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FILED

AUG 03 2017

BUREAU OF REAL ESTATE

By John Clark

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

9 * * *

10 In the Matter of the Accusation of) No. H-40738 LA
11)
12 TESSA MAE WILKERSON,) **ACCUSATION**
13)
14 Respondent.)

15 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
16 State of California, for cause of Accusation against TESSA MAE WILKERSON
17 (“Respondent”) alleges as follows:

18 1.

19 The Complainant, Veronica Kilpatrick, 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 (“Code”) as a real
24 estate salesperson, Bureau of Real Estate (“BRE” or “Bureau”) license ID number 01987103.

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1 FIRST CAUSE FOR DISCIPLINE

2 (CRIMINAL CONVICTION)

3 3.

4 On or about May 17, 2016, a felony complaint in The People of the State of
5 California v. Tessa Mae Wilkerson was filed against Respondent in the Superior Court of the
6 State of California, County of Riverside, in Case No. RIF1602294, for violation of: Penal Code
7 (“PC”) Section 550(A)(1) (knowingly present and cause to be presented a false and fraudulent
8 claim for payment of a loss under a contract for insurance) (Count 1) and PC Section 550(B)(1)
9 (willfully and unlawfully present or cause to be presented any written or oral statement as part
10 of, or in support of or opposition to a claim for payment or other benefit pursuant to an
11 insurance policy, knowing that the statement contains any false or misleading information
12 concerning any material fact) (Count 2). On or about October 4, 2016, Respondent pled guilty
13 to and was convicted for violation of Count 2; on the same day, Respondent was sentenced to
14 thirty-six (36) months summary probation and ninety (90) days in county jail, and ordered to
15 pay victim restitution in the amount of \$608.00 and court fees and costs.

16 4.

17 The crime of which Respondent was convicted, by its facts and circumstances,
18 bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of
19 Regulations to the qualifications, functions or duties of a real estate licensee.

20 5.

21 The crime of which Respondent was convicted constitutes cause under
22 **California Business and Professions Code Sections 490 and 10177(b)** for the suspension or
23 revocation of the license and license rights of Respondent under the Real Estate Law.

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1 SECOND CAUSE FOR DISCIPLINE
2 (FAILURE TO REPORT FELONY COMPLAINT)

3 6.

4 Respondent did not report in writing to the Bureau, the bringing of the felony
5 complaint charging two felony violations against Respondent, within thirty (30) days of the
6 filing of the complaint (May 17, 2016). Respondent's failure to report the felony complaint
7 constitutes cause for discipline under **Business and Professions Code Section**
8 **10186.2(a)(1)(A)**¹ of the license and license rights of Respondent under the Real Estate Law.

9 THIRD CAUSE FOR DISCIPLINE
10 (FAILURE TO REPORT FELONY CONVICTION)

11 7.

12 Respondent did not report in writing to the Bureau, the felony conviction
13 described above, within thirty (30) days of the conviction date (October 4, 2016).
14 Respondent's failure to report the felony conviction constitutes cause for discipline under
15 **Business and Professions Code Section 10186.2(a)(1)(B)** of the license and license rights of
16 Respondent under the Real Estate Law.

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

1 COSTS

2 8.

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

8 WHEREFORE, Complainant prays that a hearing be conducted on the
9 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
10 disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of
11 Division 4 of the California Business and Professions Code) of Respondent TESSA MAE
12 WILKERSON, for the cost of investigation and enforcement as permitted by law, and for such
13 other and further relief as may be proper under applicable provisions of law.

14 Dated at San Diego, California

15 this 28th day of July, 2017.

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20 _____
21 Veronica Kilpatrick
22 Supervising Special Investigator

23 cc: TESSA MAE WILKERSON
24 EC Real Estate Enterprise, Inc.
25 Veronica Kilpatrick
26 Sacto.
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