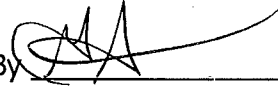


FILED

February 15, 2012

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DEPARTMENT OF REAL ESTATE

By 

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

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	
	)	H-11323 SF
MICHAEL FEDELE CISTERNINO,	)	
	)	<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 MICHAEL FEDELE CISTERNINO, (herein "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 (herein "the Code") as a real estate salesperson.

3

On or about January 18, 2011, in the Superior Court of the State of California, County of Los Angeles, Case No. LA 066355, Respondent was convicted of violating Section 11366 of the California Health and Safety Code (Maintaining a Place for Sale of Illegal

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

4 4

5 The facts alleged in Paragraph 3, above, constitute cause under Section 10177(b)
6 (Further Grounds for Disciplinary Action-Conviction of Crime) and Section 490 (Conviction
7 Substantially Related Crime) of the Code for suspension or revocation of Respondent's license
8 under the Real Estate Law.

9 COST RECOVERY

10 Section 10106 of the Code provides, in pertinent part, that in any order issued in
11 resolution of a disciplinary proceeding before the department, the commissioner may request the
12 administrative law judge to direct a licensee found to have committed a violation of this part to
13 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

14 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this
15 Accusation and that upon proof thereof, a decision be rendered revoking all licenses and license
16 rights of Respondent(s) under the Real Estate Law (Part 1 of Division 4 of the Business and
17 Professions Code), for the cost of investigation and enforcement as permitted by law, and for
18 such other and further relief as may be proper under other provisions of law.

19
20 
21 E. J. HABERER, II
22 Deputy Real Estate Commissioner

23 Dated at Oakland, California

24 this 13 day of February, 2012.
25
26
27