

1 LISSETE GARCIA, Counsel (SBN 211552)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6982
6 Direct: (213) 576-6914
7 Fax: (213) 576-6917
8 *Staff Attorney for Complainant*

FILED

MAY 20 2024

DEPT. OF REAL ESTATE

By [REDACTED]

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation against:

13 HOWARD WILLIAM WATSON,

14 Respondent.

DRE No. H-42876 LA

ACCUSATION

15 The Complainant, Ray Dagnino, a Supervising Special Investigator for the Department
16 of Real Estate ("Department") of the State of California, for cause of Accusation against
17 HOWARD WILLIAM WATSON ("Respondent"), alleges as follows:

18 1. The Complainant, Ray Dagnino, acting in his official capacity as a Supervising
19 Special Investigator, makes this Accusation against Respondent.

20 2. Unless otherwise noted, all references to the "Code" are to the California
21 Business and Professions Code, all references to the "Real Estate Law" are to Part 1 of Division
22 4 of the Code, and all references to "Regulations" are to the Regulations of the Real Estate
23 Commissioner, Title 10, Chapter 6, California Code of Regulations.

24 ///

STATEMENT OF FACTS

3. Respondent is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Code).

4. On August 12, 2004, the Department initially issued a real estate salesperson license to Respondent, License ID 01446170. Respondent's real estate salesperson license is currently restricted. On or about June 11, 2021, the Department issued a restricted real estate salesperson license. Respondent's restricted license is scheduled to expire on June 10, 2025. The Department retains jurisdiction pursuant to Code section 10103.

Prior Discipline – DRE Case No. H-38914 LA

5. On June 13, 2013, the Department filed an Accusation against Respondent in Department Case No. H-38914 LA. The Accusation alleged cause to suspend or revoke Respondent's salesperson license pursuant to Code section 10177, subdivision (b) for the prior criminal convictions described in Paragraphs 12 through 15, below.

6. Respondent did not exercise Respondent's right to request an administrative hearing under the Administrative Procedure Act.

7. On April 11, 2014, the Department filed a Default Order against Respondent. On May 7, 2014, the Real Estate Commissioner issued a Decision which held that cause existed to suspend or revoke Respondent's real estate salesperson license on grounds of criminal convictions pursuant to Code section 10177, subdivision (b), and Code section 490. Respondent's real estate salesperson license was revoked, effective on June 4, 2014.

8. On January 16, 2019, Respondent petitioned for reinstatement of a plenary real estate salesperson license.

9. On June 13, 2019, the Real Estate Commissioner issued an Order which denied Respondent's petition; however, Respondent was granted the right to issuance of a restricted real estate salesperson license subject to certain terms and conditions.

10. On or about May 26, 2021, Respondent submitted an application for a restricted real estate salesperson license.

1 11. On or about June 11, 2021, the Department issued a restricted real estate
2 salesperson license to Respondent.

3 Prior Criminal Convictions in Aggravation

4 12. On or about February 22, 2010, before the Superior Court of California, County
5 of San Bernardino, in Case No. TMB1000043, Respondent was convicted of violating
6 California Vehicle Code section 23152(b) (driving under the influence of alcohol), a
7 misdemeanor.

8 13. On or about November 16, 2010, before the Superior Court of California, County
9 of Riverside, in Case No. INF10001863, Respondent was convicted of violating California
10 Penal Code section 496(a) (receiving stolen property), a felony.

11 14. On or about October 24, 2011, before the Superior Court of California, County
12 of Riverside, in Case No. INF1100460, Respondent was convicted of violating two counts of
13 California Penal Code section 476 (making or passing fictitious bills with intent to defraud),
14 both felonies.

15 15. On or about October 24, 2011, before the Superior Court of California, County
16 of Riverside, in Case No. INF1100853, Respondent was convicted of violating California Penal
17 Code section 211 (second degree robbery), a felony, with an enhancement pursuant to
18 California Penal Code section 12022(b)(1) (using a deadly or dangerous weapon in the
19 commission of a felony).

20 FIRST CAUSE OF ACCUSATION

21 16. There is hereby incorporated in this First, separate, and distinct Cause of
22 Accusation all the allegations contained in Paragraphs 1 through 15, with the same force and
23 effect as if herein fully set forth.

24 17. On May 16, 2021, Respondent was arrested on charges of violating California
25 Penal Code section 422 (threatening crime with intent to terrorize).

26 ///

27 ///

1 18. On August 18, 2021, a felony complaint was filed against Respondent before the
2 Superior Court of California, County of Riverside, in Case No. INF2101352. Respondent was
3 charged with violating California Penal Code section 422 (criminal threat to commit a crime
4 resulting in great bodily injury or death), a felony.

5 19. On or about November 15, 2022, before the Superior Court of California, County
6 of Riverside, in Case No. INF2101352, Respondent pled guilty to and was convicted of
7 violating California Penal Code section 422 (criminal threat to commit a crime resulting in great
8 bodily injury or death), a felony.

9 20. The conviction alleged above in Paragraph 19, and the underlying circumstances
10 surrounding said conviction, bear a substantial relationship to the qualifications, functions, or
11 duties of a real estate licensee under Regulation 2910.

12 21. Respondent's 2022 felony conviction constitutes cause for the suspension or
13 revocation of all licenses and license rights of Respondent pursuant to Code sections 490 and
14 10177, subdivisions (b) and (k).

15 SECOND CAUSE OF ACCUSATION

16 Failure to Report Conviction

17 22. There is hereby incorporated in this Second, separate and distinct Cause of
18 Accusation all the allegations contained in Paragraphs 1 through 21, with the same force and
19 effect as if herein fully set forth.

20 23. Code section 10186.2, subdivision (a)(1)(B), requires that licensees report the
21 bringing of a felony criminal complaint and felony or misdemeanor convictions. Code section
22 10186.2, subdivision (a)(2), requires that licensees make a report in writing to the Department
23 within 30 days of the bringing of the indictment, the charging of a felony, or a conviction.
24 Failure to make a report constitutes cause for discipline under Code section 10186.2,
25 subdivision (b).

26 ///

27 ///

1 24. A diligent search was made of the Department's records for Respondent and no
2 record of timely written notice was found to have been received from Respondent notifying the
3 Department of the bringing of a felony criminal complaint information, or indictment charging a
4 felony against Respondent, as described above in Paragraph 18, or the Respondent's 2022
5 felony conviction, as described above in Paragraph 19.

6 25. Respondent's failure to provide timely written notice to the Department, pursuant
7 to Code section 10186.2, constitutes cause for the suspension or revocation of Respondent's real
8 estate license and license rights pursuant to Code section 10186.2, subdivision (b), and Code
9 section 10177, subdivisions (d), (k), and/or (g).

10 INVESTIGATION/ENFORCEMENT COSTS

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

16 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this
17 Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action
18 against all licenses and/or license rights of Respondent under the Real Estate Law (Part 1 of
19 Division 4 of the Business and Professions Code), for the costs of the audit, investigation, and
20 enforcement as permitted by law, and for such other and further relief as may be proper under
21 other provisions of law.

22 Dated May 14, 2024 at Los Angeles, California.

23
24 
25 RAY DAGNINO
26 Supervising Special Investigator
27 ///

1 cc: Howard William Watson
2 eXp Realty of Southern California, Inc.
3 Ray Dagnino
4 Sacto
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27