

1 RICHARD K. UNO, Counsel III (SBN 98275)  
2 Bureau of Real Estate  
3 P. O. Box 137007  
4 Sacramento, CA 95813-7007

5 Telephone: (916) 263-8670  
6 (916) 263-8679 (Direct)  
7 (916) 263-3767 (Fax)

**FILED**

OCT 01 2015

BUREAU OF REAL ESTATE

By B. Nicholas

8  
9 BEFORE THE BUREAU OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of )  
13 COLIN GRAEME MACKENZIE, )  
14 Respondent. )

No. H-11889 SF

ACCUSATION

15 The Complainant, ROBIN S. TANNER, a Supervising Special Investigator of the  
16 State of California, for cause of Accusation against COLIN GRAEME MACKENZIE,  
17 (Respondent), is informed and alleges as follows:

18 1

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

20 2

21 At all times herein mentioned, Respondent was and is presently licensed and/or  
22 has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and  
23 Professions Code (the Code) by the Bureau of Real Estate (the Bureau) as a real estate broker.

24 3

25 On or about July 31, 2014, in the Superior Court of the State of California, County  
26 of Marin, Case No. SC 186454, Respondent was convicted of violating Section 20 of the  
27 California Vehicle Code (concealing material facts in DMV document), a misdemeanor and a

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

3 4

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

8 5

9 A diligent search was made of the records of the Bureau relating to Respondent's  
10 Real Estate Broker License. As a result of said search, no record was discovered having been  
11 received from Respondent notifying the Bureau, in writing, of any conviction.

12 6

13 The facts alleged above, in Paragraphs 3 and 5, constitute a violation of Section  
14 10186.2 (failure to report in writing, a conviction within 30 days) of the Code, and are grounds  
15 for revocation of all licenses and license rights of Respondent under Section 10177(d) of the  
16 Code.

17 7

18 Section 10106 of the Code provides, in pertinent part, that in any order issued  
19 in resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the  
20 administrative law judge to direct a licensee found to have committed a violation of this part to  
21 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

22 ///

23 ///

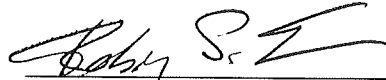
24 ///

25 ///

26 ///

27 ///

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

7 

8 ROBIN S. TANNER  
9 Supervising Special Investigator

10 Dated at Oakland, California

11 this 10<sup>th</sup> day of September, 2015.  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27