

FILED

JUL - 8 2010

DEPARTMENT OF REAL ESTATE

[Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

JEFFREY JOHN RAILEY,

Respondent.

No. H-3001 SD

ORDER GRANTING REINSTATEMENT OF LICENSE

On October 15, 2004, in Case No. H-3001 SD, a Decision was rendered revoking the real estate salesperson license of Respondent effective November 16, 2004. On March 13, 2007, an order became effective herein denying Respondent's petition for reinstatement of Respondent's real estate salesperson license, but granting Respondent the right to issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on June 8, 2007, and Respondent has operated as a restricted licensee since that time.

On June 17, 2009, Respondent petitioned for reinstatement of said real estate salesperson license, and the Attorney General of the State of California has been given notice of the filing of the petition.

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1 I have considered Respondent's petition and the evidence and arguments in
2 support thereof. Respondent has demonstrated to my satisfaction that Respondent meets the
3 requirements of law for the issuance to Respondent of an unrestricted real estate salesperson
4 license and that it would not be against the public interest to issue said license to Respondent.

5 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
6 reinstatement is granted and that a real estate salesperson license be issued to Respondent if
7 Respondent satisfies the following requirements:

- 8 1. Submits a completed application and pays the fee for a real estate
9 salesperson license within the 12 month period following the date of this Order; and
10 2. Submits proof that Respondent has completed the continuing education
11 requirements for renewal of the license sought. The continuing education courses must be
12 completed either (i) within the 12 month period preceding the filing of the completed
13 application, or (ii) within the 12 month period following the date of this Order.

14 This Order shall become effective immediately.

15 DATED: 6-25-2020

16 JEFF DAVI
17 Real Estate Commissioner
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FILED
FEB 20 2007

DEPARTMENT OF REAL ESTATE

By *Juan C. Arroyo*

BEFORE THE DEPARTMENT OF REAL ESTATE
OF THE STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
JEFFREY JOHN RAILEY,) No. H-3001 SD
Respondent.)

ORDER DENYING REINSTATEMENT OF LICENSE

On October 15, 2004, in Case No. H-3001 SD, a Decision was entered revoking the real estate salesperson license of Respondent. The Decision became effective November 16, 2004.

On November 22, 2005, Respondent petitioned for reinstatement of said real estate salesperson license, and the Attorney General of the State of California has been given notice of the filing of said petition.

I have considered Respondent's petition and the evidence and arguments in support thereof. Respondent has failed to demonstrate to my satisfaction that Respondent has undergone sufficient rehabilitation to warrant the reinstatement of Respondent's unrestricted real estate salesperson license.

1 The burden of proving rehabilitation rests with the
2 petitioner (Feinstein v. State Bar (1952) 39 Cal. 2d 541). A
3 petitioner is required to show greater proof of honesty and
4 integrity than an applicant for first time licensure. The proof
5 must be sufficient to overcome the prior adverse judgment on the
6 applicant's character (Tardiff v. State Bar (1980) 27 Cal. 3d
7 395).

8 The Department has developed criteria in Section 2911
9 of Title 10, California Code of Regulations (Regulations) to
10 assist in evaluating the rehabilitation of an applicant for
11 reinstatement of a license. Among the criteria relevant in this
12 proceeding are:

13 Section 2911(a). The passage of not less than two years
14 since the most recent criminal conviction or act of the applicant
15 that is a basis to deny the departmental action sought. (A longer
16 period will be required if there is a history of acts or conduct
17 substantially related to the qualifications, functions or duties
18 of a licensee of the department.) Respondent has suffered the
19 following drug or alcohol-related misdemeanor convictions:

- 20 (a) 1983 VC §23103.5 "Wet" Reckless
21 (b) 1991 VC §23152(a) Driving Under Influence
22 (c) 11/20/02 H&S §11377(a) Possession
23 (d) 01/14/03 H&S §11550(a) Under The Influence
24 (e) 02/05/03 VC §23152(a) Driving Under Influence
25 (f) 05/09/03 H&S §11550(a) Under The Influence

26 It is three years and six months since the most recent
27 conviction. But a longer period is required to demonstrate

1 rehabilitation because of lengthy history of "substantially
2 related" convictions.

3 Section 2911(c). Expungement of criminal convictions
4 resulting from immoral or antisocial acts. Respondent's
5 convictions have not been expunged.

6 Section 2911(e). Successful completion or early
7 discharge from probation or parole. Respondent will remain on
8 probation resulting from his most recent conviction until May,
9 2008.

10 Section 2911(f). Abstinence from the use of controlled
11 substances or alcohol for not less than two years if the conduct
12 which is the basis to deny the departmental action sought is
13 attributable in part to the use of controlled substances or
14 alcohol. Respondent professes abstinence since his most recent
15 conviction.

16 Section 2911(g). Payment of the fine or other monetary
17 penalty imposed in connection with a criminal conviction or
18 quasi-criminal judgment. Respondent still owes approximately
19 \$3,000 in fines and assessments.

20 Section 2911(h). Stability of family life and
21 fulfillment of parental and familial responsibilities subsequent
22 to the conviction or conduct that is the basis for denial of the
23 agency action sought. Respondent has the right to supervised
24 visitation with his daughter, but has suspended visitation
25 because of the expense of supervision.

26 Section 2911(i). Completion of, or sustained enrollment
27 in, formal educational or vocational training courses for

1 economic self-improvement. Since the most recent conviction
2 Respondent has not participated in formal educational activities.

3 Section 2911(l). Significant or conscientious
4 involvement in community, church or privately-sponsored programs
5 designed to provide social benefits or to ameliorate social
6 problems. Since the most recent conviction Respondent attends
7 church but has not participated in community service activities.

8 Section 2911(m). New and different social and business
9 relationships from those which existed at the time of the conduct
10 that is the basis for denial of the departmental action sought.
11 Respondent has not demonstrated any significant change in social
12 or business relationships.

13 Section 2911(n). Change in attitude from that which
14 existed at the time of the conduct in question as evidenced by
15 any or all of the following: (1) Testimony of applicant; (2)
16 Evidence from family members, friends or other persons familiar
17 with applicant's previous conduct and with his subsequent
18 attitudes and behavioral patterns. (3) Evidence from probation or
19 parole officers or law enforcement officials competent to testify
20 as to applicant's social adjustments. (4) Evidence from
21 psychiatrists or other persons competent to testify with regard
22 to neuropsychiatric or emotional disturbances. (5) Absence of
23 subsequent felony or misdemeanor convictions that are reflective
24 of an inability to conform to societal rules when considered in
25 light of the conduct in question. Respondent continues to blame
26 his ex-wife for Respondent's self-destructive activities.

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1 Consequently, I am not satisfied that Respondent is
2 sufficiently rehabilitated to receive an unrestricted real estate
3 salesperson license. Additional time and evidence of correction
4 as a restricted real estate salesperson is necessary to establish
5 that Respondent is rehabilitated.

6 I am satisfied, therefore, that it will not be against
7 the public interest to issue a restricted real estate salesperson
8 license to Respondent.

9 NOW, THEREFORE, IT IS ORDERED that Respondent's
10 petition for reinstatement of Respondent's real estate
11 salesperson license is denied.

12 A restricted real estate salesperson license shall be
13 issued to Respondent pursuant to Section 10156.5 of the Business
14 and Professions Code, if Respondent satisfies the following
15 conditions prior to and as a condition of obtaining a restricted
16 real estate salesperson license within nine (9) months from the
17 date of this Order:

18 1. Respondent shall take and pass the real estate
19 salesperson license examination.

20 2. Respondent shall submit a completed application and
21 pay the fee for a real estate salesperson license.

22 The restricted license issued to Respondent shall be
23 subject to all of the provisions of Section 10156.7 of the
24 Business and Professions Code and to the following limitations,
25 conditions and restrictions imposed under authority of Section
26 10156.6 of that Code:

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1 A. The restricted license issued to Respondent may be
2 suspended prior to hearing by Order of the Real Estate
3 Commissioner in the event of Respondent's conviction or plea of
4 nolo contendere to a crime which is substantially related to
5 Respondent's fitness or capacity as a real estate licensee.

6 B. The restricted license issued to Respondent may be
7 suspended prior to hearing by Order of the Real Estate
8 Commissioner on evidence satisfactory to the Commissioner that
9 Respondent has violated provisions of the California Real Estate
10 Law, the Subdivided Lands Law, Regulations of the Real Estate
11 Commissioner or conditions attaching to the restricted license.

12 C. Respondent shall not be eligible to apply for the
13 issuance of an unrestricted real estate license nor the removal
14 of any of the limitations, conditions or restrictions of a
15 restricted license until two (2) years have elapsed from the date
16 of the issuance of the restricted license to respondent.

17 D. Respondent shall submit with any application for
18 license under an employing broker, or any application for
19 transfer to a new employing broker, a statement signed by the
20 prospective employing real estate broker on a form approved by
21 the Department of Real Estate which shall certify:

22 1. That the employing broker has read the Decision of
23 the Commissioner which granted the right to a restricted license;
24 and

25 2. That the employing broker will exercise close
26 supervision over the performance by the restricted licensee

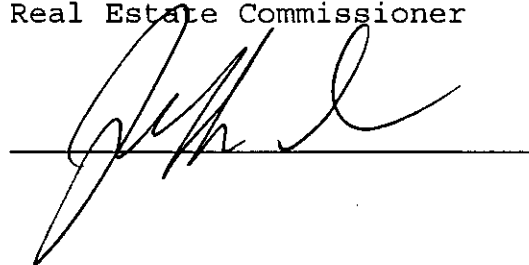
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1 relating to activities for which a real estate license is
2 required.

3 This Order shall become effective at 12 o'clock
4 noon on MAR 13 2007.

5 DATED: 2-8-07.

6 JEFF DAVI
7 Real Estate Commissioner

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FILED
OCT 27 2004

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

* * *

In the Matter of the Accusation of)
JEFFREY JOHN RAILEY,)
Respondent.)
_____)

NO. H-3001 SD

OAH NO. L-2004060122

DECISION

The Proposed Decision dated September 21, 2004, of the Administrative Law Judge of the Office of Administrative Hearings is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

The Decision suspends or revokes one or more real estate licenses on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

This Decision shall become effective at 12 o'clock noon
on November 16, 2004.

IT IS SO ORDERED Oct. 15, 2004.

JOHN R. LIBERATOR
Acting Real Estate Commissioner

John R. Liberator

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation against:

JEFFREY JOHN RAILEY,

Respondent.

Case No. H-3001 SD

OAH No. L2004060122

PROPOSED DECISION

On August 30, 2004, in San Diego, California, Greer D. Knopf, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

Deidre L. Johnson, Counsel, the Department of Real Estate, appeared on behalf of complainant J. Chris Graves, Deputy Real Estate Commissioner, Department of Real Estate, State of California.

Stephen Frantz, attorney at law, appeared and represented respondent Jeffrey John Railey who was also present at the hearing.

The matter was submitted on August 30, 2004.

FACTUAL FINDINGS

1. Accusation number H-3001 SD, dated April 26, 2004, was filed on May 4, 2004 by complainant, J. Chris Graves, in his official capacity as Deputy Real Estate Commissioner, Department of Real Estate, State of California against respondent Jeffrey John Railey. The accusation alleges respondent holds a license as a real estate salesperson and he has now been convicted of crimes involving moral turpitude that bear a substantial relationship to the qualifications, functions or duties of a real estate salesperson. On May 21, 2004, respondent filed a notice of defense dated May 16, 2004 requesting a hearing on the accusation. The proceeding herein followed.

2. The Department of Real Estate (hereinafter the Department) issued respondent a conditional real estate salesperson's license on February 28, 2001 pursuant to Business and Professions Code section 10153.4. On August 31, 2002, respondent's conditional salesperson's license expired. On September 1, 2002, respondent's license was suspended pursuant to Business and Professions Code section 10153.4, subdivision (c). On October 14, 2002, the

Department reinstated respondent's salesperson's license due to respondent completing the educational requirements. However, respondent listed no employing broker as of October 14, 2002, and remained unemployed by a broker until December 5, 2003. Respondent now holds his salesperson's license that expires on February 27, 2005, unless renewed.

3. On November 20, 2002, in the Superior Court for the County of San Diego, in case number M879033, respondent was convicted of a violation of Health and Safety Code section 11377, subdivision (a), unlawful possession of a controlled substance. This crime was a misdemeanor and is substantially related to the qualifications, functions, and duties of a real estate licensee under California Code of Regulations, title 10, section 2910. Respondent committed this crime when he was driving while under the influence of methamphetamine. He claims he had been using methamphetamine for just a few months when he was arrested while under the influence of this drug. Respondent was sentenced to three years probation and ordered to pay fines and restitution. The court also ordered respondent to complete an HIV education program and attend a 12-step Narcotics Anonymous (hereinafter NA) for ten weeks.

4. While he was still on probation from the November 2002 conviction, respondent was convicted of another crime. On January 14, 2003, in the Superior Court for the County of San Diego, in case number CN155996, respondent was convicted of a violation of Health and Safety Code section 11550, subdivision (a), being under the influence of a controlled substance. This crime was a misdemeanor that is substantially related to the qualifications, functions, and duties of a real estate licensee under California Code of Regulations, title 10, section 2910. Respondent committed this crime when he was again arrested while under the influence of methamphetamine. Respondent was sentenced to eight days in custody and three years formal probation and ordered to pay fines and restitution. The court also ordered respondent to complete 20 days in the Public Service Work Program if directed to do so by the Probation Department. He was also ordered to complete a drug treatment program, an AIDS education program and attend NA as directed by his probation officer.

5. Less than one month later, while respondent was still on probation, respondent was convicted of another crime. On February 5, 2003, in the Superior Court for the County of San Diego, in case number CN157153, respondent was convicted of a violation of Vehicle Code section 23152, subdivision (a), driving under the influence of drugs and a violation of Health and Safety Code section 11377, subdivision (a), possession of a controlled substance. These crimes were misdemeanors that are substantially related to the qualifications, functions, and duties of a real estate licensee under California Code of Regulations, title 10, section 2910. Respondent committed these crimes when he drove his vehicle while under the influence of methamphetamine. The court sentenced respondent to three years probation and he was ordered to serve 15 days in County Jail. The court also ordered respondent to complete a non-residential drug treatment program, a first conviction education program and a MADD education program. The court further ordered respondent's driver's license restricted for 90 days.

6. Again, while respondent was still on probation, he was convicted of another crime. On May 9, 2003, in the Superior Court for the County of San Diego, in case number M888361, respondent was convicted of a violation of Health and Safety Code section 11550,

subdivision (a), being under the influence of drugs. This crime was a misdemeanor that is substantially related to the qualifications, functions, and duties of a real estate licensee under California Code of Regulations, title 10, section 2910. Respondent committed this crime when he was arrested for being under the influence of methamphetamine, amphetamine, benzoylecgonine and morphine. Respondent was sentenced to five years formal probation and ordered to pay fines and restitution. The court also ordered respondent to complete 20 days of the Public Service Work Program, complete a drug treatment program, attend NA as directed by his probation officer, and register as a substance abuser pursuant to Health and Safety Code section 11590. Respondent remains on formal criminal probation until 2008.

7. In aggravation, respondent had previously been convicted of crimes in 1983 and in 1991. In 1983, respondent was convicted of a violation of Vehicle Code section 23103.5, "wet" reckless driving with a charge of driving under the influence of alcohol. In 1991, respondent was convicted of a violation of Vehicle Code section 23152, subdivision (a), driving under the influence of drugs and a violation of Health and Safety Code section 11364, possession of drug paraphernalia. These convictions are substantially related to the qualifications, functions, and duties of a real estate licensee under California Code of Regulations, title 10, section 2910.

8. Respondent's many criminal convictions all arose out of his abuse of methamphetamine. He claims all of his problems with drug abuse began when his wife left him in 2002; however, he was already engaging in substance abuse back in 1983 and 1991. Respondent now claims he has completely turned his life around since his criminal convictions. Respondent has been clean and sober for nearly one year since October 2003. He is 39 years old. Respondent is highly motivated to improve his life in order to regain some sort of custody of his two young daughters. He is now only permitted to see his children on supervised visits and he is desperate to have his family back. He is employed as a loan officer at Homestar Mortgage Inc. and wants to continue working in that capacity.

Respondent claims he was addicted to methamphetamine for just over one year. During that time, he was arrested and convicted of four drug-related offenses. He half-heartedly attempted recovery a few times when ordered into recovery programs by the court. It was only after he was injured in an automobile accident that he became serious about rehabilitation. After his last conviction when he realized he had lost everything that was important to him, he entered a recovery program again. Now he has been clean and sober for just under one year. He believes he began using because he was depressed over the loss of his family. He understands he does not want to go back to that way of life.

Respondent has made tremendous strides towards rehabilitation and he should be commended for his continuous efforts. However, he is still on probation and has not had enough time to establish a track record of living a drug-free lifestyle. At this point in time, there is too much risk that respondent could resort to his old ways of substance abuse and crime in difficult times. The Department must be able to rely on its licensees. Respondent needs more time to establish himself as a clean and sober and law abiding citizen. He should not continue to be entrusted with a real estate license. It is not in the public interest to allow respondent to keep his license as a real estate salesperson at this time.

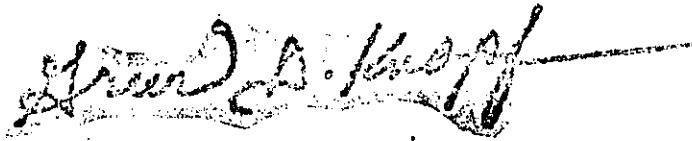
LEGAL CONCLUSIONS

Cause exists to discipline respondent's license as a real estate salesperson pursuant to Business and Professions Code sections 490 and 10177, subdivision (b) in that respondent was convicted of crimes that are substantially related to the qualifications, functions and duties of a real estate licensee, as set forth in Findings 2, 3, 4, 5, 6, 7, and 8.

ORDER

Real estate salesperson's license number 01302141 issued by the Department of Real Estate for the State of California to respondent Jeffrey John Railey is hereby revoked.

DATED: 9/21/04



GREER D. KNOPF
Administrative Law Judge
Office of Administrative Hearings

**BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

FILED
JUL - 1 2004

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

In the Matter of the Accusation of

JEFFREY JOHN RILEY,

Case No. H-3001 SD

OAH No. L-2004060122

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at

**THE OFFICE OF ADMINISTRATIVE HEARINGS
1350 FRONT STREET, ROOM 6022
SAN DIEGO, CA 92101**

on **AUGUST 30, 2004**, at the hour of **9:00 AM**, or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: JUNE 30, 2004

By

Deidre L. Johnson
DEIDRE L. JOHNSON, Counsel

1 DEIDRE L. JOHNSON, Counsel
2 Department of Real Estate
3 SBN 66322
4 P. O. Box 187007
5 Sacramento, CA 95818-7007
6 Telephone: (916) 227-0789

FILED
MAY - 4 2004

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)

NO. H-3001 SD

JEFFREY JOHN RAILEY,)

ACCUSATION

Respondent.)

15 The Complainant, J. CHRIS GRAVES, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against JEFFREY JOHN RAILEY, is informed and alleges as follows:

I

19 The Complainant, J. CHRIS GRAVES, a Deputy Real Estate
20 Commissioner of the State of California, makes this Accusation
21 against JEFFREY JOHN RAILEY (hereafter Respondent) in his
22 official capacity and not otherwise.

II

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

1 III

2 On or about February 27, 2003, in the Superior Court of
3 California, County of San Diego, in Case No. M888361, Respondent
4 was convicted of violation of California Health and Safety Code
5 Section 11550(a) (UNDER THE INFLUENCE OF DRUGS), a crime involving
6 moral turpitude, and/or a crime which is substantially related
7 under Section 2910, Title 10, California Code of Regulations to
8 the qualifications, functions, or duties of a real estate licensee.

9 IV

10 On or about February 5, 2003, in the Superior Court of
11 California, County of San Diego, in Case No. CN157153, Respondent
12 was convicted of violation of California Vehicle Code Section
13 23152(a) (DRIVING UNDER THE INFLUENCE OF DRUGS) and Health and
14 Safety Code Section 11377(a) (POSSESSION OF CONTROLLED SUBSTANCE),
15 crimes involving moral turpitude, and/or crimes which are
16 substantially related under Section 2910, Title 10, California
17 Code of Regulations to the qualifications, functions, or duties
18 of a real estate licensee.

19 V

20 On or about January 14, 2003, in the Superior Court of
21 California, County of San Diego, in Case No. CN155996, Respondent
22 was convicted of violation of California Health and Safety Code
23 Section 11550(a) (UNDER THE INFLUENCE OF A CONTROLLED SUBSTANCE),
24 a crime involving moral turpitude, and/or a crime which is
25 substantially related under Section 2910, Title 10, California
26 Code of Regulations to the qualifications, functions or duties of
27 a real estate licensee.

1 VI

2 On or about November 20, 2002, in the Superior Court of
3 California, County of San Diego, in Case No. M879033, Respondent
4 was convicted of violation of California Health and Safety Code
5 Section 11377(a) (POSSESSION OF ILLEGAL DRUGS), a crime involving
6 moral turpitude, and/or a crime which is substantially related
7 under Section 2910, Title 10, California Code of Regulations to
8 the qualifications, functions, or duties of a real estate licensee.

9 VII

10 The facts alleged in Paragraphs III, IV, V, and VI
11 above constitute cause under Sections 490 and 10177(b) of the
12 Code for suspension or revocation of all license(s) and license
13 rights of Respondent under the Real Estate Law.

14 MATTERS IN AGGRAVATION

15 VIII

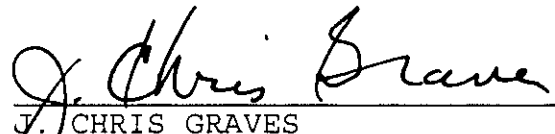
16 On or about November 14, 1991, in the Municipal Court
17 of California, County of San Diego, in Case No. NC135506,
18 Respondent was convicted of violation of California Vehicle Code
19 Section 23152(a) (DRIVING UNDER THE INFLUENCE OF DRUGS) and Health
20 and Safety Code Section 11364 (POSSESSION OF DRUG PARAPHERNALIA),
21 crimes involving moral turpitude, and/or crimes which are
22 substantially related under Section 2910, Title 10, California
23 Code of Regulations to the qualifications, functions or duties of
24 a real estate licensee.

25 IX

26 On or about October 25, 1983, in the Municipal Court of
27 California, County of San Diego, in Case No. B90136, Respondent

1 was convicted of violation of California Vehicle Code Section
2 23103.5 ("WET" RECKLESS DRIVING WITH CHARGE OF DRIVING UNDER THE
3 INFLUENCE OF ALCOHOL), a crime involving moral turpitude, and/or
4 a crime which is substantially related under Section 2910,
5 Title 10, California Code of Regulations to the qualifications,
6 functions, or duties of a real estate licensee.

7 WHEREFORE, Complainant prays that a hearing be
8 conducted on the allegations of this Accusation and that upon
9 proof thereof a decision be rendered imposing disciplinary action
10 against all license(s) and license rights of Respondent under the
11 Real Estate Law (Part 1 of Division 4 of the Business and
12 Professions Code), and for such other and further relief as may
13 be proper under other provisions of law.

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18 J. CHRIS GRAVES
19 Deputy Real Estate Commissioner
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21 Dated at San Diego, California,
22 this 26th day of April, 2004.
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