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KYLE T. JONES, Counsel (SBN 300751)
Bureau of Real Estate
P.O. BOX 137007
Sacramento, CA 95813-7007

OCT 31 2017

BUREAU OF REAL ESTATE

By A. Diaz

Telephone: (916) 263-8670
(916) 263-3767 (Fax)
(916) 263-7303 (Direct)

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	NO. H-6607 SAC
ROGER PAUL GREENING,)	
)	<u>ACCUSATION</u>
Respondent.)	

The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a Supervising Special Investigator of the State of California, for this Accusation against ROGER PAUL GREENING ("Respondent"), is informed and alleges as follows:

1

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code ("Code") as a real estate salesperson.

CRIMINAL CONVICTIONS

2

On or about July 15, 2016, in the Superior Court of the State of California, County of Placer, Case No. 62-134073, Respondent was convicted of violating Section 23103 of the California Vehicle Code (reckless driving while under the influence of alcohol), a misdemeanor and a crime that bears a substantial relationship to the qualification, functions or duties of a real

1 estate licensee pursuant to Section 2910, Title 10, of the California Code of Regulations
2 ("Regulations").

3 3

4 On or about November 24, 2015, in the Superior Court of the State of California,
5 County of Santa Cruz, Case No. F26521, Respondent was convicted of violating Section
6 245(a)(4) of the California Penal Code (assault with force likely to produce great bodily injury), a
7 felony and a crime that bears a substantial relationship to the qualifications, functions or duties of
8 a real estate licensee pursuant to Section 2910 of the Regulations.

9 FAILURE TO NOTIFY BUREAU OF CRIMINAL CONVICTIONS

10 4

11 On October 24, 2017, a diligent search was made of the records of the Bureau of
12 Real Estate ("Bureau") relating to Respondent's real estate salesperson license No. 01723456.
13 No record or written notice was received from Respondent notifying the Bureau, in writing, of
14 any arrest, conviction, indictment or license disciplinary action.

15 GROUND FOR DISCIPLINE

16 5

17 The facts alleged in Paragraphs 2 and 3, above, constitute cause under Sections
18 490 (conviction of substantially related crime) and 10177(b) (conviction of substantially related
19 crime) of the Code for the suspension or revocation of all licenses and license rights of
20 Respondent under the Real Estate Law.

21 6

22 Respondent's failure to report the convictions to the Bureau, as described in
23 paragraphs 2, 3, and 4, above, violates Section 10186.2 (a) (conviction reporting requirements) of
24 the Code, and constitutes cause under Section 10177(d) (willful disregard or violation of Real
25 Estate Law) of the Code for suspension or revocation of all licenses and license rights of
26 Respondent under the Real Estate Law.

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1 COST RECOVERY

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3 The Bureau will seek to recover cost of the investigation and prosecution of this
4 case pursuant to section 10106 of the Code which provides, in pertinent part, that in any order
5 issued in resolution of a disciplinary proceeding before the Bureau, the Commissioner may
6 request the administrative law judge to direct a licensee found to have committed a violation of
7 this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of
8 the case.

9 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
10 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
11 action against all licenses and license rights of Respondent under the Real Estate Law, for the
12 cost of investigation and enforcement as permitted by law, and for such other and further relief as
13 may be proper under other provisions of law.

14 

15 TRICIA D. PARKHURST
16 Supervising Special Investigator

17 Dated at Sacramento, California,
18 this 30th day of October, 2017.

19
20 DISCOVERY DEMAND

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