

FILED

MAR 02 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-42511 LA  
)  
EULEXUS J THOMAS, )  
)  
Respondent(s). )

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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 February 6, 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, EULEXUS J THOMAS ("Respondent"); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses and/or license rights on grounds of conviction of a crime that is substantially related to the qualifications, functions or duties of a real estate licensee and Respondent's failure to timely report said conviction(s).

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 December 16, 2022, Maria Suarez 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 December 19, 2022.

On February 6, 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 California Business and Professions Code ("the Code") as a real estate salesperson.

3.

To date, the Department has incurred investigation costs (\$797.49) and enforcement costs (\$153.60), with a combined total of \$951.09. These costs are payable to the Department upon the filing by Respondent of a petition for reinstatement pursuant to Government Code Section 11522.

4.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on December 19, 2022, which is incorporated herein as part of this Decision.

#### FAILURE TO DISCLOSE

5.

A diligent search was made of the records of the Department relating to Respondent's real estate license. As a result of said search no written record was discovered having been received from Respondent notifying the Department in writing and within 30 days of either the bringing of a criminal complaint charging of a felony, the conviction of Respondent of one or more misdemeanor and/or felony convictions, and/or any disciplinary action taken by another licensing agency.

#### DETERMINATION OF ISSUES

1.

The allegations contained in the Accusation, constitute cause under Sections 490 and 10177(b) (conviction of a crime substantially related to the qualifications, functions or duties of a real estate licensee) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

2.

The allegations contained in the Accusation, also constitute cause under Sections 10177(d) (willful disregard or violation of the Real Estate Law) and 10186.2 (failure to disclose)

of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

3.

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

ORDER

All licenses and licensing rights of Respondent EULEXUS J THOMAS 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 March 22, 2023.

DATED: 2/28/23.

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER



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By: Marcus L. McCarther  
Chief Deputy Real Estate Commissioner

FILED

FEB 06 2023

DEPT. OF REAL ESTATE

By 

1 Department of Real Estate  
2 320 West Fourth St, Ste 350  
3 Los Angeles, CA, 90013  
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8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of: ) DRE NO. *H-42511 LA*  
12 )  
13 EULEXUS J THOMAS, ) DEFAULT ORDER  
14 Respondent. )

15 Respondent EULEXUS J THOMAS, 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 30, 2023.

19 DOUGLAS R. McCAULEY  
20 REAL ESTATE COMMISSIONER

21  
22 By:   
23 CHIKA SUNQUIST  
24 Assistant Commissioner, Enforcement  
25  
26  
27

# EXHIBIT A

# EXHIBIT A

FILED

DEC 19 2022

DEPT. OF REAL ESTATE

By \_\_\_\_\_

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9 Attorney for Complainant

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of  
12 EULEXUS J THOMAS,  
13 Respondent.

No. H-42511-LA  
ACCUSATION

14  
15 The Complainant, Maria Suarez, a Supervising Special Investigator for the Department of  
16 Real Estate ("Department") of the State of California, for cause of Accusation against EULEXUS  
17 J THOMAS, also known as Eulexus Janaye Thomas ("Respondent"), is informed and alleges in  
18 her official capacity as follows:

19 1. The Complainant, Maria Suarez, acting in her official capacity as a Supervising  
20 Special Investigator, makes this Accusation against Respondent.

21 2. Respondent presently has license rights under the Real Estate Law, Part 1 of  
22 Division 4 of the California Business and Professions Code ("Code"), as a real estate salesperson  
23 (License ID 02112714).

24 FIRST CAUSE OF ACCUSATION

25 (CRIMINAL CONVICTION)

26 3. On or about July 2, 2021, in Los Angeles County Superior Court, Case No.  
27 PA093237, Respondent was convicted based on her plea of nolo contendere for violation of Penal  
28 Code section 452(c) (arson – unlawfully causing a fire of a structure or forest land), a felony. The

ACCUSATION



1 court suspended imposition of sentence and placed Respondent on probation for 36 months,  
2 subject to terms and conditions including but not limited to: serving 1 day jail time, with credit for  
3 1 day for time served; performing 240 hours of community labor; making restitution to the victim;  
4 obeying the protective order; registering as a convicted arson offender pursuant to Penal Code  
5 section 457.1; paying restitution to the victim; paying a restitution fine, assessments, probation  
6 costs, and fees; completing a 26-week anger management counseling program; and completing  
7 one year of psychological counseling. Also on or about July 2, 2021, a Criminal Protective  
8 Order—Domestic Violence was issued against Respondent, restraining her from having any  
9 contact with, and ordering her to not come within 100 yards of, two protected persons.

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

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

#### 16 SECOND CAUSE OF ACCUSATION

##### 17 (FAILURE TO REPORT CONVICTION)

18 6. On or about July 2, 2021, Respondent was convicted based on her plea of nolo  
19 contendere for violation of Penal Code section 452(c) (arson – unlawfully causing a fire of a  
20 structure or forest land), a felony.

21 7. Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, “The  
22 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any  
23 felony or misdemeanor” to the Department within thirty (30) days of the conviction. Respondent  
24 failed to report in writing to the Department the conviction described in Paragraph 3 above, within  
25 thirty (30) days of the conviction date.

26 8. Respondent’s failure to timely report the conviction constitutes cause under Section  
27 10186.2 of the Code for the suspension or revocation of the license and license rights of  
28 Respondent under the Real Estate Law.

1 COSTS

2 (COSTS OF INVESTIGATION AND ENFORCEMENT)

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

8 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this  
9 Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action  
10 against all the licenses and license rights of Respondent EULEXUS J THOMAS under the Real  
11 Estate Law, for the costs of investigation and enforcement as permitted by law, and for such other  
12 and further relief as may be proper under other applicable provisions of law.

13  
14 Dated at Los Angeles, California this 16th day of December, 2022.

15  
16  
17 Maria Suarez  
18 Maria Suarez  
19 Supervising Special Investigator

20 cc: EULEXUS J THOMAS  
21 Maria Suarez  
22 Sacto.  
23  
24  
25  
26  
27  
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