

1 LISSETE GARCIA, Counsel (SBN 211552)
Bureau of Real Estate
2 320 West 4th Street, Suite 350
Los Angeles, California 90013-1105
3 Telephone: (213) 576-6982
Direct: (213) 576-6914
4 Fax: (213) 576-6917
Attorney for Complainant

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BUREAU OF REAL ESTATE

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BEFORE THE BUREAU OF REAL ESTATE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation against) CalBRE No. H-40912 LA
DAVID L. COOPER,)
Respondent.) ACCUSATION

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator for the Bureau of Real Estate ("Bureau") of the State of California, for cause of Accusation against DAVID L. COOPER aka David Lester Cooper ("Respondent"), is informed and alleges as follows:

1.

The Complainant, Veronica Kilpatrick, 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").

1 3.

2 From April 18, 1986, through the present, Respondent has been licensed by the Bureau
3 as a real estate broker, License ID 00804175. Said license is scheduled to expire on June 20,
4 2018, unless renewed. Respondent has renewal rights pursuant to Code section 10201. The
5 Bureau retains jurisdiction pursuant to Code section 10103.

6 CAUSES OF ACCUSATION

7 2015 Conviction

8 4.

9 On or about August 24, 2015 before the Superior Court of California, San Diego
10 County, in Case No. M094888, Respondent pled guilty to and was convicted of violating
11 California Labor Code section 3700.5(a) (failure to secure payment of workers' compensation
12 insurance), a misdemeanor.

13 5.

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

18 6.

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

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1 Failure to Report Misdemeanor Conviction

2 7.

3 Code section 10186.2, subdivision (a)(1)(B), requires that licensees report any felony or
4 misdemeanor conviction. Code section 10186.2, subdivision(a)(2), requires that licensees make
5 a report in writing to the Bureau within 30 days of the bringing of an indictment, the charging of
6 a felony, or a misdemeanor or felony conviction.

7 8.

8 On September 25, 2017, a diligent search was made of the Bureau's records for
9 Respondent and no record or written notice was found to have been received from Respondent
10 notifying the Bureau of Respondent's misdemeanor conviction as described above in Paragraph
11 4. Respondent's failure to provide timely written notice to the Bureau pursuant to Code section
12 10186.2 constitutes cause for the suspension or revocation of Respondent's real estate
13 salesperson license and license rights under Code sections 10186.2(b), 10177(d) and/or
14 10177(g).

15 COST RECOVERY

16 9.

17 Code section 10106 provides, in pertinent part, that in any order issued in resolution of a
18 disciplinary proceeding before the Bureau, the Commissioner may request the Administrative
19 Law Judge to direct a licensee found to have committed a violation of this part to pay a sum not
20 to exceed the reasonable costs of the investigation and enforcement of the case.

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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 licenses and license rights of Respondent under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other provisions of law.

Dated at San Diego, California this 10th day of January, 2018.

VERONICA KILPATRICK
Supervising Special Investigator

cc: David L. Cooper
Veronica Kilpatrick
Sacto.