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FILED

DEC 20 2018

DEPARTMENT OF REAL ESTATE

By S. Krapp

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)

12 LUKE CHRISTIAN CARLSON,)

13 Respondent.)
14)

NO. H-3216 FR

STATEMENT OF ISSUES

15 The Complainant, BRENDA SMITH, acting in her official capacity as a
16 Supervising Special Investigator of the State of California, for this Statement of Issues against
17 LUKE CHRISTIAN CARLSON ("Respondent"), is informed and alleges as follows:

18 1

19 On or about January 22, 2018, Respondent made application to the Department of
20 Real Estate of the State of California for a real estate salesperson license.

21 2

22 On or about January 6, 2016, in the Superior Court of the State of California,
23 County of Fresno, Case No. F15901898, Respondent was convicted of violating Section
24 2800.2(a) (evade police officer) of the California Vehicle Code as a felony and Section 23152(b)
25 (driving under the influence-over .08%) of the California Vehicle Code as a misdemeanor.
26 Respondent's crimes bear a substantial relationship to the qualifications, functions or duties of a
27 real estate licensee pursuant to Section 2910, Title 10, of the California Code of Regulations

1 ("Regulations").

2 3

3 On or about January 6, 2016, in the Superior Court of the State of California,
4 County of Fresno, Case No. M15910627, Respondent was convicted of violating Section
5 23152(b) of the California Vehicle Code, a misdemeanor and a crime that bears a substantial
6 relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section
7 2910 of the Regulations.

8 4

9 On or about July 30, 2013, in the Superior Court of the State of California, County
10 of Sacramento, Case No. 13T03177, Respondent was convicted of violating Section 23152(b) of
11 the California Vehicle Code, a misdemeanor and a crime that bears a substantial relationship to
12 the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the
13 Regulations.

14 5

15 On or about July 18, 2006, in the Superior Court of the State of California, County
16 of Fresno, Case No. M06000003-4-001, Respondent was convicted of violating Section 11357(b)
17 (possession of marijuana) of the California Health and Safety Code, a misdemeanor and a crime
18 that bears a substantial relationship to the qualifications, functions or duties of a real estate
19 licensee pursuant to Section 2910 of the Regulations.

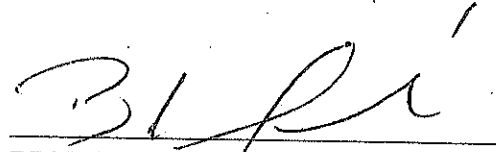
20 GROUND FOR DENIAL

21 6

22 Respondent's criminal convictions described above in Paragraphs 2 through 5
23 constitute cause for denial of Respondent's application for a real estate salesperson license
24 pursuant to the provisions of Sections 480(a)(1) (conviction of crime) and 10177(b) (conviction
25 of crime) of the Business and Professions Code.

26 WHEREFORE, the Complainant prays that the above-entitled matter be set for
27 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to

1 authorize the issuance of, and deny the issuance of, a real estate salesperson/broker license to
2 Respondent, and for such other and further relief as may be proper under applicable provisions of
3 law.

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5 
6 BREND A SMITH
7 Supervising Special Investigator

8 Dated at Fresno, California,
9 this 11 day of December 2018.

10
11
12 DISCOVERY DEMAND

13 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
14 Department hereby makes demand for discovery pursuant to the guidelines set forth in the
15 *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the
16 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
17 Administrative Hearings deems appropriate.