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FILED

FEB 20 2025

DEPT. OF REAL ESTATE

By- [REDACTED]

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

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10 In the Matter of the Accusation against

DRE No. H-43023 LA

11 SCOTT JAMES WEIDENHAMMER,

ACCUSATION

12 Respondent.

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14 The Complainant, Ray Dagnino a Supervising Special Investigator for the Department
15 of Real Estate¹ ("Department") of the State of California, makes this Accusation in his official
16 capacity, for cause of Accusation against SCOTT JAMES WEIDENHAMMER
17 ("Respondent"), is informed and alleges as follows:

18 1. All references to the "Code" are to the California Business and Professions
19 Code, all references to the "Real Estate Law" are to Part 1 of Division 4 of the Code, and all
20 references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

21 2. Respondent was licensed and/or has license rights under the Real Estate Law
22 (Part 1 of Division 4 of the Code).

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24 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.

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1 Failure to Report 2021 Conviction

2 9. Code section 10186.2, subdivision (a)(1)(B), requires that licensees report the
3 bringing of a felony criminal complaint and felony or misdemeanor convictions. Code section
4 10186.2, subdivision (a)(2), requires that licensees make a report in writing to the Department
5 within 30 days of the bringing of the indictment, the charging of a felony, or a conviction.
6 Failure to make a report constitutes cause for discipline under Code section 10186.2,
7 subdivision (b).

8 10. A diligent search was made of the Department's records for Respondent and no
9 record of timely written notice was found to have been received from Respondent notifying the
10 Department of Respondent's May 10, 2021, convictions, as described above in Paragraph 7.

11 11. On or about August 19, 2023, Respondent submitted a Broker Renewal
12 Application to the Department. In response to Question 15 of Respondent's real estate broker
13 license renewal application, to wit, "WITHIN THE SIX-YEAR PERIOD PRIOR TO FILING
14 THIS APPLICATION, HAVE YOU EVER BEEN CONVICTED (SEE PARAGRAPH
15 ABOVE) OF ANY VIOLATION OF THE LAW AT THE MISDEMEANOR OR FELONY
16 LEVEL?" Respondent answered "No" and failed to disclose the May 10, 2021, felony
17 convictions described above Paragraph 7.

18 12. The Department renewed Respondent's real estate broker license in or around
19 September of 2023.

20 13. In or around May of 2024, the Department became aware of Respondent's 2021
21 felony convictions.

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1 CAUSE OF ACCUSATION

2 14. There is hereby incorporated in this First, Cause of Accusation, all of the
3 allegations contained in Paragraphs 1 through 13, above, with the same force and effect as if
4 herein fully set forth.

5 15. Respondent's failure to disclose the May 10, 2021, felony convictions described
6 above in Paragraph 7, on Respondent's August 19, 2023 real estate Broker Renewal Application
7 constitutes the procurement of a real estate license by fraud, deceit, making a material
8 misstatement, or omission of a material fact, in said application which constitutes cause for the
9 suspension or revocation of all licenses and license rights of Respondent pursuant to Code
10 sections 498 and 10177, subdivision (a).

11 COST RECOVERY

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

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