

**FILED**

1 TRULY SUGHRUE, Counsel  
2 State Bar No. 223266  
3 Department of Real Estate  
4 P.O. Box 187007  
5 Sacramento, CA 95818-7007

**March 29, 2012**

DEPARTMENT OF REAL ESTATE

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By *P. Jones*

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )

12 DAVID CRAIG, )

13 Respondent. )

No. H-5799 SAC

STATEMENT OF ISSUES

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

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19 Complainant, TRICIA SOMMERS, a Deputy Real Estate Commissioner of the  
20 State of California, makes this Statement of Issues in her official capacity and not otherwise.

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22 Respondent made application to the Department of Real Estate of the State of  
23 California for a real estate salesperson license on or about September 6, 2011.

24 3

25 On or about March 29, 2004, in the Superior Court, County of Placer, Respondent  
26 was convicted of two counts of Section 484f(b) of the California Penal Code (Fraud, Use of  
27 another's access card), felonies; one count of Section 488 of the California Penal Code (Petty

1 Theft), a misdemeanor; and Section 14601.5 of the California Vehicle Code (Driving on a  
2 Suspended License), a misdemeanor, crimes which bear a substantial relationship under Section  
3 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real  
4 estate licensee.

5 4

6 On or about August 23, 2004, in the Superior Court, County of Sacramento,  
7 Respondent was convicted of a violation of Section 11550 of the California Health and Safety  
8 Code (Under Influence of a Controlled Substance), a misdemeanor and crime which bears a  
9 substantial relationship under Section 2910, Title 10, California Code of Regulations, to the  
10 qualifications, functions, or duties of a real estate licensee.

11 5

12 The crimes of which Respondent was convicted, as alleged above, constitutes  
13 cause for denial of Respondent's application for a real estate license under Sections 480(a) and  
14 10177(b) of the California Business and Professions Code.

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

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21 TRICIA SOMMERS  
22 Deputy Real Estate Commissioner

23 Dated at Sacramento, California,  
24 this 22 day of March, 2012.

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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.