


FILED

March 1, 2013

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DEPARTMENT OF REAL ESTATE

By 

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6
7

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

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11 In the Matter of the Application of)
12 ERICH EDWIN SCHALLER,)
13 Respondent.)

No. H-2813 FR
STATEMENT OF ISSUES

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15 The Complainant, BRENDA SMITH, a Deputy Real Estate Commissioner of the
16 State of California, for Statement of Issues against ERICH EDWIN SCHALLER, (Respondent),
17 alleges as follows:

18 1.

19 Complainant makes this Statement of Issues in her official capacity.

20 2.

21 On or about August 1, 2012, Respondent made application to the Department of
22 Real Estate of the State of California (herein "the Department") for a real estate salesperson
23 license.

24 3.

25 On or about June 15, 1999 in the Superior Court of the State of California,
26 County of Yolo, Case No. 99-1544, Respondent was convicted of violating Section 496 of the
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1 California Penal Code (Receiving Stolen Goods), a felony and a crime that bears a substantial
2 relationship under Section 2910, Title 10 of the California Code of Regulations, (Regulations),
3 to the qualifications, functions or duties of a real estate licensee.

4 4.

5 On or about December 2, 2002 in the Superior Court of the State of Nevada,
6 County of Washoe, Case No. CR 02-1981, Respondent was convicted of Grand Larceny, a
7 felony and a crime that bears a substantial relationship under Section 2910 of the Regulations, to
8 the qualifications, functions or duties of a real estate licensee.

9 5.

10 On or about January 9, 2004, in the Superior Court of the State of California,
11 County of Sacramento, Case No. 02F07999, Respondent was convicted of violating Section 666
12 of the California Penal Code (Burglary), a misdemeanor and a crime that bears a substantial
13 relationship under Section 2910 of the Regulations, to the qualifications, functions or duties of a
14 real estate licensee.

15 6.

16 Respondent's criminal convictions, as set out in Paragraphs 3 through 5, above,
17 constitute cause for denial of Respondent's application for a real estate salesperson license
18 pursuant to the provisions of Sections 480(a) (Conviction of Crime) and 10177(b) (Further
19 Grounds for Disciplinary Action-Conviction of Crime) of the Code.

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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.


BREND A SMITH
Deputy Real Estate Commissioner

Dated at Sacramento, California,
this 28 day of February, 2013.