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FILED
MAR 17 2022
DEPT. OF REAL ESTATE
By 

8
9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

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12 In the Matter of the Application of) No. H-42169 LA
13)
14 TIFFANI MARIE BATE,) STATEMENT OF ISSUES
15)
16 Respondent.)

17 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
18 of California, for Statement of Issues against TIFFANI MARIE BATE (“Respondent”) alleges
19 as follows:

20 1.

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

23 2.

24 All references to the “Code” are to the California Business and Professions Code
25 and all references to “Regulations” are to Title 10, Chapter 6, California Code of Regulations.

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1 3.

2 On or about February 10, 2021, Respondent made application to the Department
3 of Real Estate¹ ("Department") for a real estate salesperson ("RES") license.

4 (PRIOR DENIAL OF APPLICATION)

5 4.

6 On or about April 10, 2019, in Case No. H-41229 LA, the Real Estate
7 Commissioner ordered, pursuant to a Decision, the denial of Respondent's application for a
8 RES license. The Decision adopted the proposed decision issued by the Administrative Law
9 Judge of the Office of Administrative Hearing (OAH No. 2018120153) to deny Respondent's
10 application, after a hearing was held on the merits.

11 CAUSE FOR DISCIPLINE

12 (CRIMINAL CONVICTION)

13 5.

14 April 20, 2017; Penal Code ("PC") Section 496(a) - Misdemeanor

15 a. On or about November 14, 2016, in the Superior Court of California, County
16 of San Bernardino, in Case No. **16CR-063326**, The People of the State of California v.
17 Monique G Palmer et. al., a felony complaint was filed against Respondent, among others, for
18 violation of PC Section 496(a) (receiving stolen property with a value exceeding \$950), a
19 felony.

20 b. On or about April 20, 2017, Respondent pled no contest to and was convicted
21 of violating California Penal Code Section 496(a) (receiving stolen property), a misdemeanor
22 (reduced).

23 c. Also on or about April 20, 2017, the Court suspended the imposition of
24 sentence and placed Respondent on summary probation for 24 months under certain terms and
25 conditions, including, in part, 2 days jail, payment of restitution, and payment of fines and fees.

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27 ¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

1 6.

2 May 12, 2011; PC Section 459 – Felony

3 a. On or about May 12, 2011, in the Superior Court of California, County of Los
4 Angeles, in Case No. GA082379, The People of the State of California v. Audra Nicole Onley
5 et. al., a felony complaint was filed against Respondent, among others, for violation of PC
6 Section 459 (second degree commercial burglary), a felony.

7 b. On or about May 12, 2011, Respondent pled no contest to and was convicted
8 of violating California Penal Code section 459 (second degree commercial burglary), a felony.

9 c. Also on or about May 12, 2011, the Court suspended the imposition of
10 sentence and placed Respondent on formal probation for 3 years under certain terms and
11 conditions, including, in part, 1 day jail, stay away from victim, complete 30 days of Probation
12 Adult Alternative Work Services (P.A.A.W.S.), and payment of fines and fees.

13 d. On or about February 23, 2016, the Court reduced the felony conviction to a
14 misdemeanor, pursuant to PC Section 1170.18 and Prop. 47.

15 (AGGRAVATING FACTORS)

16 7.

17 March 23, 2004; PC Section 666 – Felony

18 a. On or about March 23, 2004, in the Superior Court of California, County of
19 Los Angeles, in Case No. 3WL03365, The People of the State of California v. Tiffani Marie
20 Bate, Respondent pled no contest to and was convicted for violation of PC section 666 (petty
21 theft with prior theft conviction), a misdemeanor.

22 b. Also on or about March 23, 2004, the Court suspended the imposition of
23 sentence and placed Respondent on summary probation for 24 months under certain terms and
24 conditions, including, in part, 3 days jail, 30 days of Cal. Trans., stay away from victim, and
25 payment of fines and fees.

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8.

February 26, 2004; PC Section 487(a) – Misdemeanor

a. On or about January 8, 2004, in the Superior Court of California, County of San Bernardino, in Case No. **FWV029977**, The People of the State of California v. Tiffani Marie Bate, a felony complaint was filed against Respondent for violation of (1) PC Section 487(a) (grand theft of personal property), a felony, and (2) PC Section 459 (second degree commercial burglary), a felony.

b. On or about February 26, 2004, Respondent pled guilty to and was convicted for violation of PC Section 487(a) (grand theft of personal property), a misdemeanor (reduced).

c. Also on or about February 26, 2004, the Court withheld the imposition of sentence and placed Respondent on conditional and revocable release for 36 months under certain terms and conditions, including, in part, 60 days jail, payment of restitution, and payment of fines and fees.

9.

March 1, 2002; PC Section 484(a) – Misdemeanor

a. On or about March 1, 2002, in the Superior Court of California, County of Los Angeles, in Case No. **1SB08291**, The People of the State of California v. Tiffani Marie Bate, Respondent pled no contest to and was convicted for violation of PC section 484(a) (theft), a misdemeanor.

b. Also on or about March 1, 2002, the Court suspended the imposition of sentence and placed Respondent on summary probation for 1 year under certain terms and conditions, including, in part, 1 day jail, stay away from victim, and payment of fines and fees.

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10.

February 25, 2002; PC Section 496(a) – Misdemeanor

a. On or about February 25, 2002, in the Superior Court of California, County of Orange, in Case No. **02HF0094**, The People of the State of California v. Tiffani Marie Bate et al., Respondent pled guilty to and was convicted for violation of PC section 496(a) (receiving stolen property), a misdemeanor.

b. Also on or about February 25, 2002, the Court suspended the imposition of sentence and placed Respondent on informal probation for 3 years under certain terms and conditions, including, in part, 2 days Cal. Trans., stay away from victim, and payment of fines and fees.

11.

The crimes of which Respondent were convicted, as set forth in Paragraphs 5, 6, 7, 8, 9, and 10 above, by their facts and circumstances, bears substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee and constitute cause under **Code Sections 480, 490, and 10177(b)** for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

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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.

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1 PRAYER

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

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8 Dated at Los Angeles, California this 15TH day of March, 2022.

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10 
11 Maria Suarez
12 Supervising Special Investigator

13 cc: TIFFANI MARIE BATE
14 Maria Suarez
15 Sacto.

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