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FILED

DEC 19 2013

BUREAU OF REAL ESTATE

By *[Signature]*

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H- 04549 SD
12)
13 ROBERT BRYAN KLAUS,) A C C U S A T I O N
14) Respondent.)
15)

16 The Complainant, Maria Suarez, a Deputy Real Estate
17 Commissioner of the State of California, for cause of Accusation
18 against ROBERT BRYAN KLAUS, a.k.a. Robert Klaus ("Respondent"),
19 alleges as follows:

20 1.

21 The Complainant, Maria Suarez, a Deputy Real Estate
22 Commissioner of the State of California, makes this Accusation
23 in her official capacity.

24 2.

25 Respondent is presently licensed and/or has license
26 rights under the Real Estate Law, Part 1 of Division 4 of the
27 California Business and Professions Code ("Code"), as a real

1 estate broker. Respondent's license expired on December 4,
2 2013. Pursuant to Code Section 10201 Respondent retains renewal
3 rights. Pursuant to Section 10103 the Department retains
4 jurisdiction.

5
6 FIRST CAUSE FOR DISCIPLINE

7 (CRIMINAL CONVICTION)

8 3.

9 On or about March 13, 2013, in the Superior Court of
10 the State of California, San Diego County, in Case No.
11 SCD233668, Respondent pled guilty and was convicted for
12 violation of Health and Safety Code Section 11358 (unlawful
13 cultivation marijuana), a felony. Respondent was sentenced
14 sixteen months in prison (concurrent with federal case number
15 2:11-CR428) and ordered to pay restitution to the victim and
16 fines.
17

18 4.

19 On or about January 18, 2013, in the United States
20 District Court, Eastern District of California, in Case No.
21 2:11CR428, Respondent pled guilty and was convicted for
22 violation of 21 U.S.C. §841(A)(1) (manufacture of at least 100
23 marijuana plants), a felony. Respondent was sentenced to 24
24 months in prison and ordered to pay fines.
25

26 ///

5.

These convictions, by their facts and circumstances, bear a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

6.

The crimes of which Respondent was convicted constitute cause under Sections 490 and 10177(b) of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

SECOND CAUSE FOR DISCIPLINE

(FAILURE TO REPORT)

7.

Respondent did not report in writing to the Bureau of Real Estate ("Bureau") either of the convictions described in Paragraph 3 and 4, within 30 days of the conviction date. Respondent's failure to timely report the convictions constitutes cause for discipline under Business and Professions Code Section 10186.2¹ of the license and license rights of Respondent under the Real Estate Law.

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¹ Pursuant to Business and Professions Code 10186.2: (a) (1) A licensee shall report any of the following to the Bureau: (A) The bringing of an indictment or information charging a felony against the licensee. (B) The conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or misdemeanor. (c) Any disciplinary action taken by another licensing entity or authority of this state or of another state or an agency of the federal government. (2) The report required by this subdivision shall be made in writing within 30 days of the date of the bringing of the indictment or the charging of a felony, the conviction, or the disciplinary action. (b) Failure to make a report required by this section shall constitute a cause for discipline.

8.

California Business and Professions Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.

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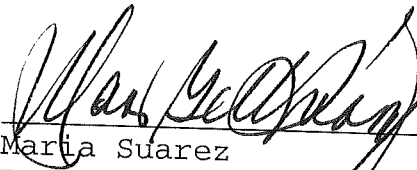
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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all the licenses and license rights of
5 Respondent, ROBERT BRYAN KLAUS, under the Real Estate Law (Part
6 1 of Division 4 of the Business and Professions Code) and for
7 such other and further relief as may be proper under other
8 applicable provisions of law.

9 Dated at Los Angeles, California

10 this 18th day of December, 2013.

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13 
14 Maria Suarez
15 Deputy Real Estate Commissioner
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25 cc: ROBERT BRYAN KLAUS
26 Maria Suarez
27 Sacto.