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1 JULIE TO, Counsel (SBN 219482)
2 Bureau of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013
5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6916

FILED

NOV 25 2013

BUREAU OF REAL ESTATE

By 

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

11 In the Matter of the Accusation of) No. H-39172 LA
12 DENISE ELIZABETH STRAND,)
13 Respondent.) A C C U S A T I O N
14)

15 The Complainant, Maria Suarez, a Deputy Real Estate
16 Commissioner of the State of California for cause of Accusation
17 against DENISE ELIZABETH STRAND, a.k.a. Denise Elizabeth Moss
18 ("Respondent") alleges as follows:

19 1.

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

23 2.

24 Respondent is presently licensed and/or has license
25 rights under the Real Estate Law, Part 1 of Division 4 of the
26 California Business and Professions Code as a real estate
27 salesperson.

1 3.

2 (CRIMINAL CONVICTION)

3 On or about July 9, 2012, in the Superior Court of
4 the State of California, Riverside County, in Case No.
5 INM1203912, Respondent was charged with violation of Penal Code
6 Section 490.5 (shoplifting - theft, value less than \$400.00), a
7 misdemeanor. On or about July 17, 2012, Respondent pled
8 guilty and was convicted for violation of Penal Code Section
9 490.5, a misdemeanor. Respondent was sentenced to six months
10 probation and ordered to pay fines. In addition, Respondent
11 was ordered to stay away from Costco in Palm Desert.

12 4.

13 This conviction, by its facts and circumstances,
14 bears a substantial relationship under Section 2910, Title 10,
15 Chapter 6, California Code of Regulations to the
16 qualifications, functions or duties of a real estate licensee.

17 5.

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

22 6.

23 (FAILURE TO REPORT)

24 Respondent did not report in writing to the Bureau of
25 Real Estate ("Bureau"), the bringing of the complaint charging
26 the aforementioned misdemeanor against her, within 30 days of
27 the bringing of the complaint (filed July 9, 2012); neither

1 did Respondent report in writing to the Bureau her plea of
2 guilty to the aforementioned misdemeanor (entered July 17,
3 2012). Respondent's failure to report the complaint and her
4 subsequent guilty plea constitute cause for discipline under
5 Business and Professions Code Section 10186.2¹ of the license
6 and license rights of Respondent under the Real Estate Law.

7 7.

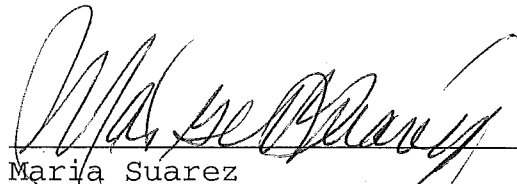
8 California Business and Professions Code Section
9 10106 provides, in pertinent part, that in any order issued in
10 resolution of a disciplinary proceeding before the Bureau, the
11 Commissioner may request the administrative law judge to direct
12 a licensee found to have committed a violation of this part to
13 pay a sum not to exceed the reasonable costs of investigation
14 and enforcement of the case.

15
16
17 ¹ Pursuant to Business and Professions Code 10186.2: (a)(1) A licensee shall
18 report any of the following to the Bureau: (A) The bringing of an indictment
19 or information charging a felony against the licensee. (B) The conviction
20 of the licensee, including any verdict of guilty, or plea of guilty or no
21 contest, of any felony or misdemeanor. (c) Any disciplinary action taken by
22 another licensing entity or authority of this state or of another state or
23 an agency of the federal government. (2)The report required by this
24 subdivision shall be made in writing within 30 days of the date of the
25 bringing of the indictment or the charging of a felony, the conviction, or
26 the disciplinary action. (b) Failure to make a report required by this
27 section shall constitute a cause for discipline.

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/or license rights under the
5 Real Estate Law (Part 1 of Division 4 of the California
6 Business and Professions Code) of Respondent DENISE ELIZABETH
7 STRAND, for the cost of investigation and enforcement as
8 permitted by law, and for such other and further relief as may
9 be proper under applicable provisions of law.

10 Dated at Los Angeles, California

11 this 7th day of November, 2013.

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14 
15 Maria Suarez
16 Deputy Real Estate Commissioner
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23 cc: DENISE ELIZABETH STRAND
24 Maria Suarez
25 Sacto.
26
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