

FILED

JAN 24 2023

DEPT. OF REAL ESTATE

By



BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	
)	DRE No. H-42398 LA
ESTES REAL ESTATE INC.,)	
)	
Respondent(s).)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on January 3, 2023, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, ESTES REAL ESTATE INC. ("Respondent"); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses on the grounds of the violation of the Real Estate Law, Part 1 commencing with Section 10000 of the Business and Professions Code ("Code") and/or the Regulations of the Real Estate Commissioner, Title 10, Chapter 6 of the California Code of Regulations ("Regulations").

Pursuant to Government Code Section 11521, the California Department of Real Estate ("the Department") may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On November 23, 2022, Veronica Kilpatrick made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on November 29, 2022.

On January 3, 2023, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Code as a real estate broker (corporation).

3.

At all times mentioned, Respondent was licensed and/or had licensing rights issued by the Department of Real Estate as a real estate broker (corporation).

4.

At all times mentioned, in the State of California, Respondent acted as a real estate broker, conducting licensed activities within the meaning of Code Section 10131, including, but not limited to, subdivision (b) (leases or rents or offers to lease or rent, or places for rent, or solicits listings of places for rent, or solicits for prospective tenants, or negotiates the sale, purchase or exchanges of leases on real property, or on a business opportunity, or collects rents from real property, or improvements thereon, or from business opportunities).

5.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on November 29, 2022, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

6.

The allegations contained in the Accusation, incorporated herein by reference made in Paragraph 5, above, constitute cause for the suspension or revocation of all the licenses, license endorsements, and license rights of Respondent under the provisions of **Code Section 10145 and Regulation 2832.1; Code Section 10145 and Regulation 2831; Code Section 10145 and Regulation 2831.1; Code Section 10145 and Regulation 2831.2; Code Section 10145 and Regulation 2832; Code Section 10145 and Regulation 2834; Code Section 10140.6 and Regulation 2773; Code Section 10159.5 and Regulation 2731; Code Section**

10162; Regulation 2726; Code Section 10148; and Code Sections 10176(i), 10177(d), and 10177(g).

7.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

8.

To date, the DRE has incurred investigative and enforcement costs relating to this matter in the amount of \$12,270.70.

9.

To date, the DRE has incurred audit costs relating to this matter in the amount of \$14,514.68.

ORDER

All licenses and licensing rights of Respondent ESTES REAL ESTATE INC. under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on FEB 15 2023.

DATED: 1/19/2023.

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER



By: **MARCUS L. McCARTHER**
Chief Deputy Real Estate Commissioner

1 Department of Real Estate
2 1651 Exposition, Blvd.
3 Sacramento, CA, 95815

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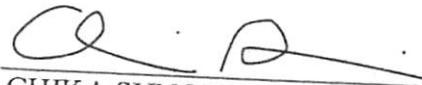
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11 In the Matter of the Accusation of:) DRE NO. *H-42398 LA*
12 ESTES REAL ESTATE INC,)
13 Respondent.) DEFAULT ORDER
14)

15 Respondent ESTES REAL ESTATE INC, having failed to file a Notice of
16 Defense within the time required by Section 11506 of the Government Code, is now in
17 default. It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED JANUARY 3, 2023..

19 DOUGLAS R. McCAULEY
20 REAL ESTATE COMMISSIONER

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22 By: 
23 CHIKA SUNQUIST
24 Assistant Commissioner, Enforcement
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26
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