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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-12533 SF
13 DAVID K. COX,)
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 DAVID K.
17 COX ("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 broker.

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23 On or about September 5, 2018, in the Superior Court of the State of California,
24 County of Santa Clara, Case No. C1780893, Respondent was convicted of violating Section
25 23153(b) (driving under the influence-over .08% and causing injury) of the California Vehicle
26 Code, a misdemeanor and a crime that bears 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 broker license No. 00906555.
6 No record or written notice was received from Respondent notifying the Department, in writing,
7 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) and 10177(b) (conviction of substantially related
12 crime) of the Code for the suspension or revocation of all licenses and license rights of
13 Respondent under the Real Estate Law.

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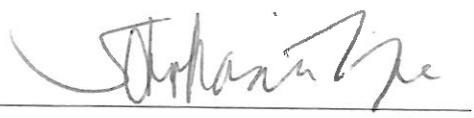
15 Respondent's failure to report the conviction to the Department, as described in
16 Paragraph 3, above, violates Section 10186.2 (a) (conviction reporting requirements) of the
17 Code, and constitutes cause under Section 10177(d) (willful disregard or violation of Real Estate
18 Law) of the Code for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

20 COST RECOVERY

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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.

6 
7 STEPHANIE YEE
8 Supervising Special Investigator

9 Dated at Oakland, California,
10 this 10th day of May, 2021.
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12 DISCOVERY DEMAND
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14 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
15 Department hereby makes demand for discovery pursuant to the guidelines set forth in the
16 *Administrative Procedure Act*. Failure to provide Discovery to the Department 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.
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