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FILED

JAN 29 2025

DEPARTMENT OF REAL ESTATE
By J. Taggart

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

12 RUTHIE ADAMS NICHOLAS,)

13 Respondent.)
14

No. H-7411-SAC

ACCUSATION

15 The Complainant, HEATHER NISHIMURA, a Supervising Special Investigator
16 of the State of California, for cause of Accusation against RUTHIE ADAMS NICHOLAS
17 ("Respondent"), is informed and alleges as follows:

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19 Complainant makes this Accusation against Respondent in their official capacity.

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21 Respondent is presently licensed and/or has license rights under the Real Estate
22 Law, Part 1 of Division 4 of the California Business and Professions Code (the "Code") by the
23 Department of Real Estate (the "Department") as a real estate salesperson.

24 3

25 On or about November 21, 2023, in the Superior Court of the State of California,
26 County of Plumas, Case No. M23-00050, Respondent was convicted of violating Section 243(b)
27 (battery on a peace officer) of the California Penal Code, a misdemeanor and crime which bears

1 a substantial relationship to the qualifications, functions, or duties of a real estate licensee under
2 Section 2910, Title 10, Chapter 6, California Code of Regulations.

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4 A diligent search was made of the records of the Department, relating to
5 Respondent's Real Estate License. As a result of said search, no record was discovered having
6 been received from Respondent notifying the Department within 30 days, in writing, of any
7 conviction.

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9 The facts alleged in Paragraph 3, above, constitute cause under Sections 490
10 (conviction of crime) and 10177(b) (conviction of crime) of the Code for suspension or
11 revocation of Respondent's license(s) under real estate law.

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13 The facts alleged in Paragraph 4, above, constitute a violation of Section 10186.2
14 (failure to report in writing a conviction within 30 days) of the Code, and are grounds for
15 suspension or revocation of all licenses and license rights of Respondent under Section 10177(d)
16 of the Code.

17 MATTERS IN AGGRAVATION

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19 On or about November 17, 2003, in the Superior Court of the State of California,
20 County of Placer, Case No. 72-002121, Respondent was convicted of violating Section 23152(a)
21 (DUI) of the California Vehicle Code, a misdemeanor.

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23 On or about September 23, 1991, in the Superior Court of the State of California,
24 County of San Mateo, Case No. SM231320, Respondent was convicted of violating Section 240
25 (assault) of the California Penal Code, a misdemeanor.

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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.



HEATHER NISHIMURA

Supervising Special Investigator

Dated at Sacramento, California

this 28th day of January 2025.

DISCOVERY DEMAND

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