

1 JUDITH B. VASAN, Counsel (SBN 278115)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6982
6 Direct: (213) 576-6904
7 Fax: (213) 576-6917
8 *Attorney for Complainant*

FILED
JAN 13 2021
DEPT. OF REAL ESTATE
By: @Selow

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation Against) No. H-41835 LA
13)
14 BRADLEY RONALD FOX,) ACCUSATION
15) Respondent.)

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
17 State of California, for cause of Accusation against BRADLEY RONALD FOX
18 ("Respondent") alleges as follows:

19 1.

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

22 2.

23 Respondent is presently licensed and/or has license rights under the Real Estate
24 Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a
25 restricted real estate salesperson (License ID 01930328). Respondent's restricted license is set
26 to expire on May 3, 2023, unless renewed.

27 ///

(PRIOR LICENSE DISCIPLINE)

3.

On or about August 8, 2014, in Case No. H-39573 LA, the Department of Real Estate ("Department") filed a Statement of Issues in response to Respondent's application of for a real estate salesperson license. The Statement of Issues alleged that Respondent's criminal convictions for violation of Penal Code section 524 (extortion), a felony, in 2002, Vehicle Code section 23152(a) (driving under the influence), a misdemeanor, in 2005, and Penal Code section 261.5(c) (sex with a minor more than 3 years younger), a felony, in 2006, were grounds to deny Respondent a real estate license pursuant to Code sections 480(a) and 10177(b).

4.

On or about December 18, 2014, the Office of Administrative Hearings in Los Angeles, California, in Case No. 2014100532, heard the matter of Respondent's application for a license. On or about January 16, 2015, the Administrative Law Judge issued a Proposed Decision denying Respondent a real estate salesperson license, but granting Respondent a right to a restricted salesperson license.

5.

On or about March 2, 2015, in Case No. H-39573 LA, the Real Estate Commissioner ("Commissioner") of the Department of Real Estate ("Department") adopted the Proposed Decision dated January 16, 2015, as his Decision, which denied Respondent a real estate salesperson license, but granted Respondent a right to a restricted real estate salesperson license. The Commissioner's Decision and Order granting Respondent a restricted license required Respondent, among other conditions, to "[n]otify the Real Estate Commissioner in writing within 72 hours of any arrest."

///

///

///

///

1 (CRIMINAL CONVICTION)

2 6.

3 a. On or about December 15, 2018, as more fully set forth in Report No.
4 181200845, the Ontario Police Department arrested and booked Respondent.

5 b. On or about August 13, 2019, in the Superior Court of California, County of
6 San Bernardino, Case No. FWV19000469, Respondent was convicted on a plea of guilty for
7 violation of Penal Code section 69 (resisting executive officer), a felony, and Vehicle Code
8 section 23152(a) (driving while under the influence of alcohol), a misdemeanor. The court
9 placed Respondent on formal probation for three (3) years, under certain terms and conditions,
10 including in part, completion of one hundred (100) hours of community service and enrollment
11 in and completion of a three (3) month alcohol education program.

12 7.

13 The conviction, as described in Paragraph 6 above, bears a substantial
14 relationship under Section 2910, Title 10, Chapter 6, of the California Code of Regulations to
15 the qualifications, functions or duties of a real estate licensee.

16 8.

17 The crimes for which Respondent was convicted, as described in Paragraph 6
18 above, constitute cause under Code sections 490 and 10177(b) for the suspension or revocation
19 of the license and license rights of Respondent under the Real Estate Law.

20 (VIOLATION OF THE ORDER GRANTING RESTRICTED LICENSE)

21 9.

22 Pursuant to Code section 10177(k), the commissioner may suspend or revoke the
23 license of a real estate licensee if the licensee has “[v]iolated any of the terms, conditions,
24 restrictions, and limitations contained in an order granting a restricted license.” The Decision and
25 Order granting Respondent a restricted license required Respondent to “[n]otify the Real Estate
26 Commissioner in writing within 72 hours of any arrest.” Respondent failed to timely report to
27 the Department the arrest on December 15, 2018, that led to Respondent’s August 13, 2019,

ACCUSATION

1 conviction. Respondent's failure to timely notify the Department of his arrest constitutes a
2 violation of the terms of the restricted license and is cause under Section 10177(k) of the Code
3 for the suspension or revocation of Respondent's restricted license under the Real Estate Law.

4 (COSTS OF INVESTIGATION AND ENFORCEMENT)

5 10.

6 California Business and Professions Code section 10106, provides, in pertinent
7 part, that in any order issued in resolution of a disciplinary proceeding before the Department
8 of Real Estate, the Commissioner may request the administrative law judge to direct a licensee
9 found to have committed a violation of this part to pay a sum not to exceed the reasonable costs
10 of the investigation and enforcement of the case.

11 WHEREFORE, Complainant prays that a hearing be conducted on the
12 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
13 disciplinary action against all the licenses and license rights of BRADLEY RONALD FOX
14 under the Real Estate Law, for the costs of investigation and enforcement as permitted by law,
15 and for such other and further relief as may be proper under other applicable provisions of law.

16
17 Dated at San Diego, California this 5 day of January, 2021.

18
19 
20 _____
21 Veronica Kilpatrick
22 Supervising Special Investigator
23
24

25 cc: BRADLEY RONALD FOX
26 Veronica Kilpatrick
27 Sacto.