

FILED

JAN 29 2018

BUREAU OF REAL ESTATE

By *Alouis*

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of	)	CalBRE No. H-40840 LA
	)	
DAVID DEAN ABBOTT,	)	
	)	
Respondent(s).	)	

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DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on January 10, 2018, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) Respondent DAVID DEAN ABBOTT’S (hereinafter “Respondent”) express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license and/or license rights on grounds of conviction of a crime that is substantially related to the qualifications, functions or duties of a real estate licensee.

Pursuant to Government Code Section 11521, the Bureau of Real Estate (hereinafter “Bureau”) may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Bureau’s power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On October 26, 2017, Maria Suarez made the Accusation in her official capacity as a Supervising Special Investigator of the Bureau. The Accusation, Statement to Respondent,

and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Bureau on November 2, 2017.

2.

On January 10, 2018, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

3.

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 (herein "the Code") as a real estate broker. The license expired November 15, 2016.

4.

To date, the Bureau of Real Estate has incurred costs totaling \$390.85.

5.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on November 2, 2017, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

The criminal conviction, as described in Paragraph 5 of the Findings of Fact, constitutes cause under Sections 490 and 10177(b) of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

2.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

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ORDER

All licenses and licensing rights of Respondent DAVID DEAN ABBOTT under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on 2/16/18.

DATED: 1/24/18.

WAYNE S. BELL  
REAL ESTATE COMMISSIONER

By:   
DANIEL J. SANERI  
Chief Deputy Commissioner

1 Bureau of Real Estate  
320 West Fourth St, Ste 350  
2 Los Angeles, CA, 90013

**FILED**

JAN 10 2018

BUREAU OF REAL ESTATE

By R. P. [Signature]

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of	)	CalBRE NO. <b><i>H-40840 LA</i></b>
	)	
12 DAVID DEAN ABBOTT,	)	<u>DEFAULT ORDER</u>
	)	
13 Respondent.	)	
	)	

15 Respondent DAVID DEAN ABBOTT, having failed to file a Notice of  
16 Defense within the time required by Section 11506 of the Government Code, is now in  
17 default. It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED 10 January 2018.

19 WAYNE BELL  
20 REAL ESTATE COMMISSIONER

21  
22 By: [Signature]  
23 MARIA SUAREZ  
Regional Manager

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