

FILED

March 29, 2012

DEPARTMENT OF REAL ESTATE

By L. Jones

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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 CARMEN MARIA HANEFFANT,)
13 Respondent.)

No. H-5798 SAC

STATEMENT OF ISSUES

14 The Complainant, TRICIA SOMMERS, a Deputy Real Estate Commissioner of
15 the State of California, for Statement of Issues against CARMEN MARIA HANEFFANT
16 (hereinafter "Respondent"), is informed and alleges as follows:

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18 Complainant makes this Statement of Issues in her official capacity and not
19 otherwise.

20 2

21 Respondent made application to the Department of Real Estate of the State of
22 California for a real estate salesperson license on or about August 19, 2011.

23 3

24 On or about September 5, 2006, in the Superior Court, County of Placer,
25 Respondent was convicted of a violation of Section 69 of the California Penal Code (Obstruct
26 Resist Executive Officer), a felony, and Section 11550 of the California Health and Safety Code
27 (Under Influence of a Controlled Substance), a misdemeanor, and crimes which bear a

1 substantial relationship under Section 2910, Title 10, California Code of Regulations, to the
2 qualifications, functions, or duties of a real estate licensee.

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4 On or about September 21, 2006, in the Superior Court, County of Placer,
5 Respondent was convicted of a violation of Section 4149(a) of the California Business and
6 Professions Code (Unauthorized Possession of Hypodermic Needle or Syringe), a misdemeanor
7 and crime which bears a substantial relationship under Section 2910, Title 10, California Code of
8 Regulations, to the qualifications, functions, or duties of a real estate licensee.

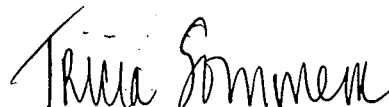
9 5

10 On or about November 28, 2011, in the Superior Court, County of Sacramento,
11 Respondent was convicted of a violation of Section 23152(b) of the California Vehicle Code
12 (Driving with a Blood Alcohol Level of 0.08 or Higher), a misdemeanor and crime which bears a
13 substantial relationship under Section 2910, Title 10, California Code of Regulations, to the
14 qualifications, functions, or duties of a real estate licensee.

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16 The crimes of which Respondent was convicted, as alleged above, constitutes
17 cause for denial of Respondent's application for a real estate license under Sections 480(a) and
18 10177(b) of the California Business and Professions Code.

19 WHEREFORE, the Complainant prays that the above-entitled matter be set for
20 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
21 authorize the issuance of, and deny the issuance of, a real estate salesperson license to
22 Respondent, and for such other and further relief as may be proper under other provisions of law.

23
24 

25 TRICIA SOMMERS
26 Deputy Real Estate Commissioner

26 Dated at Sacramento, California,
27 this 22 day of March, 2012.

DISCOVERY DEMAND

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