TAYLOR HERRLINGER, Counsel (314791)
Department of Real Estate
651 Bannon Street, Suite 507
Sacramento, CA 95811
Telephone: (916) 737-4498
Email: Taylor.Herrlinger@dre.ca.gov

FILED

MAY 01 2025

DEPARTMENT OF REAL ESTATE
By J. Taggart

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of DEAN CHARLES SOUZA, Respondent.	No. H-7376 SAC ACCUSATION

The Complainant, HEATHER NISHIMURA, acting in her official capacity as a Supervising Special Investigator of the State of California, for this Accusation against DEAN CHARLES SOUZA ("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 California Business and Professions Code ("Code"), as a restricted real estate salesperson.

2

On or about September 23, 1987, Respondent applied for and was licensed with Department of Real Estate ("Department") as a real estate salesperson.

3

On or about February 3, 1994, Respondent applied for and was licensed with the Department as a real estate broker.

PRIOR ADMINISTRATIVE DISCIPLINE

4

On or about April 3, 2009, in Case No. H-10634 SF, the Department issued an Accusation against Respondent's real estate broker license. Effective June 22, 2010, in Case No. H-10634 SF, the Department revoked Respondent's real estate broker license; however, the Department granted Respondent the right to a restricted real estate salesperson license.

PRIOR PETITION FOR LICENSE REINSTATEMENT

5

On or about November 14, 2014, Respondent petitioned the Department for reinstatement of his broker license. On or about April 1, 2015, the Department denied Respondent's petition for reinstatement of his real estate broker license; however, the Department granted Respondent the right to a restricted real estate broker license. The Department's Order denying reinstatement but granting the right to a restricted license concluded that Respondent did not establish sufficient rehabilitation to warrant an unrestricted license, and specifically noted a basis for denial was that "Respondent has outstanding federal tax liens in the amount of approximately $12,000." Ultimately, the Respondent did not apply for or receive a restricted real estate broker license.

CURRENT PETITION FOR LICENSE REINSTATEMENT

6

On or about May 31, 2022, and pursuant to Case No. H-10634 SF, Respondent submitted a petition for reinstatement of his real estate salesperson license and for removal of discipline information from the Department's website.

7

On or about June 13, 2022, the Department began an investigation into Respondent's petition for reinstatement of his salesperson license and for removal of discipline information from the Department's website. On Respondent's petition application forms, specifically section eight (8), Respondent checked the "No" box when asked whether "since the date of discipline, if he has any past due-due debts", including, but not limited to, any "IRS or state tax liens." Respondent's conduct in checking the "No" box is misleading and constitutes a material misstatement of fact, fraud, and/or dishonest dealings.

8

The Department inquired into the status of the 2013 federal tax lien, despite Respondent having checked the "No" box on his petition applications, because it was previously a basis for denial of Respondent's petition for reinstatement of his broker license on April 1, 2015.

9

In response to the Department's inquiry, on or about September 27, 2022, Respondent submitted several documents, including a "Quick Resolution Worksheet" form generated by the California Franchise Tax Board ("FTB"). In the Quick Resolution Worksheet form, Respondent made several statements in protest of a 2020 proposed tax assessment from the FTB. In pertinent part, Respondent stated the following reasons for his protest:

1. He does not have a tax filing requirement for 2020 and has not filed federal and state income tax returns since 2012;
2. His primary means of support is disability income and some financial assistance from relatives; and
3. He keeps his Department of Real Estate license current and active in the event that he is able to generate additional income.

10

On or about September 19, 2022, the Department contacted Respondent's employing broker and requested the employer fill out an employment verification form, which, in pertinent part, requests the employing broker to detail the employment duration and real estate transactions Respondent has been involved in since being employed. Additionally, the Department requested copies of three real estate transactions Respondent has been involved in since beginning employment with the broker.

11

Upon review of the employment verification form, real estate transactions, and records received from Respondent's employer, it was determined that between August 1, 2020, and September 7, 2022, Respondent acted in a salesperson capacity in at least thirty-two (32) real estate transactions. Additionally, the employer estimated Respondent's approximate dollar value of real estate sold in or around 2021-2022 to be $9,224,000.00, and the approximate dollar value of real estate sold in or around 2020-2021 to be $15,996,000.00. Further, on or about November 22, 2024, Respondent's employing broker estimated that Respondent received approximately $683,574.45 in compensation related to the real estate transactions over the previous two years.

12

Respondent made fraudulent and/or dishonest statements and material misstatements of fact when he submitted a petition for reinstatement of his real estate salesperson license and for removal of discipline information from the Department's website and failed to disclose that he still had an outstanding state tax lien with the FTB. Furthermore, Respondent made fraudulent, dishonest statements and material misstatements of fact when he submitted the FTB Quick Resolution Worksheet form to the Department which affirmatively failed to disclose taxable income he earned from his real estate transactions. By furnishing the Department with fraudulent FTB tax disclosures, Respondent committed fraud and/or dishonest dealings, and made material misstatements of fact to the Department in the process of seeking reinstatement of his real estate salesperson license.

GROUNDS FOR DISCIPLINE

13

The facts alleged in Paragraphs 6 through 12, above, constitute cause under Section 10177(a) (material misstatement of fact in an application for real estate license reinstatement) and Section 10177(j) (fraud or dishonest dealings) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

///

COST RECOVERY

14

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.

HEATHER NISHIMURA
Supervising Special Investigator

Dated at Sacramento, California,
this 30th day of April, 2025.

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.