Health and Safety Code (possession of drug para.), a misdemeanor and a crime
2 which bears a substantial relationship under Section 2910, Title 10, California Code of
3 Regulations (Regulations), to the qualifications, functions, or duties of a real estate licensee.

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5 On or about August 9, 2022, in the Superior Court of the State of California,
6 County of San Joaquin, Case No. CR-2022-7317, Respondent was convicted of violating Section
7 23152(b) of the California Vehicle Code (driving under the influence of a drug or alcohol), with
8 an enhancement under Section 23540 of the California Vehicle Code (prior DUI conviction), a
9 misdemeanor and a crime which bears a substantial relationship under Section 2910, of the
10 Regulations to the qualifications, functions, or duties of a real estate licensee.

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12 On or about June 6, 2022, in the Superior Court of the State of California, County
13 of San Joaquin, Case No. CR-20221-12243, Respondent was convicted of violating Section
14 10851(A) of the California Vehicle Code (taking vehicle w/o consent), a felony and a crime
15 which bears a substantial relationship under Section 2910, of the Regulations to the
16 qualifications, functions, or duties of a real estate licensee.

17 MATTERS IN AGGRAVATION

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19 On or about September 18, 2014 in the Superior Court of the State of California,
20 County of San Joaquin, Case No. ST 062048A, Respondent was convicted of violating Section
21 23152(b) of the California Vehicle Code, a misdemeanor.

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23 The facts alleged in Paragraphs 3 through 5, above, constitute cause under Section
24 10177(b) (further grounds for disciplinary action-conviction of crime) and Section 490
25 (conviction of substantially related crime) of the Code for suspension or revocation of
26 Respondent's license under the Real Estate Law.

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A diligent search was made of the records of the Department of Real Estate (Department), relating to Respondent's Real Estate Salesperson License. As a result of said search, no record was discovered having been received from Respondent notifying the Department, in writing, of any conviction.

The facts alleged above, in Paragraphs 3 through 5 and 8, constitute a violation of Section 10186.2 (failure to report in writing, a conviction within 30 days) of the Code, and are grounds for revocation of all licenses and license rights of Respondent under Section 10177(d) of the Code.

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.

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 Code, for the reasonable costs of investigation and prosecution of this case, including agency attorney's fees and for such other and further relief as may be proper under provisions of law.

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2 TRICIA D. PARKHURST

3 Supervising Special Investigator

4 Dated at Sacramento, California

5 this 2nd day of October, 2022.

6 DISCOVERY DEMAND

7 The Department of Real Estate hereby requests discovery pursuant to Section
8 11507.6 of the California Government Code. Failure to provide discovery to the Department
9 may result in the exclusion of witnesses and/or documents at the hearing, and other sanctions
10 as the Administrative Law Judge deems appropriate.
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