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FILED

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DEPARTMENT OF REAL ESTATE

By K. Contreras

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

12 * * *

13 In the Matter of the Application of)
14 JUAN MANUEL BUSTAMANTE, JR.,) H-2541 FR
15 Respondent.) STATEMENT OF ISSUES
16 _____)

17 The Complainant, LUKE MARTIN, in his official capacity as a Deputy Real
18 Estate Commissioner of the State of California (herein "Complainant"), for Statement of Issues
19 against JUAN MANUEL BUSTAMANTE, JR. (herein "Respondent"), is informed and alleges
20 as follows:

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22 On or about April 6, 2010, Respondent made application to the Department of
23 Real Estate of the State of California (herein "the Department") for a real estate salesperson
24 license.

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26 On or about September 12, 2008, in the Superior Court of the State of
27 California, County of Kern, Case No. LM087639A, Respondent was convicted of violation of

1 Section 23152(a) of the California Vehicle Code (DUI), a misdemeanor, and a crime which
2 bears a substantial relationship under Section 2910, Title 10, California Code of Regulations
3 (hereinafter "the Regulations"), to the qualifications, functions or duties of a real estate licensee.

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5 On or about November 7, 2006, in the Superior Court of the State of California,
6 County of Kern, Case No. LM076958A, Respondent was convicted of violation of Section
7 14601.2(a) of the California Vehicle Code (Driving When License Suspended or Revoked for
8 DUI Conviction), a misdemeanor, and a crime which bears a substantial relationship under
9 Section 2910 of the Regulations, to the qualifications, functions or duties of a real estate licensee.

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11 On or about March 1, 2005, in the Superior Court of the State of California,
12 County of Los Angeles, Case No. 5SB01235, Respondent was convicted of violation of Section
13 23152(b) of the California Vehicle Code (DUI with B.A.C. of 0.08% or Higher), a misdemeanor,
14 and a crime which bears a substantial relationship under Section 2910 of the Regulations, to the
15 qualifications, functions or duties of a real estate licensee.

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17 On or about June 28, 2002, in the Superior Court of the State of California,
18 County of Los Angeles, Case No. VA070868, Respondent was convicted of violation of
19 Section 594(a) of the California Penal Code (Vandalism), a misdemeanor, and a crime which
20 bears a substantial relationship under Section 2910 of the Regulations, to the qualifications,
21 functions or duties of a real estate licensee.

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23 On or about May 15, 2002, in the Superior Court of the State of California,
24 County of Kern, Case No. KM013859A Respondent was convicted of violation of Section 5652
25 of the California Fish and Game Code (Littering within 150 Feet of State Waters), a
26 misdemeanor, and a crime which bears a substantial relationship under Section 2910 of the
27 Regulations, to the qualifications, functions or duties of a real estate licensee.

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The facts alleged in Paragraphs 2 through 6, above, constitute cause for denial of Respondent's application for a real estate license under Sections 480(a) (Conviction of a Crime) and 10177(b) (Conviction of a Crime Substantially Related to the Qualifications, Functions or Duties of a Real Estate Licensee) of the California Business and Professions Code.

WHEREFORE, 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, and for such other and further relief as may be proper in the premises.



LUKE MARTIN
Deputy Real Estate Commissioner

Dated at Fresno, California,
this 4th day of October, 2010.