

1 RICHARD K. UNO, Counsel III (SBN 98275)  
2 Bureau of Real Estate  
3 P. O. Box 137007  
4 Sacramento, CA 95813-7007

5 Telephone: (916) 263-8670  
6 (916) 263-3767 (Fax)  
7 (916) 263-8679 (Direct)

**FILED**

JUN 12 2015

BUREAU OF REAL ESTATE

By J. CUMMINGS

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9  
10 BEFORE THE BUREAU OF REAL ESTATE  
11 STATE OF CALIFORNIA

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13 In the Matter of the Accusation of  
14 KEVIN VINCENT MORAN,  
15 Respondent.

No. H- 6270 SAC  
ACCUSATION

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17 The Complainant, HEATHER NISHIMURA, a Supervising Special Investigator  
18 of the State of California, for cause of Accusation against KEVIN VINCENT MORAN,  
19 (Respondent), is informed and alleges as follows:

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21 Complainant makes this Accusation against Respondent in her official capacity.

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23 At all times herein mentioned, Respondent was and is presently licensed and/or  
24 has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and  
25 Professions Code (the Code) by the Bureau of Real Estate (the Bureau) as a real estate broker.

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2 On or about August 12, 2014, in the Superior Court of the State of California,  
3 County of San Joaquin, Case No. STO63268A, Respondent was convicted of violating Section  
4 20002(a) of California Vehicle Code (hit and run/property damage), a misdemeanor and a crime  
5 which bears a substantial relationship under Section 2910, Title 10, California Code of  
6 Regulations to the qualifications, functions, or duties of a real estate licensee.

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8 The facts alleged in Paragraph 3, above, constitute cause under Sections 10177(b)  
9 (further grounds for disciplinary action-conviction of crime) and 490 (conviction of substantially  
10 related crime) of the Code for suspension or revocation of Respondent's license under the Real  
11 Estate Law.

12 PRIOR ADMINISTRATIVE PROCEEDINGS

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14 Effective February 2, 2011, in Case No. H-4928 SAC, before the Bureau, the Real  
15 Estate Commissioner, pursuant to an Order adopting a Stipulation and Agreement, suspended  
16 Respondent's real estate broker for sixty (60) days, stayed for two (2) years on terms and  
17 conditions.

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19 Effective August 2, 2000, in Case No. H-3508 SAC, before the Bureau, the Real  
20 Estate Commissioner revoked Respondent's real estate salesperson license, with the right to a  
21 restricted real estate salesperson license for violating Sections 498 and 10177(a) of the Code.

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23 The facts alleged above, in Paragraph 3, constitute a violation of Section  
24 10186.2 (failure to report in writing, a conviction within 30 days) of the Code, and are grounds  
25 for revocation of all licenses and license rights of Respondent under Section 10177(d) of the  
26 Code.

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Section 10106 of the Code 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 the investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a Decision be rendered imposing disciplinary action against all licenses and license rights of Respondent under the Code, for the reasonable costs of investigation and prosecution of this case, including agency attorney's fees and for such other and further relief as may be proper under provisions of law.

  
HEATHER NISHIMURA  
Deputy Real Estate Commissioner

Dated at Sacramento, California  
this 10<sup>th</sup> day of June, 2015.