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FILED

OCT 15 2018

DEPT. OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:) DRE No. H-03192 FR
JEFFREY WAYNE MOWRY,)
Respondent.)

ORDER SETTING ASIDE DEFAULT DECISION

On August 27, 2018, a default decision revoking Respondent's real estate broker license was signed in the above-entitled matter (the "August 27, 2018 Decision"). The August 27, 2018 Decision was to become effective on September 28, 2018 and was stayed by separate order to October 29, 2018. On October 3, 2018, reconsideration was granted for the purpose of holding a hearing. Accordingly, the August 27, 2018 Decision is hereby set aside and is of no legal effect.

IT IS SO ORDERED October 11, 2018.

DANIEL SANDRI
ACTING REAL ESTATE COMMISSIONER

[Signature]

FRAG

FILED

OCT 05 2018

DEPT. OF REAL ESTATE
By [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:) DRE No. H-03192 FR
JEFFREY WAYNE MOWRY,)
Respondent.)
_____)

ORDER GRANTING RECONSIDERATION

On August 27, 2018, a Decision revoking Respondent's real estate broker license was signed in the above-entitled matter. Said Decision was to become effective on September 28, 2018.

On September 21, 2018, Respondent requested a stay in order to petition for reconsideration of the Decision of August 27, 2018.

I find that there is good cause to reconsider the Decision of August 27, 2018. Reconsideration is granted for the purpose of holding a hearing in this matter.

IT IS SO ORDERED October 3, 2018.

DANIEL SANDRI
ACTING REAL ESTATE COMMISSIONER

[Signature]

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FILED

SEP 27 2018

DEPARTMENT OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:

JEFFREY WAYNE MOWRY,

Respondent(s).

) DRE NO. H-03192 FR
)
)
)
)

ORDER STAYING EFFECTIVE DATE

On August 27, 2018, a Decision was rendered in the above-entitled matter to become effective September 28, 2018.

IT IS HEREBY ORDERED that the effective date of September 28, 2018 is stayed for a period of 30 days to allow Respondent JEFFREY WAYNE MOWRY to file a petition for reconsideration.

The Decision of August 27, 2018, shall become effective at 12 o'clock noon on October 29, 2018.

DATED: September 27, 2018.

DANIEL SANDRI
ACTING REAL ESTATE COMMISSIONER

[Signature: Daniel J. Sandri]

FILED

SEP 10 2018

DEPARTMENT OF REAL ESTATE

By *@eSain*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation against)	DRE No. H-03192 FR
)	
JEFFREY WAYNE MOWRY,)	
)	
Respondent.)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default for Respondent JEFFREY WAYNE MOWRY ("Respondent") filed on August 20, 2018, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and/or (3) other evidence.

Pursuant to Government Code Section 11521, the Department of Real Estate ("Department") may order reconsideration of this Decision on petition of any party. The Department's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On June 20, 2018, Brenda Smith made the Accusation in her official capacity as a Supervising Special Investigator of the Department. On June 29, 2018, the Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, and by regular mail to Respondent's last known mailing address on file with the Department. No Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered on August 20, 2018.

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Code as a real estate broker.

3.

Attached as Exhibit A is a true and correct copy of the Accusation filed on June 29, 2018. The allegations contained in the Accusation are taken as true, and the Accusation is incorporated herein as part of this Decision.

4.

All references to the "Code" are to the Business and Professions Code and all references to "Regulations" are to title 10, chapter 6, California Code of Regulations.

DETERMINATION OF ISSUES

1.

Respondent's conduct, as described in Paragraphs 7(a) through 7(c) of Exhibit A, violated the Code and the Regulations as set forth below:

PARAGRAPH	PROVISIONS VIOLATED
7(a)	Code section 10145 and Regulation 2832.1
7(b)	Code section 10145 and Regulation 2834
7(c)	Code section 10145 and Regulation 2831.2

2.

The foregoing violations, as described in Paragraphs 7(a) through 7(c) of Exhibit A, constitute cause for the suspension or revocation of the real estate license and license rights of Respondent under the provisions of Code sections 10177(d) and 10177(g).

3.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

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ORDER

All licenses and licensing rights of Respondent JEFFREY WAYNE MOWRY under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on 9/28/18.

DATED: August 27, 2018.

DANIEL J. SANDRI
ACTING REAL ESTATE COMMISSIONER



1 Department of Real Estate
2 1651 Exposition, Blvd.
3 Sacramento, CA, 95815

FILED

AUG 20 2018

DEPARTMENT OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:) DRE NO. *H-03192 FR*
12)
13 JEFFREY WAYNE MOWRY,) DEFAULT ORDER
14 Respondent.)

15 Respondent JEFFREY WAYNE MOWRY, having failed to file a Notice of
16 Defense within the time required by Section 11506 of the Government Code, is now in
17 default. It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED AUGUST 20, 2018.

19 DANIEL SANDRI
20 ACTING REAL ESTATE COMMISSIONER

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22 By: 
23 JOSEPH M. CARRILLO
24 Managing Deputy Commissioner IV
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