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FILED

APR 05 2019

DEPT. OF REAL ESTATE

By *John C. Gentry*

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-41221 LA
13)
14 DON SABIN FERREIRA,) ACCUSATION
15)
16 Respondent.)
17 _____)

18 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
19 State of California, for cause of Accusation against DON SABIN FERREIRA, also known as
20 Don Sabin McCusker, ("Respondent") alleges as follows:

21 1.

22 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
23 State of California, makes this Accusation in her official capacity.

24 2.

25 Respondent presently has license rights under the Real Estate Law, Part 1 of
26 Division 4 of the California Business and Professions Code ("Code"), as a real estate broker
27 (License ID 01059938). Respondent's license is scheduled to expire on May 10, 2020, unless
renewed.

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ACCUSATION

1 FIRST CAUSE OF ACCUSATION

2 (CRIMINAL CONVICTIONS)

3 3.

4 On or about December 1, 2017, in the Superior Court of California, County of
5 Riverside, Case No. INF1701253, Respondent was convicted on pleas of guilty for violation of
6 Penal Code section 246.3 (negligent discharge of a firearm) and violation of Penal Code section
7 245(a)(2) (assault with a firearm), both misdemeanors. Respondent was placed on summary
8 probation for 36 months on certain terms and conditions, including in part, commitment to the
9 custody of the Riverside County Sheriff for 30 days, with credit for time served of 2 actual days
10 plus 2 days pursuant to Penal Code section 4019, with 26 days to be served in the Work Release
11 Program, completion of 20 hours of community service through the Alternative Sentencing
12 Program, completion of a 52 week Domestic Violence Program, compliance with the Criminal
13 Protective Order, and Respondent is not annoy, harass, or disturb the peace of the victim, and
14 payment of fines and fees

15 4.

16 The convictions, as described in Paragraph 3 above, bear a substantial
17 relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the
18 qualifications, functions or duties of a real estate licensee.

19 5.

20 The crimes of which Respondent was convicted, as described in Paragraph 3
21 above, constitute cause under Sections 490 and 10177(b) of the Code for the suspension or
22 revocation of the license and license rights of Respondent under the Real Estate Law.

23 SECOND CAUSE OF ACCUSATION

24 (FAILURE TO REPORT CONVICTIONS)

25 6.

26 Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "the
27 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any

ACCUSATION

1 felony or misdemeanor” to the Department of Real Estate (“Department”) within thirty (30)
2 days of the conviction. Respondent failed to report in writing to the Department the convictions
3 described in Paragraph 3 above, within thirty (30) days of the conviction date.

4 7.

5 Respondent’s failure to timely report the convictions constitutes cause under
6 Section 10186.2 of the Code for the suspension or revocation of the license and license rights of
7 Respondent under the Real Estate Law.

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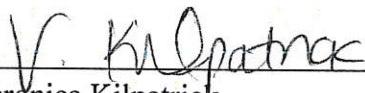
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1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all the licenses and license rights of Respondent DON SABIN
4 FERREIRA under the Real Estate Law, for the costs of investigation and enforcement as
5 permitted by law, and for such other and further relief as may be proper under other applicable
6 provisions of law.

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8 Dated at San Diego, California this 27 day of February, 2018.
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11 
12 Veronica Kilpatrick
13 Supervising Special Investigator
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26 cc: DON SABIN FERREIRA
27 Veronica Kilpatrick
Sacto.