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**FILED**

JAN 12 2012

DEPARTMENT OF REAL ESTATE

BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )	No. H- 37784 LA
ERIC NICHOLAS ENGELBERT, )	<u>A C C U S A T I O N</u>
Respondent. )	

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against ERIC NICHOLAS ENGELBERT ("Respondent"), alleges as follows:

1.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the

1 California Business and Professions Code ("Code"), as a real  
2 estate broker.

3 3.

4 On or about June 16, 2011, in the Superior Court of  
5 the State of California, Orange County, in Case No. 10HF0753,  
6 Respondent pled guilty and was convicted of violating Health and  
7 Safety Code Sections 11358 (cultivating marijuana) and 11359  
8 (possession of marijuana for sale), both felonies. Respondent  
9 was sentenced to three years probation, 45 days in jail (or 45  
10 days of Cal Trans community service), and ordered to pay fines.

11 4.

12 These convictions, by their facts and circumstances,  
13 bear a substantial relationship under Section 2910, Title 10,  
14 Chapter 6, California Code of Regulations to the qualifications,  
15 functions or duties of a real estate licensee.

16 5.

17 The crimes of which Respondent was convicted  
18 constitute cause under Sections 490 and 10177(b) of the Code for  
19 the suspension or revocation of the license and license rights  
20 of Respondent under the Real Estate Law.

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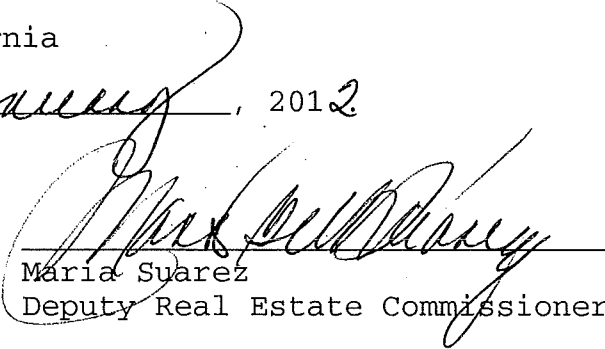
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1 WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against all the licenses and license rights of  
5 Respondent, ERIC NICHOLAS ENGELBERT, under the Real Estate Law  
6 (Part 1 of Division 4 of the Business and Professions Code) and  
7 for such other and further relief as may be proper under other  
8 applicable provisions of law.

9 Dated at Los Angeles, California

10 this 4th day of January, 2012

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14 Maria Suarez  
15 Deputy Real Estate Commissioner  
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24 cc: ERIC NICHOLAS ENGELBERT  
25 Maria Suarez  
26 Sacto.  
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