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FILED

APR 23 2012

DEPARTMENT OF REAL ESTATE

BY: 

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H- 38079 LA
12 MARK C. BARKER,) A C C U S A T I O N
13 Respondent.)
14 _____)

15
16 The Complainant, Maria Suarez, a Deputy Real Estate
17 Commissioner of the State of California, for cause of Accusation
18 against MARK C. BARKER, a.k.a. Mark Crawford Barker
19 ("Respondent"), alleges as follows:

20 1.

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

24 2.

25 Respondent is presently licensed and/or has license
26 rights under the Real Estate Law, Part 1 of Division 4 of the
27

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

3 3.

4 On or about December 7, 2010, in the Superior Court of
5 the State of California, Orange County, in Case No. 10HF1419FA,
6 Respondent pled guilty and was convicted of: (1) one count for
7 violation of Vehicle Code Section 23153(A) (driving under the
8 influence causing bodily injury), a misdemeanor; (2) one count
9 for violation of Vehicle Code Section 23153(B) (driving with
10 blood alcohol 0.08% or more causing bodily injury), a
11 misdemeanor; and (3) one count for violation of Vehicle Code
12 Section 20002(A) (hit and run with property damage), a
13 misdemeanor. Respondent was sentenced to three years probation,
14 60 days in jail, and ordered to: pay fines, pay restitution to
15 the victim in an amount to be determined, and complete a three-
16 month First Offender Alcohol program. In addition, Respondent's
17 driver's license was suspended for one year beginning December
18 12, 2009.

19 4.

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

24 5.

25 The crimes of which Respondent was convicted
26 constitutes cause under Sections 490 and 10177(b) of the Code
27

1 for the suspension or revocation of the license and license
2 rights of Respondent under the Real Estate Law.

3 6.

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


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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of Respondent MARK C. BARKER under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other provisions of law.

Dated at Los Angeles, California.

this 17th day of April, 2012.



Maria Suarez
Deputy Real Estate Commissioner

cc: MARK C. BARKER
Maria Suarez
Sacto.