1 DEPARTMENT OF REAL ESTATE APR - 8 2010 P. O. Box 187000 2 Sacramento, CA 95818-7000 **DEPARTMENT OF REAL ESTATE** 3 by R. Henry Telephone: (916) 227-0789 4 5 6 7 BEFORE THE DEPARTMENT OF REAL ESTATE 8 9 STATE OF CALIFORNIA 10 In the Matter of the Bar Order Against: 11 DRE NO. H-4083 SD 12 WILLIAM JOHN VROOM, BAR ORDER 13 (B&P Code § 10087) 14 Respondent. 15 16 TO: WILLIAM JOHN VROOM, ("Respondent") P.O. Box 507301 17 San Diego, CA 92150 18 Pursuant to the authority granted by Section 10087 of the Code, and after review 19 and consideration of the following facts, the Commissioner makes the following findings of fact, 20 conclusions of law, and order: 21 **FINDINGS OF FACT** 22 On or about November 18, 2008, in the San Diego County Superior Court, 1. 23 State of California, Case Number SCD 214999, Respondent was convicted of violating Section 24 508 of the California Penal Code (Embezzlement); Section 530.5 of the Penal Code (Use of 25 Another's Identity to Obtain Money or Property); and Section 115(a) of the Penal Code

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-1.

(Offering False or Fraudulent Document to a Governmental Office for Recording), each a felony

which bears a substantial relationship under Section 2910 of the Regulations, to the

qualifications, functions, or duties of a real estate licensee. Respondent's convictions relate to criminal acts perpetrated by Respondent who was acting in a capacity of a real estate licensee in two real estate transactions.

- 2. On or about September 16, 2009, the Department filed an Accusation against Respondent alleging the convictions identified in Paragraph 2, above, were grounds for license discipline. In addition, the Accusation included a *Notice of Intention to Issue Order of Debarment* based upon the aforementioned convictions.
- 3. On February 11, 2010 a hearing on the aforementioned Accusation was held before Administrative Law Judge James Ahler in the San Diego Office of Administrative Hearings. The Department was represented by Kenneth C. Espell, Real Estate Counsel and Respondent appeared in pro per. At that time, evidence was received concerning Respondent's conviction and arguments were submitted concerning the issuance of an order of debarment.
- 4. On or about March 4, 2010, the Court issued its Proposed Decision recommending that Respondent's real estate broker license be revoked outright. The court further ruled that an *Order of Debarment* be issued.
- 5.. The Commissioner, with corrections for two typographical errors, adopted the Proposed Decision of the Court revoking Respondent's real estate broker license outright, and for the issuance of an *Order of Debarment*. A true and correct copy of the Commissioner's Decision adopting the Proposed Decision is attached hereto as Exhibit "1" and is incorporated herein by reference.

CONCLUSIONS OF LAW

Based on the findings set forth above, the Commissioner has determined that:

- (A) A Bar Order is in the public interest;
- (B) Respondent has knowingly committed violations of the Real Estate Law; and,
- (C) Respondent's violations of the Real Estate Law have caused material damage to the public.

NOW, THEREFORE, IT IS ORDERED, pursuant to the authority of Sections 10086 and 10087 of the Code, WILLIAM JOHN VROOM is hereby barred and prohibited for a period of thirty-six (36) months from the effective date of this Bar Order, from engaging in any of the following activities in the State of California:

- (A) Holding any position of employment, management, or control in a real estate business:
- (B) Participating in any business activity of a real estate salesperson or a real estate broker;
- (C) Engaging in any real estate related business activity on the premises where a real estate salesperson or real estate broker is conducting business; and, Participating in any real estate related business activity of a finance lender, residential mortgage lender, bank, credit union, escrow company, title company, or underwritten title company.

THIS BAR ORDER IS EFFECTIVE upon the effective date of the Decision of the Commissioner in DRE Case No. H-4006 SD.

Dated: 4/6/10

JEFF DAVI Real Estate Commissioner

BY: Barbara J. Bigby

Chief Deputy Commissioner