

**FILED**

**OCT 17 2013**

**BUREAU OF REAL ESTATE**

By John Clavin

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8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11	In the Matter of the Accusation of	)	No. H-39102 LA
12	MICHELLE MARIA PAULA SMITH,	)	<u>ACCUSATION</u>
13	Respondent.	)	

15 The Complainant, Robin Trujillo, a Deputy Real Estate  
16 Commissioner of the State of California, for cause of accusation  
17 against MICHELLE MARIA PAULA SMITH, alleges as follows:

18 I

19 The Complainant, Robin Trujillo, a Deputy Real Estate  
20 Commissioner of the State of California, makes this Accusation in  
21 her official capacity.

22 II

23 MICHELLE MARIA PAULA SMITH (hereinafter referred to as  
24 "Respondent") is presently licensed and/or has license rights  
25 under the Real Estate Law (Part 1 of Division 4 of the Business  
26 and Professions Code, hereinafter referred to as the "Code").  
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III

Respondent was licensed by the Department of Real Estate of the State of California as a real estate salesperson effective December 8, 2007.

IV

On or about December 20, 2010, in the County of Los Angeles, Superior Court of California, Respondent was convicted of violating Penal Code Section 666 (petty theft with priors).

V

The above referenced matter bears a substantial relationship to the qualifications, functions, or duties of a real estate licensee, Title 10, Chapter 6, Section 2910, California Administrative Code.

VI

Respondent's conviction alleged in Paragraph IV is cause under Code Sections 490 and 10177(b) for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

Business and Professions Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the department, the commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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 licenses and license rights of Respondent  
5 MICHELLE MARIA PAULA SMITH, for the cost of investigation and  
6 enforcement as permitted by law, under the Real Estate Law (Part  
7 1 of Division 4 of the Business and Professions Code) and for  
8 such other and further relief as may be proper under other  
9 applicable provisions of law.

10 Dated at Los Angeles, California,

11 this 5 day of June, 2013.

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14 ROBIN TRUJILLO  
15 Deputy Real Estate Commissioner  
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25 cc: Michelle Maria Paula Smith  
26 Robin Trujillo  
27 Sacto.