

1 STEVE CHU, Counsel (SBN 238155)  
2 Bureau of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105

5 Telephone: (213) 620-6430  
6 Fax: (213) 576-6917

**FILED**

JUL 28 2016

BUREAU OF REAL ESTATE

By *Adelou*

8  
9 BEFORE THE BUREAU OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of ) No. H-04819 SD  
13 )  
14 JOHN BENJAMIN MURPHY, ) A C C U S A T I O N  
15 )  
16 Respondent. )

17 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the  
18 State of California, for cause of Accusation against JOHN BENJAMIN MURPHY  
19 ("Respondent"), is informed and alleges as follows:

20 1.

21 The Complainant, Veronica Kilpatrick, acting in her official capacity as a  
22 Supervising Special Investigator of the State of California, makes this Accusation against  
23 JOHN BENJAMIN MURPHY.

24 2.

25 Respondent presently has license rights under the Real Estate Law, Part 1 of  
26 Division 4 of the California Business and Professions Code ("Code"), as a real estate broker.

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Accusation of John Benjamin Murphy

1 3.

2 On or about March 26, 2015, Respondent pled guilty and was convicted in the  
3 Superior Court of California, County of San Diego, Case No. SCD255289, for violation of  
4 California Unemployment Insurance Code Section 2117.5 (Acting With Intent To Evade Tax),  
5 a misdemeanor, and Labor Code Section 3700.5(a) (Failure To Secure The Payment Of  
6 Compensation), a misdemeanor. Respondent was placed on three years of summary probation,  
7 and ordered to serve one day in jail and pay restitution, fines and fees. Additionally,  
8 Respondent was ordered to complete 14 days of the Public Service Program.

9 4.

10 The convictions described in Paragraph 3 bear a substantial relationship under  
11 Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications,  
12 functions or duties of a real estate licensee.

13 5.

14 The crimes of which Respondent was convicted, as described in Paragraph 3  
15 above, constitute cause under Sections 490 and 10177(b) of the Code for the suspension or  
16 revocation of the license and license rights of Respondent under the Real Estate Law.

17 6.

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

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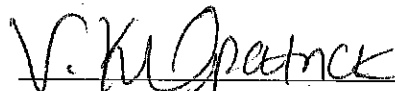
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Accusation of John Benjamin Murphy

1 WHEREFORE, Complainant prays that a hearing be conducted on the  
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing  
3 disciplinary action against all the licenses and license rights of Respondent JOHN BENJAMIN  
4 MURPHY under the Real Estate Law, for the cost of investigation and enforcement as  
5 permitted by law, and for such other and further relief as may be proper under other applicable  
6 provisions of law.

7  
8 Dated at San Diego, California

9 this 25<sup>th</sup> day of July, 2016

10  
11 

12 Veronica Kilpatrick  
13 Supervising Special Investigator

14 cc: JOHN BENJAMIN MURPHY  
15 Veronica Kilpatrick  
16 Sacto.