

FILED
JUL 14 2006

DEPARTMENT OF REAL ESTATE

By Carol Shaw

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)
JAMES DAVID SANFORD,) No. H-3505 SD
Respondent.)

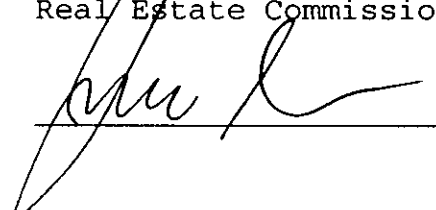
DISMISSAL

Respondent, JAMES DAVID SANFORD, having withdrawn his
application filed on or about April 1, 2005, for a real estate
broker license, the Statement of Issues against Respondent JAMES
DAVID SANFORD herein filed on May 9, 2006, is DISMISSED.

IT IS SO ORDERED this 14 day of July, 2006.

JEFF DAVI

Real Estate Commissioner



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FILED
MAY 09 2006

DEPARTMENT OF REAL ESTATE

By James S. Suggs

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 JAMES DAVID SANFORD,)
13 Respondent.)

No. H-3505 SD

STATEMENT OF ISSUES

14
15 The Complainant, J. CHRIS GRAVES, a Deputy Real Estate
16 Commissioner of the State of California, for Statement of Issues
17 against JAMES DAVID SANFORD (hereinafter "Respondent"), is
18 informed and alleges as follows:

19 I

20 Respondent made application to the Department of Real
21 Estate of the State of California for a real estate broker
22 license on or about April 1, 2005.

23 II

24 Complainant, J. CHRIS GRAVES, a Deputy Real Estate
25 Commissioner of the State of California, makes this Statement of
26 Issues in his official capacity and not otherwise.

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1 III

2 In response to Question 25 of said application, to wit:
3 "Have you ever been convicted of any violation of law?",
4 Respondent answered "Yes" and disclosed the convictions set forth
5 in Paragraphs V, VI, VII, and VIII below.

6 IV

7 On or about June 17, 1991, in the Superior Court,
8 County of San Diego, Respondent was convicted of a violation of
9 Section 484-488 of the California Penal Code (Petty Theft), a
10 crime involving moral turpitude which bears a substantial
11 relationship under Section 2910, Title 10, California Code of
12 Regulations, to the qualifications, functions, or duties of a
13 real estate licensee.

14 V

15 On or about March 28, 1997, in the Superior Court,
16 County of San Diego, Respondent was convicted of a violation of
17 Section 243(e) of the California Penal Code (Battery on Spouse),
18 a crime involving moral turpitude which bears a substantial
19 relationship under Section 2910, Title 10, California Code of
20 Regulations, to the qualifications, functions, or duties of a
21 real estate licensee.

22 VI

23 On or about November 12, 1998, in the Superior Court,
24 County of San Diego, Respondent was convicted of a violation of
25 Section 23152(a) of the California Vehicle Code (Driving Under
26 the Influence), a crime involving moral turpitude which bears a
27 substantial relationship under Section 2910, Title 10, California

1 Code of Regulations, to the qualifications, functions, or duties
2 of a real estate licensee.

3 VII

4 On or about June 15, 2001, in the Superior Court,
5 County of San Diego, Respondent was convicted of a violation of
6 Section 14601.5(a) of the California Vehicle Code (Driving with a
7 Suspended License), a crime involving moral turpitude which bears
8 a substantial relationship under Section 2910, Title 10,
9 California Code of Regulations, to the qualifications, functions,
10 or duties of a real estate licensee.

11 VIII

12 On or about July 3, 2001, in the Superior Court, County
13 of San Diego, Respondent was convicted of a violation of Section
14 23152(a) of the California Vehicle Code (Driving Under the
15 Influence with a Prior), a crime involving moral turpitude which
16 bears a substantial relationship under Section 2910, Title 10,
17 California Code of Regulations, to the qualifications, functions,
18 or duties of a real estate licensee.

19 IX

20 On or about January 7, 2002, after proceeding pursuant
21 to the Administrative Procedures Act in which Respondent was
22 given fair notice of the charges, an opportunity for a hearing,
23 and other due process protections, Respondent had an unrestricted
24 insurance license revoked, granting the right to a restricted
25 license, by the California Department of Insurance upon an
26 express finding in violation of Sections 1668(b), 1668(e),
27 1668(h), and 1738 of the Insurance Code for acts, which if done

1 by a real estate licensee would be grounds for the suspension or
2 revocation of a California real estate license under Section
3 10177(a) of the Code.

4 X

5 On or about March 15, 2004, Respondent's restricted
6 license issued by the California Department of Insurance was
7 revoked upon an express finding in violation of Sections 1668(h)
8 of the Insurance Code for acts, which if done by a real estate
9 licensee would be grounds for the suspension or revocation of a
10 California real estate license under Section 10177(a) of the
11 Code.

12 XI

13 The crimes of which Respondent was convicted, as
14 alleged in Paragraphs IV through VIII, constitute cause for
15 denial of Respondent's application for a real estate license
16 under Sections 480(a) and 10177(b) of the California Business and
17 Professions Code.

18 XII

19 Respondent's failure to reveal the conviction set forth
20 above in Paragraph IV of said application constitutes the
21 procurement of a real estate license by fraud, misrepresentation,
22 or deceit, or by making a material misstatement of fact in said
23 application, which failure is cause for denial of Respondent's
24 application for a real estate license under Sections 480(c) and
25 10177(a) of the California Business and Professions Code.

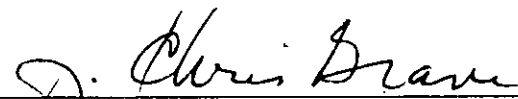
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XIII

The events described in Paragraphs IX and X, constitute cause for denial of Respondent's application for a real estate license under Sections 480(a) and 10177(f) of the Code.

WHEREFORE, the 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 broker license to Respondent, and for such other and further relief as may be proper under other provisions of law.


J. CHRIS GRAVES
Deputy Real Estate Commissioner

Dated at San Diego, California,
this 7th day of May, 2006