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BUREAU OF REAL ESTATE

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:)	No. H-11955 SF
)	
PATRICK BENJAMIN BUMB,)	<u>ACCUSATION</u>
)	
Respondent.)	
)	

The Complainant, ROBIN S. TANNER, acting in her official capacity as a Supervising Special Investigator for the State of California, brings this cause of Accusation against PATRICK BENJAMIN BUMB ("Respondent"), and is informed and alleges as follows:

1.

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

CRIMINAL CONVICTION

2.

On or about November 10, 2015, in the Superior Court of the State of California, County of Santa Clara, Case Number C1506150, Respondent was convicted of violating felony Vehicle Code section 23135(b) (driving with a blood alcohol level at or above .08% and causing injury) and misdemeanor Vehicle Code section 12500(a) (driving while unlicensed), crimes

1 which bear 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 FAILURE TO NOTIFY BUREAU OF CRIMINAL CONVICTIONS

4 3.

5 A diligent search was made of the records of the Bureau of Real Estate
6 ("Bureau") relating to Respondent's real estate salesperson license No. 01913911. As a result
7 of said search, no record was discovered having been received from Respondent notifying the
8 Bureau, in writing, of any arrest, conviction, indictment or license disciplinary action occurring
9 on or after January 1, 2012.

10 GROUND FOR DISCIPLINE

11 4.

12 The facts alleged above in Paragraph 2 constitute grounds under sections 490 and
13 10177(b) (conviction of a crime) of the Business and Professions Code ("the Code") for
14 suspension or revocation of all licenses and license rights of Respondent under the Real Estate
15 Law.

16 5.

17 The facts alleged above in Paragraphs 2 and 3 indicate Respondent's failure to
18 comply with sections 10186.2(a)(1)(A), 10186.2(a)(1)(B) and 10186.2(a)(2) (failure to report in
19 writing to the Bureau of an indictment or information charging a felony and/or a conviction of
20 any felony or misdemeanor against Respondent within 30 days) of the Code, which constitute
21 grounds under section 10177(d) (willful disregard or violation the Real Estate Law), for
22 revocation of all licenses and license rights of Respondent under said Real Estate Law.

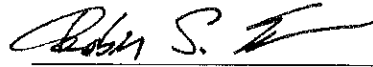
23 COST RECOVERY

24 6.

25 The Bureau will seek to recover costs of the investigation and prosecution of this
26 case pursuant to section 10106 of the Code which provides, in pertinent part, that in any order
27 issued in resolution of a disciplinary proceeding before the Bureau, the Commissioner may

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

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 revoking all licenses and
6 license rights of Respondent under the Real Estate Law, for the costs of investigation and
7 enforcement as permitted by law, and for such other and further relief as may be proper under
8 other provisions of law.

9 

10 ROBIN S. TANNER
Supervising Special Investigator

11 Dated at Oakland, California, on
12 this 8th day of March, 2016.

13 DISCOVERY DEMAND

14 Pursuant to sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
15 Bureau hereby makes demand for discovery pursuant to the guidelines set forth in the
16 *Administrative Procedure Act*. Failure to provide Discovery to the Bureau may result in the
17 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
18 Administrative Hearings deems appropriate.