

1 NOW, THEREFORE, IT IS ORDERED that the Decision of December 15, 2023, is
2 vacated and that the Matter of the Accusation filed on September 26, 2023, is referred to the
3 Office of Administrative Hearings for a hearing held in accordance with the provisions of the
4 Administrative Procedure Act on the merits of the allegations in the Accusation.

5 This Order shall be effective immediately.

6 DATED: December 21, 2023.

7 DOUGLAS R. McCAULEY
8 REAL ESTATE COMMISSIONER

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11 For Douglas McCauley

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FILED

DEC 15 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-42666 LA
ALEX JOAQUIN DUK,)	
)	
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 November 28, 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, ALEX JOAQUIN DUK (“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 September 22, 2023, Jason Parson made the Accusation in his 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 September 26, 2023, and November 1, 2023.

2.

On November 28, 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.

LICENSE HISTORY

3.

a. Respondent DUK is presently licensed and/or has license rights under the Code as a real estate salesperson with Department of Real Estate (Department) license ID 01750024. Respondent's license expired on June 24, 2023. The Department retains jurisdiction over the lapsed license pursuant to Code section 10103.

b. From on or about June 25, 2019, through June 24, 2023, DUK's responsible broker was Blue Real Estate Inc. (license ID 02080878). Blue Real Estate Inc. maintains the fictitious business names "Harcourts Beverly Hills", "Harcourts Blue Real Estate," and "Harcourts Plus" with the Department.

4.

To date, the Department has incurred investigation costs of \$5,008.09.

5.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on September 26, 2023, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

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 Sections 10176(a), 10176(i), 10177(d), 10177(g), and 10177(j) of the Business and Professions Code.

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2.

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

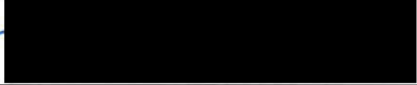
ORDER

All licenses and licensing rights of Respondent ALEX JOAQUIN DUK 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 JAN - 4 2024.

DATED: 12/12/2023.

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER


By: MARCUS L. McCARTHER
Chief Deputy Real Estate Commissioner

1 Department of Real Estate
2 320 West Fourth St, Ste 350
3 Los Angeles, CA, 90013

FILED

NOV 28 2023

DEPT. OF REAL ESTATE

By _____

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8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of:) DRE NO. *H-42666 LA*
12)
13 ALEX JOAQUIN DUK,) DEFAULT ORDER
14)
Respondent.)
_____)

15 Respondent ALEX JOAQUIN DUK, 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 NOVEMBER 28, 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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