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FILED
JUL 28 2022
DEPT. OF REAL ESTATE
By _____

8
9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-42361 LA
13)
14 MARTIN HO LEE,) ACCUSATION
15)
16 Respondent.)
17 _____)

18 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
19 of California, for cause of Accusation against MARTIN HO LEE ("Respondent"), alleges as
20 follows:

21 1.

22 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
23 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
27 salesperson (License ID 01974013). Respondent's license is set to expire on April 27, 2024,
unless renewed.

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ACCUSATION

1 (CRIMINAL CONVICTION)

2 3.

3 On or about October 20, 2020, in the Superior Court of California, County of
4 Ventura, Case No. 2018040323 MA, Respondent was convicted, on a plea of no contest, for
5 violation of Penal Code section 417(a)(2) (drawing or exhibiting a firearm), a misdemeanor.
6 The court suspended the imposition of sentence and placed Respondent on conditional
7 revocable release for 12 months, under certain terms and conditions, including in part, ninety
8 (90) days in county jail via work release and payment of fines and fees.

9 4.

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

13 5.

14 The crime for which Respondent was convicted, as described in Paragraph 3
15 above, constitutes cause under Code sections 490 and 10177(b) for the suspension or revocation
16 of the license and license rights of Respondent under the Real Estate Law.

17 (FAILURE TO REPORT CONVICTION)

18 6.

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

24 7.

25 Respondent's failure to timely report the conviction described in Paragraph 3
26 above constitutes cause under Section 10186.2 of the Code for the suspension or revocation of
27 the license and license rights of Respondent under the Real Estate Law.

ACCUSATION

1 (IN AGGRAVATION)

2 8.

3 On or about May 19, 2014, in the Superior Court of California, County of Los
4 Angeles, Case No. 4VY01239, Respondent was convicted, on a plea of no contest, for violating
5 Vehicle Code section 23152(a) (DUI), a misdemeanor. The court suspended the imposition of
6 sentence and placed Respondent on summary probation for 48 months, under certain terms and
7 conditions, including in part, 96 hours in county jail, completion of an 18-month licensed
8 second-offender alcohol and other drug education and counseling program, installation of an
9 ignition interlock device, and payment of fines and fees.

10 9.

11 On or about January 13, 2012, in the Superior Court of California, County of
12 Ventura, Case No. 2011038689 MA, Respondent was convicted, on a plea of guilty, for
13 violating Vehicle Code section 23152(b) (DUI with .08% BAC or higher), enhanced by
14 violation of Vehicle Code section 23578 (BAC of .15% or higher), a misdemeanor. The court
15 suspended the imposition of sentence and placed Respondent on formal probation for 36
16 months, under certain terms and conditions, including in part, 48 hours in county jail,
17 completion of a 9-month first conviction drinking driver program, and payment of fines and
18 fees.

19 10.

20 On or about January 27, 2011, in the Superior Court of California, County of
21 Ventura, Case No. 2010029428 MA, Respondent was convicted, on a plea of guilty, for
22 violating Penal Code section 594(b)(1) (vandalism over \$400), a misdemeanor. The court
23 suspended the imposition of sentence and placed Respondent on conditional revocable release
24 for 36 months, under certain terms and conditions, including in part, two (2) days in county jail
25 and payment of restitution, fines, and fees.

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ACCUSATION

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(COSTS OF INVESTIGATION AND ENFORCEMENT)

11.

California Business and Professions Code section 10106, provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department 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.

12.

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the California Government Code.

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 MARTIN HO LEE 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 Los Angeles, California
this 27th day of July, 2022.

Maria Suarez

Maria Suarez
Supervising Special Investigator

cc: MARTIN HO LEE
Margaret Jung Cho
Maria Suarez
Sacto.