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FILED

MAY 18 2020

DEPT. OF REAL ESTATE

By 

7 BEFORE THE DEPARTMENT OF REAL ESTATE
8 STATE OF CALIFORNIA

9 * * *

10 In the Matter of the Accusation of) No. H-41673 LA
11 JUSTIN DRAYTON GRAHAM,) ACCUSATION
12)
13 Respondent.)
14)

15 The Complainant, Maria Suarez, a Supervising Special Investigator of the State of
16 California, for cause of Accusation against JUSTIN DRAYTON GRAHAM ("Respondent") is
17 informed and alleges as follows:

18 1.

19 The Complainant, Maria Suarez, a Supervising Special Investigator of the State of
20 California, makes this Accusation in her official capacity.

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DRE LICENSE HISTORY

2.

A. 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"), as a real estate broker ("REB"), Department of Real Estate ("DRE" or "Department") license ID number 01403858.

B. Respondent was first licensed as a REB by the Department on or about November 20, 2003.

C. Respondent has two (2) DBAS under his DRE license, for Cornerwest and Suburban Landmarks, both active as of April 15, 2019.

D. Respondent is the designated REB of record for real estate corporation ("REC") JG1811, Inc., DRE license ID number 02103254, until his officer expiration date of November 21, 2023.

E. Respondent has two real estate salespersons ("RES") licensed under his REB license.

F. Respondent also holds a mortgage loan originator ("MLO") endorsement, Nationwide Multistate Licensing System ("NMLS") ID number 838682 with a current status of "Approved-Inactive."

G. Respondent's license expired on April 17, 2020. Pursuant to Business and Professions Code ("Code") Section 10201 Respondent retains renewal rights. Pursuant to Code Section 10103 the Department retains jurisdiction.

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APPLICABLE SECTIONS OF THE REAL ESTATE LAW

3.

Further Grounds for Disciplinary Action – Code Section 10177

Pursuant to Code Section 10177 *Further Grounds for Disciplinary Action*: “The commissioner may suspend or revoke the license of a real estate licensee, delay the renewal of a license of a real estate licensee, or deny the issuance of a license to an applicant, who has done any of the following:

...

(f) Acted or conducted himself or herself in a manner that would have warranted the denial of his or her application for a real estate license, or either had a license denied or had a license issued by another agency of this state, another state, or the federal government revoked, surrendered, or suspended for acts that, if done by a real estate licensee, would be grounds for the suspension or revocation of a California real estate license, if the action of denial, revocation, surrender, or suspension by the other agency or entity was taken only after giving the licensee or applicant fair notice of the charges, an opportunity for a hearing, and other due process protections comparable to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), and only upon an express finding of a violation of law by the agency or entity...”

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CAUSE FOR DISCIPLINE

(LICENSE DISCIPLINE BY ANOTHER CALIFORNIA AGENCY)

4.

State Bar Court No. 16-O-11526-YDR

On or about September 21, 2017, in State Bar Court of California No. 16-O-11526-YDR, Respondent's State Bar license, State Bar Number ("SBN") 219791 was suspended for two (2) years from the practice of law, stayed, placed on two (2) years probation, and actually suspended for ninety (90) days from the practice of law, for Respondent's violations of: Business and Professions Code, section 6104 (appearing as an attorney for a party without authority); Business and Professions Code, section 6068(c) (failure to maintain a legal or just action); and Business and Professions Code, section 6068(d) (misleading the court).

5.

(Aggravation) State Bar Court Nos. 16-O-13178 (16-O-18173)

On or about May 10, 2018, the Supreme Court of California, in State Bar Court Nos. 16-O-13178 (16-O-18173), ordered that Respondent, State Bar Number 219791, be suspended from the practice of law for one (1) year, stayed, and that Respondent be placed on probation for one (1) year subject to compliance with the probation conditions recommended by the State Bar Court Hearing Department's Order Approving Stipulation of January 18, 2018, for Respondent's violations of: Rules of Professional Conduct, rule 3-110(A) (failure to perform legal services with competence); Rules of Professional Conduct, rule 4-100(A) (failure to maintain the balance of funds received for the benefit of a client) (2 counts); Business and Professions Code section 6106 (acts of moral turpitude, dishonesty or corruption); and Rules of Professional Conduct, rule 3-310(C)(1) (accepting representation of more than one client in a matter in which the interests of the clients potentially conflicted without obtaining informed written consent from each client).

1 6.

2 The actual suspension of Respondent's State Bar license, as alleged herein above
3 in Paragraph 4, constitute cause for the suspension or revocation of the real estate broker license
4 and license rights of Respondent pursuant to Business and Professions Code Section 10177(f).

5 **COSTS OF INVESTIGATION AND ENFORCEMENT**

6 7.

7 Business and Professions Code Section 10106 provides, in pertinent part, that in
8 any order issued in resolution of a disciplinary proceeding before the Department of Real Estate,
9 the Commissioner may request the administrative law judge to direct a licensee found to have
10 committed a violation of this part to pay a sum not to exceed the reasonable costs of the
11 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 JUSTIN DRAYTON GRAHAM 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 Los Angeles, California
this 24th day of April, 2020.



Maria Suarez
Supervising Special Investigator

cc: JUSTIN DRAYTON GRAHAM
Maria Suarez
Sacto.