FILED

NOV 19 2020

DEPT OF REAL ESTATE

ANDREA BENTLER, Counsel (SBN 319369)
Department of Real Estate
320 West 4th Street, Suite 350

Los Angeles, California 90013-1105

Telephone: Direct: (213) 576-6982

Fax:

(213) 576-6905 (213) 576-6917

Attorney for Complainant

6

1

2

3

4

5

7

8

9

10

11

12

13

14

15

16 17

18

19

20 21

22

23

24 25

26

27

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-41827 LA
RICHARD CANTU III,)	ACCUSATION
Respondent.)	
)	

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for cause of Accusation against RICHARD CANTU III ("Respondent"), also known as Richard Cantu, and Richard III Cantu, alleges as follows:

1.

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

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 (License ID 01512609). Respondent's license is scheduled to expire on September 14, 2022, unless renewed.

ACCUSATION

FIRST CAUSE OF ACCUSATION

(CRIMINAL CONVICTIONS)

3.

4 5

On or about January 11, 2019, in the Superior Court of California, County of Orange, Case No. 18HM09073, Respondent was convicted on a plea of nolo contendere for Count 1) violation of Vehicle Code section 23152(a) (driving under the influence of alcohol); Count 2) violation of Vehicle Code section 23152(b) (driving with a blood alcohol of 0.08% or more); and Count 3) violation of Vehicle Code section 20002(a) (hit and run with property damage), all misdemeanors. The Court stayed the sentence for the Count 2 conviction pursuant to Penal Code section 654. As to Counts 1 and 3, Respondent was placed on informal probation for three years on certain terms and conditions, including, in part, serving one day in Orange County Jail, with credit for time served of one day, completing forty-nine hours of community service in lieu of fine(s) as directed by OneOC, completing forty hours of community service as directed by One OC to run consecutive with forty-nine hours of community service, completion of a nine month Level One First Offender Alcohol Program, payment of victim restitution in an amount to be determined, and payment of fees and fines.

4.

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

5.

The crimes of which Respondent was convicted, as described in Paragraph 3 above, constitute 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.

ACCUSATION

SECOND CAUSE OF ACCUSATION (FAILURE TO REPORT CONVICTIONS)

6.

Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "the conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or misdemeanor" to the Department of Real Estate ("Department") within thirty (30) days of the conviction. Respondent failed to report in writing to the Department the convictions described in Paragraph 3 above, within thirty (30) days of the conviction date.

7.

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

(COSTS OF INVESTIGATION AND ENFORCEMENT)

8.

California Business and Professions 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.

26 /

27 | /

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 RICHARD CANTU		
4	III under the Real Estate Law, for the costs of investigation and enforcement as permitted by		
5	law, and for such other and further relief as may be proper under other applicable provisions of		
6	law.		
7			
8	Dated at Los Angeles, California thisday ofday of, 2020.		
9			
10	(Marian Constitution of the constitution of th		
11	1/2 Mill May		
12	Mària Suarez Supervising Special Investigator		
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23	·		
24			
-25	cc: RICAHRD CANTU III		
26	Evergreen Realty Partners, Inc. Maria Suarez		
27	Sacto.		