

FILED

AUG 13 2021

DEPT. OF REAL ESTATE

By

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of	)	No. H-42088 LA
	)	
LOREE RENEE NICHOLS,	)	<u>ACCUSATION</u>
	)	
Respondent.	)	
	)	

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, for cause of Accusation against LOREE RENEE NICHOLS ("Respondent") alleges as follows:

1.

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

2.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

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1 LICENSE HISTORY

2 3.

3 a. Respondent has license rights under the Real Estate Law, Part 1 of Division 4
4 of the California Business and Professions Code, as a real estate broker ("REB"), Department
5 of Real Estate¹ ("Department") license ID 01225071.

6 b. The Department originally issued Respondent's REB license on or about July
7 21, 1997.

8 c. Respondent's REB license is scheduled to expire on July 4, 2022, unless
9 renewed.

10 CAUSE FOR DISCIPLINE

11 (CRIMINAL CONVICTION)

12 4.

13 June 6, 2019; Vehicle Code ("VC") Section 23153(a) - Felony

14 a. On or about February 5, 2019, in the Superior Court of California, San Diego
15 County, in Case No. CN396162, The People of the State of California v. Loree Renee Nichols.
16 a felony complaint was brought against Respondent for violation of VC Section 23153(a)
17 (driving under the influence of alcohol causing injury), a felony.

18 b. On or about March 4, 2019, in Case No. CN396162, an amended felony
19 complaint was brought against Respondent for violation of (1) VC Section 23153(a) (driving
20 under the influence of alcohol causing injury), a felony, and (2) VC Section 23153(b) (driving
21 with a measureable blood alcohol causing injury), a felony.

22 c. On or about June 6, 2019, Respondent pled guilty to and was convicted of
23 violation of VC Section 23153(a) (driving under the influence of alcohol causing injury), a
24 felony.

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27 ¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate
under the Department of Consumer Affairs.

1 d. Also on or about June 6, 2019, the Court suspended the imposition of
2 sentence and placed Respondent on summary probation for 5 years under certain terms and
3 conditions, including, in part, 30 days jail, enroll and complete first conviction program and
4 MADD program, and payment of fines and fees.

5 5.

6 The crime of which Respondent was convicted, as set forth in Paragraph 4
7 above, by its facts and circumstances, bears a substantial relationship under Section 2910, Title
8 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real
9 estate licensee and constitute cause under **Code Sections 490 and 10177(b)** for the suspension
10 or revocation of the license and license rights of Respondent under the Real Estate Law.

11 SECOND CAUSE FOR DISCIPLINE

12 (FAILURE TO REPORT)

13 6.

14 Respondent did not report in writing to the Department of a felony complaint
15 being brought against her within thirty (30) days (February 5, 2019 and March 4, 2019).

16 7.

17 Respondent did not report in writing to the Department of her conviction within
18 thirty (30) days (June 5, 2019).

19 8.

20 Respondent's failure to report felony complaints being filed against her and her
21 conviction constitutes cause for discipline under **Code Section 10186.2²** of the license and
22 license rights of Respondent under the Real Estate Law.

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25 ² Pursuant to Business and Professions Code 10186.2: (a)(1) A licensee shall report any of the following to the
26 department: (A) The bringing of an indictment or information charging a felony against the licensee. (B) The
27 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or
misdemeanor. (c) Any disciplinary action taken by another licensing entity or authority of this state or of another
state or an agency of the federal government. (2) The report required by this subdivision shall be made in writing
within 30 days of the date of the bringing of the indictment or the charging of a felony, the conviction, or the
disciplinary action. (b) Failure to make a report required by this section shall constitute a cause for discipline.

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3 **Code Section 10106** provides, in pertinent part, that in any order issued in
4 resolution of a disciplinary proceeding before the Department, the Commissioner may request
5 the administrative law judge to direct a licensee found to have committed a violation of this part
6 to pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.

7 PRAYER

8 WHEREFORE, Complainant prays that a hearing be conducted on the
9 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
10 disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of
11 Division 4 of the California Business and Professions Code) of Respondent LOREE RENEE
12 NICHOLS, for the cost of investigation and enforcement as permitted by law, and for such
13 other and further relief as may be proper under applicable provisions of law.

15 Dated at San Diego, California this 11 day of A u g u s t, 2021.

18 Veronica Kilpatrick
19 Veronica Kilpatrick
Supervising Special Investigator

20 cc: LOREE RENEE NICHOLS
21 Veronica Kilpatrick
Sacto.