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FILED
AUG 28 2023
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-12694 SF
13 CYRUS ELIJAH AGBONTAEN PALMER,)
14 Respondent.) ACCUSATION

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 CYRUS
17 ELIJAH AGBONTAEN PALMER (“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 July 19, 2021, in the Superior Court of the State of California,
24 County of Merced, Case No. 20CR-05400, Respondent was convicted of violating Section
25 29820(b) (convicted person in possession of a firearm) of the California Penal Code, a felony
26 and a crime that bears a substantial relationship to the qualifications, functions, or duties of a real
27 estate licensee pursuant to Section 2910, Title 10, Chapter 6, of the California Code of

1 Regulations.

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3 On February 9, 2023, a diligent search was made of the records of the Department
4 of Real Estate ("Department") relating to Respondent's real estate salesperson license No.
5 02081779. No record or written notice was received within 30 days from Respondent notifying
6 the Department, in writing, of any conviction, license disciplinary action, criminal complaint,
7 information, or indictment charging a felony.

8 GROUNDS FOR DISCIPLINE

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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.

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 MATTER IN AGGRAVATION

21 6

22 On or about October 29, 2015, in the Superior Court of the State of California,
23 County of San Francisco, Case No. 221944, Respondent was convicted of violating Section
24 25850(a) (carrying a loaded firearm) of the California Penal Code, a misdemeanor.

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1 COST RECOVERY

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

9 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
10 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
11 action against all licenses and license rights of Respondent under the Real Estate Law, for the
12 cost of investigation and enforcement as permitted by law, and for such other and further relief
13 as may be proper under other provisions of law.

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15 STEPHANIE YEE

16 Supervising Special Investigator

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18 Dated at Oakland, California,
19 this 23rd day of August, 2023.

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22 DISCOVERY DEMAND

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