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FILED

APR -4 2013

DEPARTMENT OF REAL ESTATE

By *K. Contreras*

9 BEFORE THE DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of )  
13 EDWARD DOCKSUNG KANG, ) NO. H-11539 SF  
14 Respondent. ) ACCUSATION

15 The Complainant, Robin S. Tanner, a Deputy Real Estate Commissioner of  
16 the State of California, for cause of Accusation against EDWARD DOCKSUNG KANG,  
17 (hereinafter "Respondent"), is informed and alleges as follows:

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19 The Complainant makes this Accusation against Respondent in her official  
20 capacity.

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

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26 On or about September 18, 2012, in the Superior Court of California, County of  
27 Santa Clara, Case No. C1229743, Respondent was convicted of Section 23153(b) (driving under

1 the influence of drugs or alcohol and causing bodily injury to another) with an enhancement  
2 pursuant to Section 23578 (refusal to submit to alcohol concentration testing) of the California  
3 Vehicle Code, a felony which bears a substantial relationship under Section 2910, Title 10,  
4 California Code of Regulations (hereinafter "Regulations"), to the qualifications, functions, or  
5 duties of a real estate licensee.

6 4

7 The facts alleged in Paragraph 3 constitute cause under Sections 490 (conviction  
8 of a substantially related crime), 10177(b) (further grounds for disciplinary action as to a real  
9 estate licensee – conviction of a crime), and/or 10166.051(b) (further grounds for disciplinary  
10 action as to mortgage loan originator license endorsement pursuant to 10166.05(b) – conviction  
11 of a substantially related crime) of the Code for suspension or revocation of all licenses and  
12 license rights of Respondent under the Real Estate Law.

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14 On January 8, 2013, a diligent search was made of the records of the Department  
15 of Real Estate (hereinafter the "Department") relating to Respondent's Real Estate Broker  
16 License No. 01092369. As a result of said search, no record or written notice was received from  
17 Respondent notifying the Department within 30 days of the bringing of an indictment,  
18 information, or other method of charging a felony against the Respondent.

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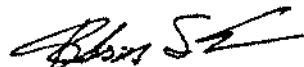
20 The facts alleged in Paragraph 5 indicate Respondent's failure to comply with  
21 Sections 10186.2(a)(1)(A) and 10186.2(a)(2) (failure to report in writing to the Department any  
22 bringing of an indictment or information charging a felony within 30 days) of the Code, and  
23 constitute cause under Section 10177(d) (willful disregard or violation of the Real Estate Law) of the  
24 Code for revocation of all licenses and license rights of Respondent under said Real Estate Law.

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26 Section 10106 of the Code provides, in pertinent part, that in any order issued in  
27 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  
2 part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the  
3 case.

4 WHEREFORE, Complainant prays that a hearing be conducted on the  
5 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing  
6 disciplinary action against all licenses and license rights of Respondent under the Real Estate  
7 Law (Part 1 of Division 4 of the Business and Professions Code), and for such other and further  
8 relief as may be proper under other provisions of law.

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13 ROBIN S. TANNER  
14 Deputy Real Estate Commissioner

15 Dated at Oakland, California,  
16 this 22<sup>nd</sup> day of February, 2013.

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