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DEPARTMENT OF REAL ESTATE

By R dew

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of

ROGER GLENN MATTSON,

Respondent.

No. H-42573 LA

FIRST AMENDED ACCUSATION

The Complainant, JASON PARSON, acting in his official capacity as a Supervising Special Investigator of the State of California, for cause of Accusation against ROGER GLENN MATTSON (Respondent), is informed and alleges as follows:

1

At all times herein mentioned, Respondent was and 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) by the Department of Real Estate (the Department) as a real estate broker. Effective March 21, 2022, Respondent's real estate broker license expired.

2

On or about May 4, 2022, in the Superior Court of California, County of Los Angeles, Case No. YA104618, Respondent was convicted of violating Sections 288 (a) (Lewd Act Upon a Child Under 14) and 288 (c)(1) (Lewd Act Upon a Child of 14 or 15 Years) of the California Penal Code, both felonies and crimes which bear a substantial relationship under

1 Section 2910, Title 10, Chapter 6, California Code of Regulations (Regulations), to the  
2 qualifications, functions or duties of a real estate licensee.

3 3

4 A diligent search was made of the records of the Department, relating to  
5 Respondent's real estate broker license No. 00768768. No record or written notice was  
6 received from Respondent notifying the Department of the bringing of a criminal complaint  
7 charging a felony against Respondent within 30 days of the date of the charging of a felony. No  
8 record or written notice was received from Respondent notifying the Department of  
9 Respondent's felony convictions within 30 days of the date of the convictions.

10 4

11 The facts alleged above, in Paragraph 2, constitute grounds under Sections 490  
12 (Conviction of Crime) and 10177 (b) (Conviction of Crime) of the Code for suspension or  
13 revocation of all licenses and license rights of Respondent under the Real Estate Law.

14 5

15 The facts alleged above, in Paragraph 3, constitute a violation of Sections  
16 10186.2 (a)(1)(A), 10186.2 (a)(1)(B) and Section 10186.2 (a)(2) (Failure to Report in Writing  
17 Bringing of a Criminal Complaint and Conviction within 30 Days) of the Code, and are grounds  
18 for the suspension or revocation of all licenses and license rights of Respondent under Sections  
19 10186.2 (b) and 10177(d) (Willful Disregard of Real Estate Laws) of the Code.

20 PRIOR ADMINISTRATIVE PROCEEDINGS

21 6

22 Effective August 12, 2009, in Case No. H-35106 LA, before the  
23 Department, the Real Estate Commissioner suspended the license and licensing rights of  
24 Respondent for a period of 60 days, which was stayed pursuant to terms and conditions imposed  
25 for the following violations: Sections 2731, 2831.1, 2832.1, and 2834 of the Regulations, and  
26 Sections 10145, 10159.5, 10177 (d), 10177 (g), and 10177 (h) of the Code.

27 ///

Effective November 21, 2005, in Case No. H-31638 LA, before the Department, the Real Estate Commissioner suspended the license and licensing rights of Respondent for a period of 30 days, which was stayed pursuant to terms and conditions for the following violations: Sections 10159.2 and 10177 (h) of the Code.

COST RECOVERY

Section 10106 of the Code provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, 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.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered revoking all licenses and license rights of Respondent under the Real Estate Law, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other provisions of law.

  
JASON PARSON  
Supervising Special Investigator

Dated at Los Angeles, California, on  
this 3<sup>rd</sup> day of July, 2023.

DISCOVERY DEMAND

Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the Department hereby makes demand for discovery pursuant to the guidelines set forth in the *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the exclusion of witnesses and documents at the hearing or other sanctions that the Office of Administrative Hearings deems appropriate.

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**FILED**  
**APR 06 2023**  
**DEPT. OF REAL ESTATE**  
By John Aguirre

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-42573 LA  
12 )  
13 ROGER GLENN MATTSON, ) ACCUSATION  
14 )  
15 Respondent. )  
16 )

17 The Complainant, Jason Parson, a Supervising Special Investigator of the State  
18 of California, for cause of Accusation against ROGER GLENN MATTSON, a.k.a. "Roger G.  
19 Mattson" ("Respondent"), alleges as follows:

20 1.

21 The Complainant, Jason Parson, a Supervising Special Investigator of the State  
22 of California, makes this Accusation in his official capacity.

23 2.

24 Respondent presently has license and/or license rights under the Real Estate  
25 Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real  
26 estate broker (License ID 00768768). On March 21, 2022, Respondent's license expired.  
27 Pursuant to Code section 10201, Respondent retains renewal rights for two years. Pursuant to  
Code section 10103, the Department of Real Estate holds jurisdiction over the lapsed license.

1 CRIMINAL CONVICTION

2 3.

3 On or about May 4, 2022, in the Superior Court of California, County of Los  
4 Angeles, Case No. YA104618, Respondent was convicted, on pleas of guilty, for violating  
5 Penal Code section 288(a) (lewd or lascivious acts with child under 14) and section 288(c)(1)  
6 (lewd or lascivious acts with child of 14 or 15 years, while being at least 10 years older than the  
7 child), both felonies. On or about July 21, 2022, in Case No. YA104618, Respondent was  
8 sentenced by the court to serve three (3) years in state prison. The court also ordered  
9 Respondent to register as a convicted sex offender pursuant to Penal Code section 290 and to  
10 pay fines and fees.

11 4.

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

15 5.

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

19 FAILURE TO REPORT CONVICTION

20 6.

21 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 of Real Estate ("Department") within thirty (30)  
24 days of the conviction. Respondent failed to report in writing to the Department the conviction  
25 described in Paragraph 3 above, within thirty (30) days of the conviction date.

26 ///

27 ///

1 7.

2 Respondent's failure to timely report the conviction described in Paragraph 3  
3 above constitutes cause under Section 10186.2 of the Code, and thereby violates Section  
4 10177(d) of the Code, for the suspension or revocation of the license and license rights of  
5 Respondent under the Real Estate Law.

6 IN AGGRAVATION

7 (PRIOR DISCIPLINES)

8 8.

9 On or about August 12, 2009, in Department Case No. H-35106 LA, the  
10 California Department of Real Estate suspended the license and licensing rights of Respondent  
11 for a period of sixty (60) days, which was stayed for two (2) years on certain terms and  
12 conditions, and also indefinitely suspended until Respondent provides proof satisfactory of  
13 specified terms and condition. Respondent's broker license and licensing rights were  
14 suspended due to factual allegations of Respondent's violations of Code sections 10145 and  
15 10159.5 and Regulations sections 2731, 2831.1, 2832.1, and 2834, which were a basis for  
16 discipline pursuant to Code sections 10177(d), 10177(g), and 10177(h).

17 9.

18 On or about November 21, 2005, in Department Case No. H-31683 LA, the  
19 California Department of Real Estate suspended the license and licensing rights of Respondent  
20 for a period of thirty (30) days, which was stayed for two (2) years on certain terms and  
21 conditions. Respondent's broker license and licensing rights were suspended due to factual  
22 allegations of Respondent's violation of Code sections 10159.2, which was a basis for  
23 discipline pursuant to Code section 10177(h).

24 COSTS OF INVESTIGATION AND ENFORCEMENT

25 10.

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

ACCUSATION

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1 of Real Estate, the Commissioner may request the administrative law judge to direct a licensee  
2 found to have committed a violation of this part to pay a sum not to exceed the reasonable costs  
3 of the investigation and enforcement of the case.

4 11.

5 These proceedings are brought under the provisions of Section 10100, Division  
6 4 of the Business and Professions Code of the State of California and Sections 11500 through  
7 11528 of the California Government Code.

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

13  
14 Dated at Los Angeles, California, on March 15, 2023.

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17 

18 Jason Parson  
19 Supervising Special Investigator  
20  
21  
22

23 cc: ROGER GLENN MATTSON  
24 Jason Parson  
25 Sacto.  
26  
27