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**FILED**

**AUG 20 2012**

**DEPARTMENT OF REAL ESTATE**

BY: *[Signature]*

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-38355 LA
	)	
JULIAN PEREZ MICHALOWSKI,	)	<u>A C C U S A T I O N</u>
	)	
Respondent.	)	
	)	

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California for cause of Accusation against JULIAN PEREZ MICHALOWSKI ("Respondent") alleges as follows:

1.

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

2.

Respondent 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 as a real estate salesperson.

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3.

On or about March 17 2011, in the Superior Court of California, County of Santa Barbara, in Case No. 1327278, Respondent was convicted for violation of California Penal Code Section 242 (battery), a misdemeanor, and sentenced to three years probation, 120 hours of community service, and ordered to pay fines. In addition, Respondent was ordered to stay away from the victim.

4.

This conviction, by its facts and circumstances, bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

5.

The crime of which Respondent was convicted constitutes cause under California Business and Professions Code Sections 490 and 10177(b) for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

6.

California Business and Professions Code Section 10106 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 investigation and enforcement of the case.

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

10 Dated at Los Angeles, California

11 this 13 day of August, 2012.

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15 Robin Trujillo  
16 Deputy Real Estate Commissioner  
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21 cc: JULIAN PEREZ MICHALOWSKI  
22 Sotheby's International Realty Inc  
23 Robin Trujillo  
24 Sacto.  
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