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FILED
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DEPARTMENT OF REAL ESTATE
By R. Mar

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

11 ***

12 In the Matter of the Accusation of)
13) NO. H-2675 FR
14 JAMES HOWARD JOHNSTON,) ACCUSATION
15 Respondent.)
16)

17 The Complainant, LUKE MARTIN, a Deputy Real Estate Commissioner of the
18 State of California, for cause of Accusation against JAMES HOWARD JOHNSTON,
19 ("Respondent"), is informed and alleges as follows:

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21 The Complainant makes this Accusation against Respondent in his official
22 capacity.

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

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On or about August 3, 2010, in the Superior Court of the State of California, County of Monterey, Case No. MS288280A, Respondent was convicted of violating Section 3700.5 of the California Labor Code (failure to secure payment of workers' compensation insurance), a misdemeanor and a crime which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

The facts alleged in Paragraph 3, above, constitute cause under Sections 490 (conviction of crime) and 10177(b) (conviction of crime substantially related to qualifications, functions or duties of real estate licensee) of the Code for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

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 Code, and for such other and further relief as may be proper under the provisions of law.



LUKE MARTIN
Deputy Real Estate Commissioner

Dated at Fresno, California,
this 30th day of August, 2011.