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FILED

JUL 13 2018

DEPARTMENT OF REAL ESTATE

By X. Krueger

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12) No. H-12258 SF
13 JOHN MICHAEL GALLOWAY,)
14) ACCUSATION
15 Respondent.)

16 The Complainant, ROBIN S. TANNER, acting in her official capacity as a
17 Supervising Special Investigator of the State of California, for this Accusation against JOHN
18 MICHAEL GALLOWAY ("Respondent"), is informed and alleges as follows:

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

23 CRIMINAL CONVICTION

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25 On or about March 15, 2017, in the United States District Court, Northern District
26 of California, Case No. 4:14-cr-00607-PJH, Respondent was convicted of violating Section 1
27 (bid rigging), Title 15, of the United States Code, a felony and a crime that bears a substantial
relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section

2910, Title 10, of the California Code of Regulations (“Regulations”).

GRUNDS FOR DISCIPLINE

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The facts alleged in Paragraph 2, above, constitute cause under Sections 490 (conviction of substantially related crime), 10177(b) (conviction of substantially related crime), and 10177(j) (fraud or dishonest dealing) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

COST RECOVERY

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The Bureau will seek to recover cost of the investigation and prosecution of this case pursuant to section 10106 of the Code which provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau, 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.

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 licenses and license rights of Respondent 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 provisions of law.

ROBIN S. TANNER
Supervising Special Investigator

Dated at Oakland, California,
this 5th day of July, 2018.

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