

FILED

JAN 26 2021

DEPT. OF REAL ESTATE

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9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-41869 LA
13 SHAWN R. ELLIOTT,) ACCUSATION
14 Respondent.)
15 _____)

16 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
17 of California, for cause of Accusation against SHAWN R. ELLIOTT, also known as Shawn
18 Elliot, ("Respondent"), alleges as follows:

19 1.

20 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
21 of California, makes this Accusation in her official capacity.

22 2.

23 Respondent presently has license rights under the Real Estate Law, Part 1 of
24 Division 4 of the California Business and Professions Code ("Code"), as a real estate broker
25 (License ID 02018471). Respondent's license is scheduled to expire on December 18, 2021,
26 unless renewed.

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ACCUSATION

1 FIRST CAUSE OF ACCUSATION

2 (DISCIPLINARY ACTION)

3 3.

4 On or about November 21, 2019, in State of New York, Department of State,
5 Office of Administrative Hearings, Decision for Complaint No. 2016-1693, the Court found
6 that Respondent, UID No. 10301215576, violated New York Consolidated Laws, Real Property
7 Law sections 441-c, 442-e (5), and demonstrated unworthiness in violation of section 441-c.
8 Specifically, the Decision stated that by failing to provide the documentation that the Division
9 of Licensing Services was seeking in order to conduct its investigation, the Respondent violated
10 New York Consolidated Laws, Real Property Law section 442-e (5), and demonstrated
11 untrustworthiness in violation of section 441-c. Furthermore, the Decision stated that by failing
12 to comply with the terms of the Consent Order, the Respondent demonstrated untrustworthiness
13 pursuant to New York Consolidated Laws, Real Property Law section 441-c.

14 The Court ordered Respondent's associate broker's license revoked, effective
15 immediately. The Court further ordered that should Respondent ever re-apply for a license as a
16 real estate broker, no action shall be taken on such application until he shall have produced
17 proof satisfactory to the Division of Licensing Services that he has satisfied the terms of the
18 Consent Order dated October 16, 2018. The Respondent was directed to send payment of a
19 \$1,000.00 fine, payable to the Secretary of State, and proof of satisfaction of the money owed to
20 the complainant, in the amount of \$21,000.00.

21 4.

22 The allegations set forth in Paragraph 3 above constitute cause under Section
23 10177(f) of the Code for the suspension or revocation of the license and license rights of
24 Respondent under the Real Estate Law.

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SECOND CAUSE OF ACCUSATION
(FAILURE TO REPORT DISCIPLINARY ACTION)

5.

Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "any disciplinary action taken by another licensing entity or authority of this state or of another state or an agency of the federal government," to the Department of Real Estate ("Department") within thirty (30) days of the disciplinary action. Respondent failed to report in writing to the Department the discipline described in Paragraph 3 above, within thirty (30) days of the disciplinary action.

6.

Respondent's failure to timely report the disciplinary action constitutes cause under Section 10186.2 of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

(COSTS OF INVESTIGATION AND ENFORCEMENT)

7.

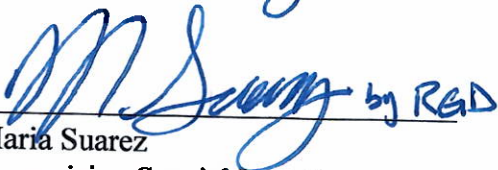
Code Section 10106, provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to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

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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 the licenses and license rights of Respondent SHAWN R. ELLIOTT under the Real Estate Law for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California this BTH day of January, 2021.



Maria Suarez
Supervising Special Investigator

cc: SHAWN R. ELLIOTT
Maria Suarez
Sacto.