

FILED  
OCT 12 2011

DEPARTMENT OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of )  
 ) H-11061 SF  
 HUDSON BRADFORD BRETT, )  
 )  
 Respondent. )  
\_\_\_\_\_)

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on September 28, 2011, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license on grounds of the conviction of crimes.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1

On February 4, 2011, E. J. HABERER, II, made the instant Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing addresses on file with the Department on February 8, 2011. On May 11, 2011, E. J. HABERER, II, made the instant First Amended Accusation in his official capacity as a Deputy Real Estate Commissioner of the State

of California. The First Amended Accusation was mailed, by certified mail, return receipt requested, to Respondent's last known mailing addresses on file with the Department on May 12, 2011.

On August 22, 2011, after Respondent was duly noticed for the hearing set for August 22, 2011 on this matter and having failed to appear at said hearing, Respondent's default was entered herein.

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 (hereinafter "Code") as a restricted real estate broker.

3

On or about April 15, 2008, in the Superior Court of the State of California, County of Monterey, Case No. MS 260466A, Respondent was convicted of violating Section 243(e) of the California Penal Code (Battery Spouse/Cohabitant), a misdemeanor and a crime which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, (the Regulations), to the qualifications, functions or duties of a real estate licensee.

4

On or about December 3, 2009, in the Superior Court of the State of California, County of Monterey, Case No. MS 281009, Respondent was convicted of violating Section 484(a) of the California Penal Code (Theft Personal Property), a misdemeanor and a crime which bears a substantial relationship under Section 2910 of the Regulations to the qualifications, functions or duties of a real estate licensee.

5

On or about February 26, 2010, in the Superior Court of the State of California, County of Monterey, Case No. MS 283133A, Respondent was convicted of violating Section 484(a) of the California Penal Code (Theft Personal Property), a misdemeanor and a crime which bears a substantial relationship under Section 2910 of the Regulations to the qualifications, functions or duties of a real estate licensee. The Court further found that Respondent violated probation ordered in Case No. MS 232843A by the plea entered in Case No. MS 283133A.

6

On or about March 8, 2011, in the Superior Court of the State of California, County of Monterey, Case. No. MS 291298A, Respondent was convicted of violating Section

647(f) of the Penal Code (Disorderly Conduct: Public Intoxication), a misdemeanor and a crime which bears a substantial relationship under Section 2910 of the Regulations to the qualifications, functions or duties of a real estate licensee.

FACTORS IN AGGRAVATION

7

On or about September 21, 1999, in the Superior Court of the State of California, County of Monterey, Case No. M 86083, Respondent was convicted of violating Section 23152(a) of the Vehicle Code (Driving Under the Influence of Alcohol or a Drug), a misdemeanor.

8

On or about March 23, 2005, in the Superior Court of the State of California, County of Monterey, Case No. MS 232843 A, Respondent was convicted of violating Section 23152(b) of the Vehicle Code (Driving Under the Influence of Alcohol or a Drug), a misdemeanor.

9

On or about June 26, 2006, in the Superior Court of the State of California, County of Monterey, Case No. MS 24599949A, Respondent was convicted of violating Section 273(g) of the Penal Code (Immoral Acts Before Child), a misdemeanor.

DETERMINATION OF ISSUES

1

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 490 and 10177(b).

2

The standard of proof applied was clear and convincing proof to a reasonable certainty.

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ORDER

All licenses and licensing rights of Respondent HUDSON BRADFORD BRETT,  
under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on 11/2/2011.

DATED: 10/12/11

BARBARA J. BIGBY  
Acting Real Estate Commissioner

  
\_\_\_\_\_

1 Department of Real Estate  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

FILED

SEP 28 2011

DEPARTMENT OF REAL ESTATE

By *L. Jones*

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

10 \* \* \*

11 In the Matter of the Accusation of

12 HUDSON BRADFORD BRETT,

13 Respondent.

) No. H-11061 SF

) DEFAULT ORDER

14  
15  
16 Respondent, HUDSON BRADFORD BRETT, having been duly noticed and  
17 failing to appear at the hearing in this matter, is now in default. It is, therefore, ordered that a  
18 default be entered on the record in this matter.

19 IT IS SO ORDERED September 28, 2011.

20  
21 BARBARA BIGBY  
22 Acting Real Estate Commissioner

23  
24 By: *Phillip Hyde*  
25 PHILLIP HYDE  
26 Northern Regional Manager  
27

FLAG

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RICHARD K. UNO, Counsel (SBN 98275)  
Department of Real Estate  
P. O. Box 187007  
Sacramento, CA 95818-7007  
  
Telephone: (916) 227-0789  
(916) 227-2380 (Direct)

**FILED**  
MAY 12 2011

DEPARTMENT OF REAL ESTATE  
By R. Uno

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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|------------------------------------|---|----------------------|
| In the Matter of the Accusation of | ) |                      |
|                                    | ) | H-11061 SF           |
| HUDSON BRADFORD BRETT,             | ) |                      |
|                                    | ) | <u>FIRST AMENDED</u> |
|                                    | ) | <u>ACCUSATION</u>    |
| Respondent.                        | ) |                      |
|                                    | ) |                      |

The Complainant, E. J. HABERER, II, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against HUDSON BRADFORD BRETT, (Respondent), is informed and alleges as follows:

1

Complainant makes this Accusation against Respondent in his official capacity.

2

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code (the Code) as a real estate broker.

3

On or about April 15, 2008, in the Superior Court of the State of California, County of Monterey, Case No. MS 260466A, Respondent was convicted of violating Section

1 243(e) of the California Penal Code (Battery Spouse/Cohabitant), a misdemeanor and a crime  
2 which bears a substantial relationship under Section 2910, Title 10, California Code of  
3 Regulations, (the Regulations), to the qualifications, functions or duties of a real estate licensee.

4 4

5 On or about December 3, 2009, in the Superior Court of the State of California,  
6 County of Monterey, Case No. MS 281009, Respondent was convicted of violating Section  
7 484(a) of the California Penal Code (Theft Personal Property), a misdemeanor and a crime  
8 which bears a substantial relationship under Section 2910 of the Regulations to the  
9 qualifications, functions or duties of a real estate licensee.

10 5

11 On or about February 26, 2010, in the Superior Court of the State of California,  
12 County of Monterey, Case No. MS 283133A, Respondent was convicted of violating Section  
13 484(a) of the California Penal Code (Theft Personal Property), a misdemeanor and a crime  
14 which bears a substantial relationship under Section 2910 of the Regulations to the  
15 qualifications, functions or duties of a real estate licensee. The Court further found that  
16 Respondent violated probation ordered in Case No. MS 232843A by the plea entered in Case  
17 No. MS 283133A.

18 6

19 On or about March 8, 2011, in the Superior Court of the State of California,  
20 County of Monterey, Case. No. MS 291298A, Respondent was convicted of violating Section  
21 647(f) of the Penal Code (Disorderly Conduct: Public Intoxication), a misdemeanor and a crime  
22 which bears a substantial relationship under Section 2910 of the Regulations to the  
23 qualifications, functions or duties of a real estate licensee.

24 FACTORS IN AGGRAVATION

25 7

26 On or about September 21, 1999, in the Superior Court of the State of California,  
27 County of Monterey, Case No. M 86083, Respondent was convicted of violating Section

1 23152(a) of the Vehicle Code (Driving Under the Influence of Alcohol or a Drug), a  
2 misdemeanor.

3 8

4 On or about March 23, 2005, in the Superior Court of the State of California,  
5 County of Monterey, Case No. MS 232843 A, Respondent was convicted of violating Section  
6 23152(b) of the Vehicle Code (Driving Under the Influence of Alcohol or a Drug), a  
7 misdemeanor.

8 9

9 On or about June 26, 2006, in the Superior Court of the State of California,  
10 County of Monterey, Case No. MS 24599949A, Respondent was convicted of violating Section  
11 273(g) of the Penal Code (Immoral Acts Before Child), a misdemeanor.

12 10

13 The facts alleged in Paragraphs 3 through 6, above, constitute cause under  
14 Sections 10177(b) (Further Grounds for Disciplinary Action- Conviction of Crime) and 490  
15 (Conviction of Substantially Related Crime) of the Code for the suspension or revocation of  
16 Respondent's license under the Real Estate Law.

17 WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
18 of this Accusation and that upon proof thereof, a Decision be rendered imposing disciplinary  
19 action against all licenses and license rights of Respondent under the Code, and for such other  
20 and further relief as may be proper under provisions of law.

21  
22  
23   
24 E. J. HABERER, II  
Deputy Real Estate Commissioner

25 Dated at Oakland, California,  
26 this 11<sup>th</sup> day of May, 2011.



1 RICHARD K. UNO, Counsel (SBN 98275)  
2 Department of Real Estate  
3 P. O. Box 187007  
Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789  
5 (916) 227-2380 (Direct)

FILED

FEB - 8 2011

DEPARTMENT OF REAL ESTATE

By K. Mat

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

10 \* \* \*

11 In the Matter of the Accusation of )  
12 HUDSON BRADFORD BRETT, ) H-11061 SF  
13 Respondent. ) ACCUSATION  
14 )

15 The Complainant, E. J. HABERER, II, a Deputy Real Estate Commissioner of  
16 the State of California, for cause of Accusation against HUDSON BRADFORD BRETT,  
17 (Respondent), is informed and alleges as follows:

18 1

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

20 2

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

24 3

25 On or about April 15, 2008, in the Superior Court of the State of California,  
26 County of Monterey, Case No. MS 260466A, Respondent was convicted of violating Section  
27 243(e) of the California Penal Code (Battery Spouse/Cohabitant), a misdemeanor and a crime

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5 County of Monterey, Case No. MS 281009, Respondent was convicted of violating Section  
6 484(a) of the California Penal Code (Theft Personal Property), a misdemeanor and a crime  
7 which bears a substantial relationship under Section 2910 of the Regulations to the  
8 qualifications, functions or duties of a real estate licensee.

9 5

10 The facts alleged in Paragraphs 3 and 4, above, constitute cause under Sections  
11 10177(b) (Further Grounds for Disciplinary Action- Conviction of Crime) and 490 (Conviction  
12 of Substantially Related Crime) of the Code for the suspension or revocation of Respondent's  
13 license under the Real Estate Law.

14 FACTORS IN AGGRAVATION

15 6

16 On or about September 21, 1999, in the Superior Court of the State of California,  
17 County of Monterey, Case No. M 86083, Respondent was convicted of violating Section  
18 23152(a) of the California Vehicle Code (Driving Under the Influence of Alcohol or a Drug), a  
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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, and for such other  
and further relief as may be proper under provisions of law.



E. J. HABERER, II  
Deputy Real Estate Commissioner

Dated at Oakland, California,  
this 4th day of February 2011.