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FILED

MAR 10 2021

DEPARTMENT OF REAL ESTATE
By J. Taggart

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:)
12) NO. H-12496 SF
13)
13 TINA LOUISE THOMAS,) ACCUSATION
14)
14 Respondent.)
15)

16 The Complainant, STEPHANIE YEE, in her official capacity as a Supervising
17 Special Investigator of the State of California, Department of Real Estate ("Department"), for
18 cause of Accusation against TINA LOUISE THOMAS ("Respondent"), is informed and alleges
19 as follows:

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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 ("Code"), as a restricted real
23 estate broker, License No.01207953, whose license expires on December 31, 2020.

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1 PRIOR DISCIPLINE

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3 On or about April 30, 2008, the Department filed a First Amended Accusation,
4 DRE No. H-2101 FR, against Respondent seeking revocation of Respondent's real estate
5 broker license on the grounds that Respondent violated Sections 10130, 10137, and 10177(d)
6 of the Code.

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8 On or about May 12, 2008, Respondent signed a Stipulation and Agreement
9 with the Department, wherein Respondent agreed that her acts and/or omissions, as described
10 in Accusation H-2101 FR, violated Sections 10137 and 10177(d) of the Code. The Stipulation
11 and Agreement became effective July 24, 2008.

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13 As a result of the Stipulation and Agreement, described above in Paragraph 3,
14 Respondent's real estate broker license was revoked; provided, however, that a restricted real
15 estate broker license be issued to Respondent for a period of two years.

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17 Respondent has not petitioned the Department to remove any of the conditions,
18 limitations, or restrictions of the restricted real estate broker license. As of the date of this
19 filing, Respondent's real estate broker license remains restricted.

20 CRIMINAL CONVICTION

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22 On or about February 26, 2020, in the Superior Court of California, County of
23 Alameda, Case No. 19-CR-015113, Respondent was convicted of violating California Penal
24 Code Section 32 (accessory after the fact), a misdemeanor and a crime that bears a substantial
25 relationship to the qualifications, functions, or duties of a real estate licensee pursuant to Section
26 2910, Title 10, California Code of Regulations.

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1 FAILURE TO DISCLOSE

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3 A diligent search was made of the records of the Department for Respondent's
4 license and no record or written notice was received from Respondent notifying the
5 Department within thirty days of the conviction of the crime described above in Paragraph 6.

6 GROUND S FOR DISCIPLINE

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8 The facts alleged in Paragraph 6, above, constitute cause under Sections 490
9 (conviction of crime) and 10177(b) (conviction of crime) of the Code for the suspension or
10 revocation of all licenses and license rights of Respondent under the Real Estate Law.

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12 The facts alleged in Paragraph 7, above, constitute cause under Sections 10186.2
13 (reporting requirements) and 10177(d) (willful disregard of Real Estate Law) of the Code for
14 suspension or revocation of all licenses and license rights of Respondent under the Real Estate
15 Law.

16 COST RECOVERY

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

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

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9 STEPHANIE YEE
 Supervising Special Investigator

10 Dated at Oakland, California,
11 this 4th day of January, 2021.

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21 DISCOVERY DEMAND

22 Pursuant to sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
23 Department hereby makes demand for discovery pursuant to the guidelines set forth in the
24 *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the
25 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
26 Administrative Hearings deems appropriate.
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