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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-42991 LA
)	
DAVID HAIM COHEN,)	<u>ACCUSATION</u>
)	
Respondent.)	
)	

The Complainant, Jason Parson, a Supervising Special Investigator of the State of California, for cause of Accusation against DAVID HAIM COHEN ("Respondent") alleges as follows:

1.

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

2.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

LICENSE HISTORY

3.

a. At all times herein mentioned, Respondent was and still is licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and

ACCUSATION

1 Professions Code, as a real estate salesperson (“RES”), Department of Real Estate¹
2 (“Department”) license ID 01887173.

3 b. The Department originally issued Respondent’s RES license on or about April
4 12, 2018.

5 c. Respondent’s RES license will expire on April 11, 2026, unless renewed.

6 CAUSE FOR DISCIPLINE
7 (CRIMINAL CONVICTION)

8 4.

9 June 16, 2023; Vehicle Code (“VC”) Sections 23153(a) - Felony

10 a. On or about June 14, 2022, in the Superior Court of California, Los Angeles
11 County, in Case No. **PA098518**, entitled The People of the State of California v. David Haim
12 Cohen, a felony complaint was brought against Respondent for violation of (1) Penal Code
13 (“PC”) Section 187(a) (murder), a felony, (2) PC Section 191.5(a) (gross vehicular
14 manslaughter while intoxicated), a felony, and (3) PC Section 273a(a) (child abuse under
15 circumstances or conditions likely to cause great bodily injury or death), a felony.

16 b. On or about June 16, 2023, the complaint was amended by interlineation to
17 add a count for violation of VC Section 23153(a) (driving under the influence causing injury), a
18 felony, with a PC Section 12022.7 (a) (great bodily injury) enhancement. On the same date,
19 Respondent pled guilty to and was convicted for violation of VC Section 23153(a) (driving
20 under the influence causing injury), a felony, with a PC Section 12022.7 (a) (great bodily
21 injury) enhancement.

22 c. Also on or about June 16, 2023, the Court suspended the imposition of
23 sentence and placed Respondent on formal probation for 5 years under certain terms and
24 conditions, including, in part, 1 year home confinement with electronic monitoring and testing,
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26

27 ¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

1 40 days community services, complete 18 month second offender DUI program, enroll and
2 complete Hospital and Morgue program, and payment of fines and fees.

3 IN AGGRAVATION

4 5.

5 September 16, 2010; VC Section 23152(a) - Misdemeanor

6 a. On or about September 16, 2010, in the Superior Court of California, Los
7 Angeles County, in Case No. **0VY02215-01**, entitled The People of the State of California v.
8 David Haim Cohen, Respondent was convicted for violation of VC Section 23152(a) (driving
9 under the influence), a misdemeanor.

10 6.

11 The crime of which Respondent was convicted, in Paragraph 4, by its facts and
12 circumstances, bears a substantial relationship under Section 2910, Title 10, Chapter 6,
13 California Code of Regulations to the qualifications, functions or duties of a real estate licensee
14 and constitutes cause under **Code Sections 490 and 10177(b)** for the suspension or revocation
15 of the license and license rights of Respondent under the Real Estate Law.

16 SECOND CAUSE FOR DISCIPLINE

17 (FAILURE TO REPORT)

18 7.

19 Respondent did not report in writing to the Department of a felony complaint
20 being brought against him within thirty (30) days (June 14, 2022).

21 8.

22 Respondent did not report in writing to the Department of his conviction within
23 thirty (30) days of the conviction date (June 16, 2023).

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1 9.

2 Respondent's failure to report the felony complaint against him and his
3 conviction constitutes causes for discipline under **Code Section 10186.2**² of the license and
4 license rights of Respondent under the Real Estate Law.

5 10.

6 These proceedings are brought under the provisions of Section 10100, Division
7 4 of the Business and Professions Code of the State of California and Sections 11500 through
8 11528 of the California Government Code.

9 COSTS

10 11.

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

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25 ² Pursuant to Business and Professions Code 10186.2: (a)(1) A licensee shall report any of the following to the
26 department: (A) The bringing of an indictment or information charging a felony against the licensee. (B) The
27 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or
misdemeanor. (c) Any disciplinary action taken by another licensing entity or authority of this state or of another
state or an agency of the federal government. (2)The report required by this subdivision shall be made in writing
within 30 days of the date of the bringing of the indictment or the charging of a felony, the conviction, or the
disciplinary action. (b) Failure to make a report required by this section shall constitute a cause for discipline.

PRAYER

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

Dated at Los Angeles, California this 29th day of October, 2024.

Supervising Special Investigator

cc: DAVID HAIM COHEN
Jason Parson
Sacto.