

1 ANDREA BENTLER, Counsel (SBN 319369)
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) 576-6905
7 Fax: (213) 576-6917
8 *Attorney for Complainant*

FILED

JUL - 6 2022

DEPT. OF REAL ESTATE

By *@Q Selous*

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-42366 LA
13)
14 ANDREW EDWARD BROWN SR.,) ACCUSATION
15)
16 Respondent.)
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27)

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
17 State of California, for cause of Accusation against ANDREW EDWARD BROWN SR., also
18 known as Andrew Edward Brown ("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 presently has license rights under the Real Estate Law, Part 1 of
24 Division 4 of the California Business and Professions Code ("Code"), as a real estate
25 salesperson (License ID 02054866). Respondent's license is scheduled to expire on January 17,
26 2026, unless renewed.

27 //

ACCUSATION

1
2 FIRST CAUSE OF ACCUSATION

3 (CRIMINAL CONVICTIONS)

4 3.

5 On or about August 18, 2021, in the Superior Court of California, County of
6 Orange, Case No. 19CF1449, Respondent was convicted on a plea of guilty for two violations
7 of Penal Code section 502(c)(1) (computer access and fraud), both misdemeanors. The
8 imposition of the sentence was suspended. Respondent was placed on informal probation for
9 six (6) months, on certain terms and conditions, including, in part, completion of eighty (80)
10 hours of community service, and payment of fines and fees.

11 4.

12 In aggravation, on or about December 10, 2013, in the Superior Court of
13 California, County of Los Angeles, Case No. 3PK04881, Respondent was convicted on a plea
14 of nolo contendere for violation of Penal Code section 484(a) (theft), a misdemeanor. The
15 imposition of the sentence was suspended. Respondent was placed on summary probation for
16 three (3) years on certain terms and conditions, including, in part, serving one (1) day in Los
17 Angeles County Jail, less credit for one (1) day, and payment of court fines and fees.

18 5.

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

22 6.

23 The crimes of which Respondent was convicted, as described in Paragraph 3
24 above, constitute cause under Sections 490 and 10177(b) of the Code for the suspension or
25 revocation of the license and license rights of Respondent under the Real Estate Law.

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27 //

ACCUSATION

1 SECOND CAUSE OF ACCUSATION
2 (FAILURE TO REPORT CONVICTIONS)

3 7.

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

9 8.

10 Respondent’s failure to timely report the conviction constitutes cause under
11 Section 10186.2 of the Code for the suspension or revocation of the license and license rights of
12 Respondent under the Real Estate Law.

13 THIRD CAUSE OF ACCUSATION
14 (FAILURE TO DISCLOSE CONVICTIONS)

15 9.

16 On or about January 17, 2022, Respondent submitted a Salesperson Renewal
17 Application. In response to Question 13, under “BACKGROUND INFORMATION,” of
18 Respondent’s license renewal application, to wit, “WITHIN THE SIX-YEAR PERIOD PRIOR
19 TO FILING THIS APPLICATION, HAVE YOU EVER BEEN CONVICTED (SEE
20 **PARAGRAPH ON PAGE 1**) OF ANY VIOLATION OF THE LAW AT THE
21 **MISDEMEANOR OR FELONY LEVEL? IF YES, COMPLETE ITEM 19 WITH**
22 **INFORMATION ON EACH CONVICTION,”** Respondent marked “NO” and failed to
23 disclose the convictions as alleged in Paragraph 3 above in Item 19 of the license renewal
24 application.

25 10.

26 Respondent’s failure to disclose the convictions, as set forth in Paragraph 3
27 above, in his license renewal application constitutes an attempt to procure a real estate license

ACCUSATION

1 by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in an
2 application, which is grounds for denial of the issuance of a license under California Business
3 and Professions Code Section 10177(a).

4 (COSTS OF INVESTIGATION AND ENFORCEMENT)

5 11.

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 of
8 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 * * *

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

18
19 Dated at San Diego, California this 30th day of June, 2022.

20
21
22 Veronica Kilpatrick
23 Veronica Kilpatrick
24 Supervising Special Investigator

25 cc: ANDREW EDWARD BROWN SR.
26 Alta Realty Group CA, Inc.
27 Veronica Kilpatrick
Sacto.

ACCUSATION