

FLAG

FILED

MAY 28 2010

DEPARTMENT OF REAL ESTATE

By K. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Application of

No. H-4039 SD

PHILIP ST. JOHN BRAILSFORD,

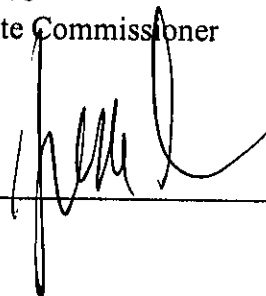
Respondent.

DISMISSAL

Respondent withdrew his application for a real estate broker license. Therefore,  
the Statement of Issues herein filed on December 3, 2009, is DISMISSED.

IT IS SO ORDERED 5-12-2010

JEFF DAVI  
Real Estate Commissioner



1 JOHN W. BARRON, Counsel (SBN 171246)  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007  
5 Telephone: (916) 227-0792  
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DEC - 3 2009

DEPARTMENT OF REAL ESTATE

By K. Mar

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \*\*\*

12 In the Matter of the Application of )  
13 PHILIP ST. JOHN BRAILSFORD, )  
14 Respondent. )  
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H-4039 SD

STATEMENT OF ISSUES

16 The Complainant, JOSEPH AIU, a Deputy Real Estate Commissioner of the  
17 State of California, for Statement of Issues against PHILIP ST. JOHN BRAILSFORD, (hereafter  
18 "Respondent"), is informed and alleges as follows:

19 1

20 Complainant makes this Statement of Issues against Respondent in his official  
21 capacity.

22 2

23 Respondent made application to the Department of Real Estate of the State of  
24 California for a real estate broker license on or about November 5, 2008.

25 3

26 In response to Question 1, Part D, of said application, to wit: "Have you ever  
27 been convicted of a misdemeanor or felony? Convictions expunged under Penal Code Section

1 1203.4 must be disclosed. However, you may omit traffic citations which do not constitute a  
2 misdemeanor", Respondent concealed and failed to disclose the conviction described in  
3 Paragraph 4, below.

4 4

5 On or about October 19, 2004, in the Superior Court of the State of California,  
6 County of San Diego, Case No. CD184070, Respondent was convicted of violating Section  
7 664/487(a) of the California Penal Code (Attempted Grand Theft), a misdemeanor and a crime  
8 which bears a substantial relationship under Section 2910, Title 10, of the California Code of  
9 Regulations (hereafter "the Code"), to the qualifications, functions or duties of a real estate  
10 licensee.

11 5

12 Respondent's criminal conviction, described in Paragraph 4, above, constitutes  
13 cause for denial of Respondent's application for a real estate broker license pursuant to the  
14 provisions of Section 480(a) and 10177(b) of the Code.

15 6

16 Respondent's failure to reveal in his application for a real estate broker license  
17 the conviction set forth in Paragraph 4, above, constitutes the procurement of or attempt to  
18 procure a real estate license by fraud, misrepresentation, or deceit, or by making a material  
19 misstatement of fact in said application, which failure is cause for denial of Respondent's  
20 application for a real estate broker license pursuant to the provisions of Sections 480(c) and  
21 10177(a) of the Code.

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1 WHEREFORE, Complainant prays that the above-entitled matter be set for  
2 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to  
3 authorize the issuance of, and deny the issuance of, a real estate broker license to Respondent,  
4 and for such other and further relief as may be proper under the provisions of the law.  
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JOSEPH AIU  
Deputy Real Estate Commissioner

9 Dated at San Diego, California,  
10 this 7th day of November, 2009.  
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