

STEVE CHU, Counsel (SBN 238155)
Bureau of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105

Telephone: (213) 620-6430
Fax: (213) 576-6917

FILED

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BUREAU OF REAL ESTATE

By John Alyn

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-40768 LA
)	
MARCELA CLEMENTE,)	<u>A C C U S A T I O N</u>
)	
Respondent.)	
)	

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for cause of Accusation against MARCELA CLEMENTE, a.k.a. MARCELA TORRES ("Respondent"), is informed and alleges as follows:

1.

The Complainant, Maria Suarez, acting in her official capacity as a Supervising Special Investigator of the State of California, makes this Accusation against MARCELA CLEMENTE.

2.

Respondent presently 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.

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Accusation of Marcela Clemente

1 3.

2 In aggravation, on or about June 26, 2006, Respondent pled guilty and was
3 convicted in the Superior Court of California, County of Orange, Case No. 06NM06723, for
4 violation of California Vehicle Code Section 23152(a) (Driving Under The Influence), a
5 misdemeanor, and Vehicle Code Section 23152(b) (Driving With A Blood Alcohol Level Of
6 0.08 Percent Or Higher), a misdemeanor. Respondent was placed on three years of informal
7 probation, and ordered to pay fines and fees. Additionally, Respondent was ordered to
8 complete a 9 months First Offender Alcohol Program.

9 4.

10 On or about December 19, 2016, Respondent pled guilty and was convicted in
11 the Superior Court of California, County of Orange, Case No. 16NM09462, for violation of
12 California Vehicle Code Section 23152(a) with enhancement under Vehicle Code
13 Section 23540 (Driving Under The Influence), a misdemeanor, and Vehicle Code
14 Section 20002(a) (Hit And Run), a misdemeanor. Respondent was placed on three years of
15 informal probation, and ordered to serve 35 days in jail stayed and pay restitution, fines and
16 fees. Additionally, Respondent was ordered to complete Outpatient Program, 3 month Level 1
17 First Offender Alcohol Program, and Victim Impact Counseling.

18 5.

19 The convictions described in Paragraph 4 bear a substantial relationship under
20 Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications,
21 functions or duties of a real estate licensee.

22 6.

23 The crimes of which Respondent was convicted, as described in Paragraph 4
24 above, constitute cause under Sections 490 and 10177(b)(1) of the Code for the suspension or
25 revocation of all the licenses and license rights of Respondent under the Real Estate Law.

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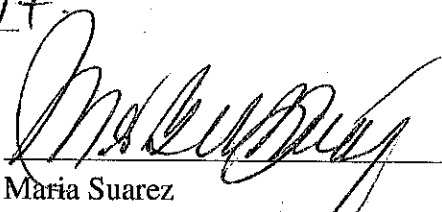
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Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau of Real Estate, the Commissioner may request the administrative law judge to direct a licensee found to have committed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

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of Respondent MARCELA CLEMENTE under the Real Estate Law, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 18th day of August, 20 17.


Maria Suarez
Supervising Special Investigator

cc: MARCELA CLEMENTE
Top Producers A & L, Inc. DBA RE/MAX Top Producers
Maria Suarez
Sacto.