

FILED

JUN 09 2014

BUREAU OF REAL ESTATE

By S. Blum

JASON D. LAZARK, Counsel (SBN 263714)
Bureau of Real Estate
P. O. Box 137007
Sacramento, CA 95813-7007
Office: (916) 263-8670
Direct: (916) 263-8684

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:)	
)	No. H-11711 SF
)	
JILL MARIE SILVEY,)	<u>ACCUSATION</u>
)	
Respondent.)	

The Complainant, ROBIN S. TANNER, acting in her official capacity as a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against JILL MARIE SILVEY ("Respondent"), is informed and alleges as follows:

1.

Respondent is presently licensed and/or has license rights under Part 1 of Division 4 of the Business and Professions Code ("the Real Estate Law") as a real estate salesperson.

CRIMINAL CONVICTION

2.

On or about May 23, 2013, in the Superior Court of the State of California, County of Santa Clara, Case No. C1235136, Respondent was convicted of violating the following fifty two (52) felony Penal Code violations: twenty one (21) counts of Penal Code §

1 484/487(a) (grand theft of personal property); twenty one (21) counts of Penal Code § 470(d)
2 (forgery of an instrument); seven (7) counts of Penal Code § 386(d) (embezzlement); and two
3 (2) counts of Penal Code § 115 (recording a false instrument), all felonies which bear a
4 substantial relationship under Title 10, Section 2910, of the California Code of Regulations to
5 the qualifications, functions or duties of a real estate licensee.

6 3.

7 The facts alleged above in Paragraph 2 constitute grounds under Sections 490
8 and 10177(b) of the Business and Professions Code (“the Code”) for suspension or revocation
9 of all licenses and license rights of Respondent under the Real Estate Law.

10 FAILURE TO NOTIFY BUREAU OF CRIMINAL CHARGES AND CONVICTIONS

11 4.

12 A diligent search was made of the records of the Bureau of Real Estate
13 (“Bureau”) relating to Respondent’s Real Estate Salesperson License No. 01332358. As a
14 result of said search, no record was discovered having been received from Respondent notifying
15 the Bureau, in writing, of any arrest, conviction, indictment or license disciplinary action
16 occurring on or after January 1, 2012.

17 5.

18 The facts alleged above in Paragraph 4 indicate Respondent’s failure to comply
19 with Sections 10186.2(a)(1)(A), 10186.2(a)(1)(B) and 10186.2(a)(2) (failure to report in writing
20 to the Bureau of an indictment or information charging a felony and/or a conviction of any
21 felony or misdemeanor against Respondent within 30 days) of the Code, which constitutes
22 cause under Section 10177(d) (willful disregard or violation the Real Estate Law), for
23 revocation of all licenses and license rights of Respondent under said Real Estate Law.

24 ///

25 ///

26 ///


27 ///

1 COST RECOVERY

2 6.

3 The Bureau will seek to recover costs of the investigation and prosecution of this
4 case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any order
5 issued in resolution of a disciplinary proceeding before the Bureau, the commissioner may
6 request the administrative law judge to direct a licensee found to have committed a violation of
7 this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of
8 the case.

9 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
10 of this Accusation and that upon proof thereof, a decision be rendered revoking all licenses and
11 license rights of Respondent under the Real Estate Law, for the cost of investigation and
12 enforcement as permitted by law, and for such other and further relief as may be proper under
13 other provisions of law.

14 

15 _____
16 ROBIN S. TANNER
17 Deputy Real Estate Commissioner

18 Dated at Oakland, California, on
19 this 23rd day of May, 2014.
20

21 DISCOVERY DEMAND

22 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
23 Bureau hereby makes demand for discovery pursuant to the guidelines set forth in the
24 *Administrative Procedure Act*. Failure to provide Discovery to the Bureau may result in the
25 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
26 Administrative Hearings deems appropriate.
27