

FILED

AUG 15 2019

DEPT. OF REAL ESTATE

By *ad Delors*

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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation against) DRE No. H-41466 LA
12 JONATHAN EDWARD BABIRACKI,)
13 Respondent.) ACCUSATION
14)

15 The Complainant, Maria Suarez, a Supervising Special Investigator for the Department
16 of Real Estate¹ (“Department”) of the State of California, for cause of Accusation against
17 JONATHAN EDWARD BABIRACKI (“Respondent”), is informed and alleges as follows:

18 1. The Complainant, Maria Suarez, a Supervising Special Investigator for the
19 Department, makes this Accusation in her official capacity.

20 2. All references to the “Code” are to the California Business and Professions Code, all
21 references to the “Real Estate Law” are to Part 1 of Division 4 of the Code, and all references to
22 “Regulations” are to California Code of Regulations, Title 10, Chapter 6.

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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.

1 9. A diligent search was made of the Department's records for Respondent and no
2 record or timely, written notice was found to have been received from Respondent notifying the
3 Department of Respondent's 2017 misdemeanor conviction, as described above in Paragraph 5.

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

8 COST RECOVERY

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

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

19 Dated at Los Angeles, California this 1st day of August, 2019.

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22 MARIA SUAREZ
23 Supervising Special Investigator

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cc: Jonathan E. Babiracki
DCJ Real Estate, Inc.
Maria Suarez
Sacto.