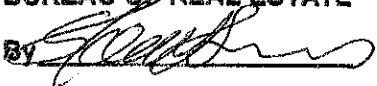


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**FILED**  
JUN 23 2016  
BUREAU OF REAL ESTATE  
By 

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of ) CalBRE No. H-40294 LA  
)  
CARLOS RAFAEL AVALOS, )  
) ACCUSATION  
Respondent. )

The Complainant, Maria Suarez, a Supervising Special Investigator for the Bureau of Real Estate ("Bureau") of the State of California, for cause of Accusation against ("Respondent"), is informed and alleges as follows:

1.

The Complainant, Maria Suarez, a Supervising Special Investigator for the Bureau, 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 California Business and Professions Code, ("Code")) as a real estate salesperson. Respondent's license is scheduled to expire on December 15, 2019, unless renewed.

1 CAUSE OF ACCUSATION

2 3.

3 On or about January 16, 2014, in the Superior Court of California, County of  
4 Los Angeles, in Case No. 3NW02508, Respondent pled nolo contendere to and was convicted  
5 of violating Vehicle Code section 23152(b) [Driving under the influence of alcohol with blood  
6 alcohol of 0.08% or greater], and section 23540 [Second offense driving under the influence of  
7 alcohol/drugs within 10 years], misdemeanors.

8 4.

9 On or about August 21, 2015, in the Superior Court of California, County of  
10 Los Angeles, in Case No. 5NW02176, Respondent pled nolo contendere to and was convicted  
11 of violating Vehicle Code section 23152(b) [Driving under the influence of alcohol with blood  
12 alcohol of 0.08% or greater], a misdemeanor.

13 5.

14 The convictions alleged above in Paragraphs 3 and 4, and the circumstances  
15 surrounding said convictions bear a substantial relationship to the qualifications, functions or  
16 duties of a real estate licensee under Section 2910 of the Regulations of the Real Estate  
17 Commissioner, Title 10, Chapter 6, California Code of Regulations.

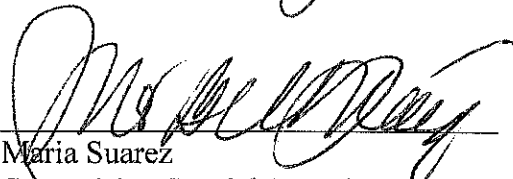
18 6.

19 Respondent's convictions constitute cause under Sections 490 and 10177(b) of  
20 the Code for suspension or revocation of all licenses and license rights of Respondent under the  
21 Real Estate Law.

22 Code Section 10106 provides, in pertinent part, that in any order issued in  
23 resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the  
24 Administrative Law Judge to direct a licensee found to have committed a violation of this part  
25 to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the  
26 case.  
27

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 licenses and license rights of Respondent CARLOS RAFAEL  
4 AVALOS 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  
6 and further relief as may be proper under other provisions of law.

7                   Dated at Los Angeles, California this 22<sup>nd</sup> day of June 2016.  
8 2016.

9  
10   
11 Maria Suarez  
12 Supervising Special Investigator

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17 cc: CARLOS RAFAEL AVALOS  
18 Maria Suarez  
19 VIP Enterprises Inc.  
20 Sacto.  
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