

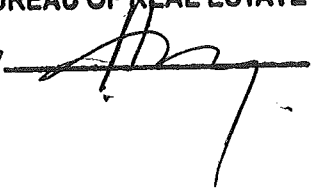
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FILED

JUN 26 2014

BUREAU OF REAL ESTATE

By 

8 **BEFORE THE BUREAU OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Accusation of) No. H- 39508 LA
12)
13 CARLOS A. FERNANDEZ,) A C C U S A T I O N
14) Respondent.)

15 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the
16 State of California, acting in her official capacity, for cause of Accusation against CARLOS A.
17 FERNANDEZ aka Carlos Alberto Fernandez ("Respondent") alleges as follows:

18 1.

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 broker.

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1 (CRIMINAL CONVICTIONS)

2 2.

3 On or about December 20, 2012, in the Superior Court of California, County of
4 Los Angeles, in Case No. GA088168, Respondent was convicted of violating Vehicle Code
5 Sections 23152(a) (Driving Under the Influence), and 23152(b) (Driving with Blood Alcohol
6 Above 0.08%), both felonies. These crimes are substantially related to the qualifications,
7 functions or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California
8 Code of Regulations.

9 3.

10 On or about November 15, 2012, in the Superior Court of California, County of
11 Los Angeles, in Case No. 2MP11426, Respondent was convicted of violating Vehicle Code
12 Sections 23152(a) (Driving Under the Influence), 23152(b) (Driving with Blood Alcohol Above
13 0.08%) and 14601.5(a) (Driving While License Suspended), all misdemeanors. These crimes
14 are substantially related to the qualifications, functions or duties of a real estate licensee under
15 Section 2910, Title 10, Chapter 6, California Code of Regulations.

16 (IN AGGRAVATION)

17 4.

18 In aggravation, on or about December 1, 2010, in the Superior Court of
19 California, County of Los Angeles, in Case No. 0PK07009, Respondent was convicted of
20 violating Vehicle Code Sections 23152(b)(Driving with Blood Alcohol Above 0.08%), and
21 14601.5(a) (Driving While License Suspended), both misdemeanors. These crimes are
22 substantially related to the qualifications, functions or duties of a real estate licensee under
23 Section 2910, Title 10, Chapter 6, California Code of Regulations.

24 5.

25 In aggravation, on or about December 1, 2010, in the Superior Court of
26 California, County of San Bernardino, in Case No. TWV1001810, Respondent was convicted
27 of violating Vehicle Code Section 23152(b)(Driving with Blood Alcohol Above 0.08%), a

1 misdemeanor. This crime is substantially related to the qualifications, functions or duties of a
2 real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

3 6.

4 The crimes of which Respondent was convicted, as described above, constitute
5 cause under Sections 490 and 10177(b) of the Business & Professions Code for the suspension
6 or revocation of the license and license rights of Respondent under the Real Estate Law.

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

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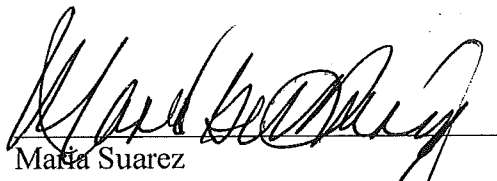
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1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all the licenses and license rights of Respondent, CARLOS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

7 Dated at Los Angeles, California: 23 June 2014.

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11 Maria Suarez
12 Deputy Real Estate Commissioner
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25 cc: Carlos A. Fernandez
26 Maria Suarez
27 Sacto.