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FILED

MAR 13 2017

BUREAU OF REAL ESTATE

By *AA Slone*

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

10 * * *

11 In the Matter of the Accusation of) No. H-40578 LA
12)
13 ERIN ANN TOUSSIENG,) ACCUSATION
14) Respondent.)

15 The Complainant, Tricia Parkhurst, a Supervising Special Investigator of the
16 State of California for cause of Accusation against ERIN ANN TOUSSIENG aka Erin Ann
17 Willoughby ("Respondent") alleges as follows:

18 1.

19 The Complainant, Tricia Parkhurst, a Supervising Special Investigator of the
20 State of California, makes this Accusation in her official capacity.

21 2.

22 Respondent is presently licensed and/or has license rights under the Real Estate
23 Law, Part 1 of Division 4 of the California Business and Professions Code as a real estate
24 broker (license no. 01806883). Respondent's license expired on June 5, 2015. The Bureau of
25 Real Estate retains jurisdiction over the license pursuant to California Business and Professions
26 Code section 10103.
27

(CRIMINAL CONVICTIONS)

3.

On or about April 16, 2015, in the Scottsdale City Court, Arizona, case no. M-0751-TR-2014019674, Respondent was convicted of violating Arizona Revised Statutes 28-1382A2 (driving under the influence with a blood alcohol level of 0.20 percent or more), a misdemeanor. Respondent was sentenced to serve forty-five (45) days in confinement and pay a total of \$3,335.20 in fines and fees. This crime is substantially related to the qualifications, functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

4.

On or about January 12, 2016, in the Superior Court of California, County of Orange, case no. 15HM13116, Respondent was convicted of violating California Vehicle Code sections 23152(a) (driving under the influence of alcohol) and 23152(b) (driving with a blood alcohol level of 0.08 percent or more), both misdemeanors, with an enhancement pursuant to California Vehicle Code 23538(b)(2) (enhancement of blood alcohol level of 0.20 percent or more). In part, Respondent was sentenced to five (5) years of formal probation, revocation of her driver's license for one (1) year, attend and complete eighteen (18) months Multiple Offender Alcohol Program, and pay various fines and fees. Respondent was also designated a habitual traffic offender. These crimes are substantially related to the qualifications, functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

5.

On or about March 1, 2016, in the Superior Court of California, County of Orange, case no. 16CF0261, Respondent was convicted of violating California Vehicle Code sections 23152(a) (driving under the influence of alcohol with three or more prior convictions) and 23152(b) (driving with a blood alcohol level of 0.08 percent or more with three or more prior convictions), both felonies, with an enhancement pursuant to California Vehicle Code

1 section 23538(b)(2) (blood alcohol level of 0.20 percent or more). In part, Respondent was
2 sentenced to five (5) years of formal probation, serve 180 days in county jail, revocation of her
3 driver's license for one (1) year, attend and complete eighteen (18) months of Multiple
4 Offender Alcohol Program, and pay various fines and fees. Respondent was also designated a
5 habitual traffic offender. These crimes are substantially related to the qualifications, functions,
6 or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of
7 Regulations.

8 6.

9 In aggravation, on or about April 4, 2005, in the Superior Court of California,
10 County of Orange, case no. 04HM09963, Respondent was convicted of violating California
11 Vehicle Code sections 23152(b) (driving with a blood alcohol level of 0.08 percent or more)
12 and 20002(a) (hit and run with property damage), both misdemeanors. In part, Respondent was
13 sentenced to three (3) years of informal probation, attend a nine (9) month Level 2 First
14 Offender Alcohol Program, pay restitution, and pay various fines and fees.

15 7.

16 The crimes of which Respondent was convicted, as described above, constitute
17 cause under California Business and Professions Code sections 490 and 10177(b) for the
18 suspension or revocation of the license and license rights of Respondent under the Real Estate
19 Law.


20
21 (COSTS)

22 8.

23 California Business and Professions Code section 10106 provides, in pertinent
24 part, that in any order issued in resolution of a disciplinary proceeding before the bureau, the
25 Commissioner may request the administrative law judge to direct a licensee found to have
26 committed a violation of this part to pay a sum not to exceed the reasonable costs of
27 investigation and enforcement of the case.

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/or license rights under the Real Estate Law (Part 1 of
4 Division 4 of the California Business and Professions Code) of Respondent ERIN ANN
5 TOUSSIENG for the costs of investigation and enforcement as permitted by law, and for such
6 other and further relief as may be proper under applicable provisions of law.

7 Dated at Sacramento, California: March 7, 2017.

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10 _____
11 Tricia Parkhurst
12 Supervising Special Investigator

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25 cc: ERIN ANN TOUSSIENG
26 Tricia Parkhurst
27 Sacto.