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FILED

JUL 26 2018

DEPARTMENT OF REAL ESTATE

By S. Krapp

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 LAURA LYNN BRANDON,) NO. H-6644 SAC
13)
14 Respondent.) STATEMENT OF ISSUES

15 The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a
16 Supervising Special Investigator of the State of California, for this Statement of Issues against
17 LAURA LYNN BRANDON ("Respondent"), is informed and alleges as follows:

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19 On or about May 31, 2017, Respondent made application to the Department of
20 Real Estate of the State of California for a real estate broker license.

21 DISCIPLINE BY OTHER LICENSING AGENCY

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23 Effective July 9, 2018, after a hearing before the Contractors State License Board,
24 Case No. N2016-230, in which Respondent was afforded all applicable due process rights and
25 protections, Respondent's Contractor License, No. 767741, B, was disciplined for violating
26 Section 7159 (failure to include mandatory language in home improvement contract) of the
27 Business and Professions Code ("Code").

1 CRIMINAL CONVICTIONS

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3 On or about January 5, 2007, in the Superior Court of the State of California,
4 County of Santa Cruz, in Case No. M35482, Respondent was convicted of violating Section
5 23152(b) (driving under the influence, over .08%) of the California Vehicle Code, a
6 misdemeanor and a crime that bears a substantial relationship to the qualifications, functions or
7 duties of a real estate licensee pursuant to Section 2910, Title 10, of the California Code of
8 Regulations ("Regulations").

9 3

10 On or about October 1, 2002, in the Superior Court of the State of California,
11 County of Sacramento, in Case No. 02F05956, Respondent was convicted of violating
12 Section 11350(a) (possession of a controlled substance-cocaine base), a felony and a crime that
13 bears a substantial relationship to the qualifications, functions or duties of a real estate licensee
14 pursuant to Section 2910 of the Regulations.

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16 On or about November 27, 2002, in the Superior Court of the State of California,
17 County of Sacramento, in Case No. 02F09540, Respondent was convicted of violating
18 Section 2800.1(a) (evading a police officer) of the California Vehicle Code, a misdemeanor and a
19 crime that bears a substantial relationship to the qualifications, functions or duties of a real estate
20 licensee pursuant to Section 2910 of the Regulations.

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22 On or about September 10, 2002, in the Superior Court of the State of California,
23 County of San Joaquin, in Case No. SM225264A, Respondent was convicted of violating
24 Section 11550(a) (under the influence-cocaine) of the California Health and Safety Code, a
25 misdemeanor and a crime that bears a substantial relationship to the qualifications, functions or
26 duties of a real estate licensee pursuant to Section 2910 of the Regulations.

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On or about September 10, 2002, in the Superior Court of the State of California, County of San Joaquin, in Case No. SM226384A, Respondent was convicted of violating Section 148 (obstructing a police officer) of the California Penal Code, a misdemeanor and a crime that bears a substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the Regulations.

On or about October 23, 1986, in the Superior Court of the State of California, County of Sacramento, in Case No. 86M14534, Respondent was convicted of violating Section 488 (petty theft) of the California Penal Code, a misdemeanor and a crime that bears a substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the Regulations.

PREVIOUS ADMINISTRATIVE PROCEEDINGS

Effective March 30, 2016, in Case No. H-6340 SAC, before the Department, the Commissioner denied Respondent's application for a plenary real estate salesperson license pursuant to Sections 480(a), 480(d), 10177(a), and 10177(b) of the Code, but granted Respondent a restricted real estate salesperson license subject to the terms, conditions, and restrictions set forth in Sections 10156.6 and 10156.7 of the Code.

Effective July 18, 2013, in Case No. H-5958 SAC, before the Department, the Real Estate Commissioner (Commissioner) denied Respondent's application for a plenary real estate salesperson license pursuant to Sections 480(a) and 10177(b) of the Code.

Effective May 25, 2011, in Case No. H-5495 SAC, before the Department, the Commissioner denied Respondent's application for a plenary real estate salesperson license pursuant to Sections 480(a), 480(c), 10177(a) and 10177(b) of the Code.

Effective January 10, 1989, in Case No. H-2378 SAC, before the Department, the Commissioner denied Respondent's application for a plenary real estate salesperson license pursuant to Sections 480(a), 480(c), 10177(a) and 10177(b) of the Code, but granted Respondent a restricted real estate salesperson license subject to the terms, conditions, and restrictions set forth in Sections 10153.4, 10156.6, and 10156.7 of the Code.

GROUND FOR DENIAL

Respondent's prior license discipline described above in Paragraph 2, constitutes cause for denial of Respondent's application for a real estate broker license pursuant to the provisions of Section 10177(f) (license issued by another agency of this state revoked for acts that, if done by a real estate licensee, would be grounds for the suspension or revocation of a real estate license) of the Code.

Respondent's criminal convictions described above in Paragraphs 3 through 8, constitute cause for denial of Respondent's application for a real estate broker license pursuant to the provisions of Sections 480(a)(1) (conviction of crime), 480(a)(2) (act involving dishonesty, fraud, or deceit), 10177(b) (conviction of crime), and 10177(j) (engaged in conduct that constitutes fraud or dishonest dealing) of the Code.

WHEREFORE, the 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/broker license to

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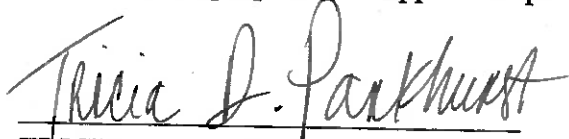
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1 Respondent, and for such other and further relief as may be proper under applicable provisions
2 of law.

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4 TRICIA D. PARKHURST
5 Supervising Special Investigator

6 Dated at Sacramento, California,
7 this 19th day of July, 2018.
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10 DISCOVERY DEMAND

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