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FILED

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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-12532 SF
13 JACKY SHIUMAN CHOW,)
14) ACCUSATION
Respondent.)

15 The Complainant, STEPHANIE YEE, acting in her official capacity as a
16 Supervising Special Investigator of the State of California, for this Accusation against JACKY
17 SHIUMAN CHOW ("Respondent"), is informed and alleges as follows:

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

22 2

23 On or about December 28, 2018, in the Superior Court of the State of California,
24 County of Sonoma, Case No. SCR-719995-1, Respondent was convicted of violating Sections
25 20002(a) (hit and run) and 23152(b) (driving under the influence-over .08%) of the California
26 Vehicle Code, misdemeanors and crimes that bear a substantial relationship to the qualifications,

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1 functions or duties of a real estate licensee pursuant to Section 2910, Title 10, of the California
2 Code of Regulations.

3 3

4 On January 14, 2021, a diligent search was made of the records of the Department
5 of Real Estate ("Department") relating to Respondent's real estate salesperson license No.
6 01025595. No record or written notice was received from Respondent notifying the Department,
7 in writing, of any arrest, conviction, indictment or license disciplinary action.

8 GROUND FOR DISCIPLINE

9 4

10 The facts alleged in Paragraph 2, above, constitute cause under Sections 490
11 (conviction of substantially related crime), 10177(b) (conviction of substantially related crime),
12 and 10177(j) (fraud or dishonest dealing) of the Code for the suspension or revocation of all
13 licenses and license rights of Respondent under the Real Estate Law.

14 5

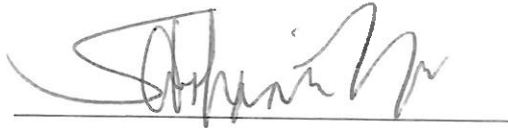
15 Respondent's failure to report the conviction to the Department, as described in
16 Paragraph 3, above, violates Section 10186.2 (a) (conviction reporting requirements) of the
17 Code, and constitutes cause under Section 10177(d) (willful disregard or violation of Real Estate
18 Law) of the Code for the suspension or revocation of all licenses and license rights of
19 Respondent under the Real Estate Law.

20 COST RECOVERY

21 6

22 The Department will seek to recover the costs of the investigation and prosecution
23 of this case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any
24 order issued in resolution of a disciplinary proceeding before the Department, the Commissioner
25 may request the administrative law judge to direct a licensee found to have committed a violation
26 of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement
27 of the case.

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 Real Estate Law, for the
4 cost of investigation and enforcement as permitted by law, and for such other and further relief as
5 may be proper under other provisions of law.

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8 STEPHANIE YEE
9 Supervising Special Investigator

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

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14 DISCOVERY DEMAND

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