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FILED

JAN 02 2020

DEPARTMENT OF REAL ESTATE
By B. Nicholas

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12) DRE NO. H-6908 SAC
13 DEVON ALBERT QUALLS,)
14) STATEMENT OF ISSUES
15 Respondent.)

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 DEVON ALBERT QUALLS ("Respondent"), is informed and alleges as follows:

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19 On or about September 6, 2018, Respondent made application to the Department
20 of Real Estate of the State of California for a real estate salesperson license.

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22 In response to Question 26 of said application to wit: "HAVE YOU EVER BEEN
23 CONVICTED (SEE PARAGRAPH ABOVE) OF ANY VIOLATION OF THE LAW AT THE
24 MISDEMEANOR OR FELONY LEVEL? IF YES, COMPLETE ITEM 32 WITH
25 INFORMATION ON EACH CONVICTION," Respondent concealed and failed to disclose
26 the convictions described below in Paragraphs 4, 5, and 6.

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2 On or about July 12, 2019, in the Superior Court of the State of California, County
3 of El Dorado, Case No. S18CRM0499, Respondent was convicted of violating Section 23152(b)
4 (driving under the influence-over .08%) of the California Vehicle Code, a misdemeanor and a
5 crime that bears a substantial relationship to the qualifications, functions or duties of a real estate
6 licensee pursuant to Section 2910, Title 10, of the California Code of Regulations
7 ("Regulations").

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9 On or about February 12, 2009, in the Superior Court of the State of California,
10 County of Alameda, Case No. 83806, Respondent was convicted of violating Section 14601.1(a)
11 (driving while license suspended) of the California Vehicle Code, a misdemeanor and a crime
12 that bears a substantial relationship to the qualifications, functions or duties of a real estate
13 licensee pursuant to Section 2910 of the Regulations.

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15 On or about April 27, 1990, in the Superior Court of the State of California,
16 County of Alameda, Case No. 332738, Respondent was convicted of violating Section 415
17 (disturbing the peace) of the California Penal Code, a misdemeanor and a crime that bears a
18 substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant
19 to Section 2910 of the Regulations.

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21 On or about February 26, 1985, in the Superior Court of the State of California,
22 County of Alameda, Case No. 100448, Respondent was convicted of violating Section 12031(a)
23 (carry a loaded firearm in a public place) of the California Penal Code, a misdemeanor and a
24 crime that bears a substantial relationship to the qualifications, functions or duties of a real estate
25 licensee pursuant to Section 2910 of the Regulations.

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DISCOVERY DEMAND

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