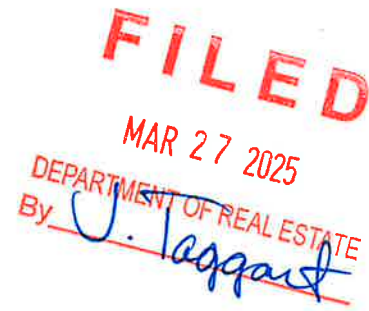


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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-7436-SAC
)	
TATE DAVID ALLEN,)	<u>ACCUSATION</u>
)	
Respondent.)	

The Complainant, HEATHER NISHIMURA, a Supervising Special Investigator of the State of California, for cause of Accusation against TATE DAVID ALLEN ("Respondent"), is informed and alleges as follows:

1

Complainant makes this Accusation against Respondent in her official capacity.

2

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 (the "Code") by the Department of Real Estate (the "Department") as a real estate salesperson.

3

On or about August 20, 2024, in the Superior Court of the State of California, County of San Luis Obispo, Case No. 24F-04585, Respondent was convicted of violating Sections 236 (false imprisonment) and 594 (b)(1) (vandalism) of the California Penal Code, both

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

4 4

5 A diligent search was made of the records of the Department relating to
6 Respondent's Real Estate License. As a result, no record was discovered having been received
7 from Respondent notifying the Department, in writing, of any felony complaint, indictment
8 and/or information, and/or any conviction.

9 5

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

13 6

14 The facts alleged in Paragraph 4 above constitute violations of Section 10186.2
15 (failure to report in writing a felony complaint, indictment and/or information, failure to report in
16 writing a conviction within 30 days) of the Code, and each are grounds for revocation of all
17 licenses and license rights of Respondent under Section 10177(d) of the Code.

18 MATTERS IN AGGRAVATION

19 7


20 On or about December 6, 2016, in the Superior Court of the State of California,
21 County of Madera, Case No. SCR015960, Respondent was convicted of violating Section
22 10851(a) (taking vehicle without owner's consent/vehicle theft) of the California Vehicle Code,
23 a felony, and Section 459 (burglary, second degree) of the California Penal Code, a
24 misdemeanor.

25 8

26 Section 10106 of the Code provides, in pertinent part, that in any order issued
27 in resolution of a disciplinary proceeding before the Department, the commissioner may request

1 the administrative law judge to direct a licensee found to have committed a violation of this part
2 to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.
3

4 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
5 of this Accusation and that upon proof thereof, a Decision be rendered imposing disciplinary
6 action against all licenses and license rights of Respondent under the Code, for the reasonable
7 costs of investigation and prosecution of this case, including agency attorney's fees and for such
8 other and further relief as may be proper under provisions of law.
9

10
11 
12 HEATHER NISHIMURA
13 Supervising Special Investigator

14 Dated at Sacramento, California

15 this 17th day of March, 2025.
16
17

18 DISCOVERY DEMAND

19 The Department of Real Estate hereby requests discovery pursuant to Section
20 11507.6 of the California Government Code. Failure to provide discovery to the Department may
21 result in the exclusion of witnesses and/or documents at the hearing, and other sanctions as the
22 Administrative Law Judge deems appropriate.
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24
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27