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AUG - 2 2022

DEPT. OF REAL ESTATE

By Cal 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-42388 LA  
13 )  
14 ALBERT MAGBAG DELA CRUZ, ) 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 ALBERT MAGBAG DELA CRUZ, also  
20 known as Albert Magbag Delacruz ("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  
27 salesperson (License ID 01373531). Respondent's license is scheduled to expire on June 21,  
2024, unless renewed.

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ACCUSATION

1 FIRST CAUSE OF ACCUSATION

2 (CRIMINAL CONVICTIONS)

3 3.

4 On or about November 8, 2021, in the Superior Court of California, County of  
5 Orange, Case No. 21 WF0300, Respondent was convicted on a plea of guilty for violation of  
6 Penal Code section 594(a)/(b)(1) (vandalism – damage \$10,000 or more), violation of Penal  
7 Code section 22210 (possession of a prohibited weapon), and violation of Penal Code section  
8 594 (a)/(b)(1) (vandalism – damage \$400 or more), all misdemeanors. The imposition of the  
9 sentence was suspended. Respondent was placed on one (1) year of informal probation, on  
10 certain terms and conditions, including, in part, completion of two hundred (200) hours of  
11 community service, payment of victim restitution in an amount to be determined, and payment  
12 of fees and fines.

13 4.

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

17 5.

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

21 SECOND CAUSE OF ACCUSATION

22 (FAILURE TO REPORT CONVICTIONS)

23 6.

24 Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, “the  
25 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any  
26 felony or misdemeanor” to the Department of Real Estate (“Department”) within thirty (30)  
27

1 days of the conviction. Respondent failed to report in writing to the Department the convictions  
2 described in Paragraph 3 above, within thirty (30) days of the conviction date.

3 7.

4 Respondent's failure to timely report the convictions constitutes cause under  
5 Section 10186.2 of the Code for the suspension or revocation of the license and license rights of  
6 Respondent under the Real Estate Law.

7 (COSTS OF INVESTIGATION AND ENFORCEMENT)

8 8.

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

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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 ALBERT MAGBAG DELA CRUZ 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 28 day of July, 2022.

*Veronica Kilpatrick*

Veronica Kilpatrick  
Supervising Special Investigator

cc: ALBERT MAGBAG DELA CRUZ  
Casamerica Realtors Inc.  
Veronica Kilpatrick  
Sacto.

ACCUSATION