

FILED

DEC - 9 2020

DEPT. OF REAL ESTATE

Carla Selous

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9 **BEFORE THE DEPARTMENT OF REAL ESTATE**
10 **STATE OF CALIFORNIA**

11 * * *

12 In the Matter of the Accusation of) No. H-41847 LA
13)
14 THEODORE BRIAN CHILDERS,) 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 THEODORE BRIAN CHILDERS
20 ("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 00633084). Respondent's license expired on August 31, 2019. The Department of
Real Estate retains jurisdiction over the lapsed license pursuant to Section 10103 of the Code.

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1 FIRST CAUSE OF ACCUSATION

2 (CRIMINAL CONVICTION)

3 3.

4 On or about May 2, 2018, in the Superior Court of California, County of Los
5 Angeles, Case No. BA447058, Respondent was convicted on a plea of nolo contendere for
6 violation of Penal Code section 115(a) (procuring and offering a false or forged instrument),
7 with a special allegation within the meaning of Penal Code section 186.11(a)(2) (a pattern of
8 related felony conduct, and the pattern of related felony conduct involves the taking of more
9 than five hundred thousand dollars (\$500,000)), a felony. Respondent was ordered to serve five
10 (5) years in any state prison. The execution of the sentence was suspended, and Respondent was
11 placed on formal probation for three (3) years, on certain terms and conditions, including, in
12 part, serving three hundred sixty-five (365) days in county jail, making restitution in the amount
13 of \$10,123.39 to a named victim, making restitution in an amount of \$6,000.00 to another
14 named victim, and payment of assessments and a fine.

15 4.

16 The conviction, as described in Paragraph 3 above, bears 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 crime of which Respondent was convicted, as described in Paragraph 3
21 above, constitutes 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 CONVICTION)

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 conviction
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.

8 (COSTS OF INVESTIGATION AND ENFORCEMENT)

9 8.

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

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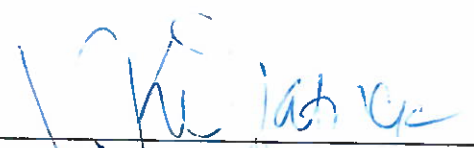
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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of Respondent THEODORE BRIAN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

Dated at San Diego, California this 19 day of October, 2020.



Veronica Kilpatrick
Supervising Special Investigator

cc: THEODORE BRIAN CHILDERS
Veronica Kilpatrick
Sacto.