

FILED

NOV 30 2018

DEPT. OF REAL ESTATE
By Calabrese

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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of) No. H-41229 LA
12)
12 TIFFANI MARIE BATE,) STATEMENT OF ISSUES
13)
13 Respondent.)
14)

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16 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
17 of California, acting in her official capacity, for Statement of Issues against TIFFANI MARIE
18 BATE ("Respondent") alleges as follows:

19 1.

20 On or about January 22, 2018, Respondent made application to the Department
21 of Real Estate of the State of California for a real estate salesperson license.

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1 FIRST CAUSE OF ACTION
2 (CRIMINAL CONVICTIONS)

3 2.

4 On or about March 1, 2002, in the Superior Court of California, County of Los
5 Angeles, case no. 1SB08291, Respondent was convicted of violating California Penal Code
6 sections 484(a) (theft), a misdemeanor. In part, Respondent was sentenced to served 1 year of
7 summary probation, stay away from Del Amo Mall, and pay various fines and fees. Said crime
8 bears a substantial relationship to the qualifications, functions, or duties of a real estate licensee
9 under Section 2910, Title 10, Chapter 6, California Code of Regulations.

10 3.

11 On or about February 25, 2002, in the Superior Court of California, County of
12 Orange, case no. 02HF0094, Respondent was convicted of violating California Penal Code
13 section 496(a) (receiving stolen property), a misdemeanor. In part, Respondent was sentenced
14 to serve 3 years of informal probation, complete 2 days of Cal Trans, stay away from Ralphs on
15 Alton Street, and pay various fines and fees. Said crime bears a substantial relationship to the
16 qualifications, functions, or duties of a real estate licensee under Section 2910, Title 10,
17 Chapter 6, California Code of Regulations.

18 4.

19 On or about February 26, 2004, in the Superior Court of California, County of
20 San Bernardino, case no. FWV029977, Respondent was convicted of violating California Penal
21 Code section 487(a) (grand theft of personal property), a misdemeanor. In part, Respondent
22 was sentenced to serve 36 months of summary probation, serve 60 days in jail, and pay victim
23 restitution and various fines and fees. Said crime bears a substantial relationship to the
24 qualifications, functions, or duties of a real estate licensee under Section 2910, Title 10,
25 Chapter 6, California Code of Regulations.

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1 5.

2 On or about March 23, 2004, in the Superior Court of California, County of Los
3 Angeles, case no. 3WL03365, Respondent was convicted of violating California Penal Code
4 section 666 (petty theft with prior theft conviction), a misdemeanor. In part, Respondent was
5 sentenced to serve 24 months of summary probation, serve 3 days in jail with 3 days credit, and
6 perform 30 days of Cal Trans. Said crime bears a substantial relationship to the qualifications,
7 functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California
8 Code of Regulations.

9 6.

10 On or about May 12, 2011, in the Superior Court of California, County of Los
11 Angeles, case no. GA082379, Respondent was convicted of violating California Penal Code
12 section 459 (burglary), a felony. In part, Respondent was sentenced to serve 3 years of formal
13 probation, stay away from Macy's, and pay various fines and fees. On or about February 23,
14 2016, Respondent's conviction was reduced to a misdemeanor pursuant to California Penal
15 Code section 1170.18(b). Said crime bears a substantial relationship to the qualifications,
16 functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California
17 Code of Regulations.

18 7.

19 On or about April 20, 2017, in the Superior Court of California, County of San
20 Bernardino, case no. 16CR063326, Respondent was convicted of violating California Penal
21 Code section 496(a) (receiving stolen property), a misdemeanor. In part, Respondent was
22 sentenced to serve 24 months of probation, serve 2 days in jail with 2 days credit, and pay
23 various fines and fees. Said crime bears a substantial relationship to the qualifications,
24 functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California
25 Code of Regulations.

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1 8.

2 The crimes of which Respondent was convicted as alleged in Paragraphs 2
3 through 7, above, constitute cause for denial of Respondent's application for a real estate
4 license under California Business and Professions Code sections 475(a)(2), 480(a), and
5 10177(b).

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7 SECOND CAUSE OF ACTION
8 (FAILURE TO REVEAL CONVICTIONS)

9 9.

10 In response to Question 23 of her license application, to wit: "HAVE YOU
11 EVER BEEN CONVICTED (SEE PARAGRAPH ABOVE) OF ANY VIOLATION OF THE
12 LAW AT THE MISDEMEANOR OR FELONY LEVEL? IF YES, COMPLETE ITEM 29
13 WITH INFORMATION ON EACH CONVICTION," Respondent answered, "Yes," but failed
14 to reveal the convictions described in Paragraphs 3 and 4, above.

15 10.

16 Respondent's failure to reveal these convictions in her license application
17 constitutes knowingly making a false statement of material facts required to be revealed in said
18 application, which is grounds for denial of the issuance of a license under California Business
19 and Professions Code sections 475(a)(1), 480(d), and 10177(a).

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11.

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the California Government Code.

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to Respondent TIFFANI MARIE BATE and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California: 29 November, 2018.



Maria Suarez
Supervising Special Investigator

cc: TIFFANI MARIE BATE
Maria Suarez
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