

NOV 02 2015

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

BUREAU OF REAL ESTATE

By R dew

In the Matter of the Accusation of)	
)	No. H-6270 SAC
KEVIN VINCENT MORAN,)	
)	
Respondent.)	
_____)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the California¹ Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on October 14, 2015, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions, (2) affidavits, and (3) other evidence.

This Decision revokes a real estate license and/or license rights pursuant to the Real Estate Law, Part I of Division 4, of the Business and Professions Code (hereinafter "the Code") Sections 10177(b) and 490.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1

On June 10, 2015, Heather Nishimura made the Accusation in her official capacity as a Supervising Special Investigator of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were served on Respondent by regular and certified mail, return receipt requested, to Respondent's last known mailing address on file with the Bureau of Real Estate of the State of California (hereinafter "the Bureau") on June 12, 2015.

2

Respondent KEVIN VINCENT MORAN ("hereinafter "Respondent") is presently licensed and/or has license rights under the Code as a real estate broker.

¹ All references herein are to California Codes and Regulations, unless otherwise stated.

3

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

Prior Administrative Proceedings

4

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

5

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

DETERMINATION OF ISSUES

1

Cause for the suspension or revocation of all licenses and license rights of Respondent exists with reference to the facts set out in paragraph 3, above, pursuant to Sections 10177(b) and 490 of the Code.

2

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondent KEVIN VINCENT MORAN under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on NOV 23 2015.

DATED: OCTOBER 30, 2015

WAYNE S. BELL
REAL ESTATE COMMISSIONER

By: 

JEFFREY MASON
Chief Deputy Commissioner

FILED

OCT 14 2015

BUREAU OF REAL ESTATE

By S. Black

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. <i>H-6270 SAC</i>
)	
KEVIN VINCENT MORAN,)	<u>DEFAULT ORDER</u>
)	
Respondent.)	
)	

Respondent KEVIN VINCENT MORAN, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED October 14, 2015.

Real Estate Commissioner

By: 
JOE M. CARRILLO
Regional Manager