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FILED

DEC 14 2017

BUREAU OF REAL ESTATE

By B. Nicholas

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of:)

12 ANTHONY VICTOR RUGGIERO,)

13 Respondent.)

No. H-6623 SAC

STATEMENT OF ISSUES

14 _____)
15 The Complainant, TRICIA PARKHURST, in her official capacity as a
16 Supervising Special Investigator of the State of California, brings this Statement of Issues
17 against ANTHONY VICTOR RUGGIERO ("Respondent") and is informed and alleges as
18 follows:

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20 On or about March 30, 2016, Respondent made application to the Bureau of Real
21 Estate of the State of California ("Bureau") for a real estate salesperson license.

22 CRIMINAL CONVICTION

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24 On or about April 18, 2017, in the Superior Court of California, County of Placer,
25 Case No. 62149141, Respondent was convicted of violating California Vehicle Code Sections
26 23152(a) (driving under the influence), a misdemeanor and crime that bears a substantial
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1 relationship under Section 2910, Title 10, of the California Code of Regulations ("Regulations")
2 to the qualifications, functions, or duties of a real estate licensee.

3 PRIOR ADMINISTRATIVE PROCEEDINGS

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5 On or about February 7, 2007, Respondent made application to the then
6 Department of Real Estate ("Department") for a real estate salesperson license.

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8 On or about September 17, 2007, the Department filed a Statement of Issues
9 against Respondent, BRE Case No. H-4854 SAC, seeking to deny Respondent's real estate
10 salesperson application pursuant to Sections 480(a) and 10177(b) of the Business and
11 Professions Code ("Code").

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13 On or about October 10, 2007, in lieu of going to hearing on BRE Case No. H-
14 4854 SAC, Respondent entered into a Stipulation and Agreement with the Department, which
15 became effective November 13, 2007.

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17 Pursuant to the Stipulation and Agreement, the Department granted Respondent a
18 two-year restricted real estate salesperson license subject to Respondent satisfying the
19 requirements of Section 10153.4 of the Code.

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21 On or about November 25, 2011, the Department suspended Respondent's
22 restricted real estate salesperson license because Respondent failed to comply with the terms
23 and conditions of the Stipulation and Agreement; specifically, completing the education
24 requirements of Section 10153.4 of the Code.

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The facts alleged above in Paragraphs 3 through 7 constitute grounds for denial of Respondent's application for a real estate salesperson license pursuant to Sections 10177(d) (willful disregard or violation of Real Estate Law) and 10177(k) (violating the terms, conditions, restrictions, and limitations contained in an order granting a restricted license) 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 under other provisions of law.


TRICIA PARKHURST
Supervising Special Investigator

Dated at Sacramento, California
this 11th day of December, 2017.

DISCOVERY DEMAND

Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the Bureau 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 Bureau 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.