

1 JASON D. LAZARK, Counsel (SBN 263714)
2 Bureau of Real Estate
3 P. O. Box 137007
4 Sacramento, CA 95813-7007
5 Telephone: (916) 263-8684

FILED

OCT 10 2013

BUREAU OF REAL ESTATE

By *A. Frost*

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)

12 JESS WESTON YOUNG,)

13 Respondent.)

No. H-6023 SAC

STATEMENT OF ISSUES

14
15 The Complainant, TRICIA D. SOMMERS, acting in her official capacity as a
16 Deputy Real Estate Commissioner of the State of California, for Statement of Issues against
17 JESS WESTON YOUNG ("Respondent"), alleges as follows:

18 1.

19 On or about August 8, 2012, Respondent made application to the Bureau of Real
20 Estate of the State of California for a real estate salesperson license.

21 FAILURE TO DISCLOSE CONVICTIONS

22 2.

23 In response to Question 23 of said application, to wit: "HAVE YOU EVER
24 BEEN CONVICTED OF A MISDEMEANOR OR FELONY? **CONVICTIONS EXPUNGED**
25 **UNDER PENAL CODE SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU**
26 **MAY OMIT TRAFFIC CITATIONS WHICH DO NOT CONSTITUTE A**

27 ///

1 **MISDEMEANOR OR FELONY”** Respondent concealed and failed to disclose the conviction
2 described below in Paragraph 4.

3 CRIMINAL CONVICTIONS

4 3.

5 On or about October 24, 2008, in the Superior Court of the State of California,
6 County of Sonoma, Case Number SCR-541701, Respondent was convicted of violating two
7 counts of Section 459 of the Penal Code (burglary), felonies which bear a substantial
8 relationship under Section 2910, Title 10, California Code of the Regulations (herein “the
9 Regulations”) to the qualifications, functions or duties of a real estate licensee.

10 4.

11 On or about February 7, 2007, in the Municipal Court of the City of Roseburg,
12 County of Douglas, State of Oregon, Case Number 07-45958, Respondent was convicted of
13 violating section 164.043 of the Oregon Revised Statutes (third degree burglary), a
14 misdemeanor which bears a substantial relationship under Section 2910, Title 10 of the
15 Regulations to the qualifications, functions or duties of a real estate licensee.

16 5.

17 On or about January 17, 2007, in the Superior Court of the State of California,
18 County of Sonoma, Case Number SCR-499650, Respondent was convicted of violating Section
19 148.9 of the Penal Code (giving false information to a police officer), a misdemeanor which
20 bears a substantial relationship under section 2910, Title 10, of the Regulations to the
21 qualifications, functions or duties of a real estate licensee.

22 6.

23 On or about November 16, 2006, in the Superior Court of the State of California,
24 County of Sonoma, Case Number SCR-486274, Respondent was convicted of violating section
25 484(a) of the Penal Code (petty theft), a misdemeanor which bears a substantial relationship
26 under Section 2910, Title 10, of the Regulations to the qualifications, functions or duties of a
27 real estate licensee.

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7.

On or about August 12, 2002, in the Superior Court of the State of California, County of Sonoma, Case Number TCR-399739, Respondent was convicted of violating Section 23152(b) of the Vehicle Code (driving with a blood alcohol level at or above .08%), a misdemeanor which bears a substantial relationship under Section 2910, Title 10, of the Regulations to the qualifications, functions or duties of a real estate licensee.

GROUNDS FOR DISCIPLINE

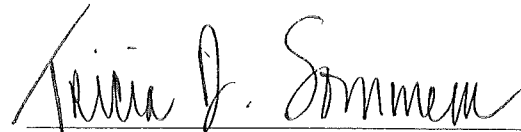
8.

In failing to reveal the conviction described above in Paragraph 4, Respondent procured or attempted to procure a real estate license by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in said application, which constitutes grounds for denial of Respondent's application for a real estate license under Sections 480(c) and 10177(a) of the Business and Professions Code (herein "the Code").

9.

Respondent's criminal convictions, as described above in Paragraphs 3 through 7, constitute grounds for denial of Respondent's application for a real estate license under Sections 480(a) and 10177(b) of the Code.

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



TRICIA D. SOMMERS
Deputy Real Estate Commissioner

Dated at Sacramento, California,
this 10th day of October, 2013.

DISCOVERY DEMAND

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

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