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FILED  
DEC 11 1995

DEPARTMENT OF REAL ESTATE

By *Victoria Dillon*  
Victoria Dillon

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
CHARLES JEFFREY KRUM, )  
Respondent. )

No. H-6990 SF

ORDER GRANTING REINSTATEMENT OF LICENSE

On April 18, 1994, a Decision was rendered herein  
revoking the real estate salesperson license of Respondent.

On June 15, 1995, Respondent petitioned for  
reinstatement of said real estate salesperson license and the  
Attorney General of the State of California has been given notice  
of the filing of said petition.

I have considered Respondent's petition and the evidence  
and arguments in support thereof. Respondent has demonstrated to  
my satisfaction that Respondent meets the requirements of law for  
the issuance to Respondent of an unrestricted real estate

///

1 salesperson license and that it would not be against the public  
2 interest to issue said license to him.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition  
4 for reinstatement is granted and that a real estate salesperson  
5 license be issued to Respondent if Respondent satisfies the  
6 following conditions within six (6) months from the date of this  
7 Order:

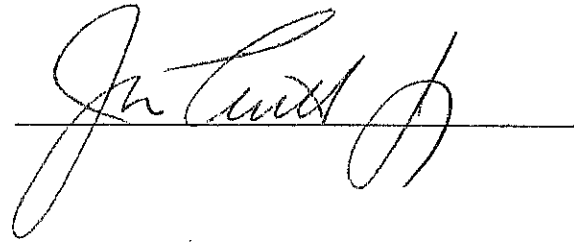
8 1. Submittal of a completed application and payment of  
9 the fee for a real estate salesperson license.

10 2. Submittal of evidence of having, since the most  
11 recent issuance of an original or renewal real estate license,  
12 taken and successfully completed the continuing education  
13 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
14 for renewal of a real estate license.

15 This Order shall be effective immediately.

16 DATED: 11/27/95

17 JIM ANTT, JR.  
18 Real Estate Commissioner

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FILED  
JUN 09 1994

DEPARTMENT OF REAL ESTATE

By *Victoria Dillon*  
Victoria Dillon

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )	
CHARLES JEFFERY KRUM )	NO. H-6990 SF
Respondents. )	OAH NO. N 9311053

ORDER DENYING RECONSIDERATION

On April 18, 1994, a Decision was rendered in the above-entitled matter. The Decision is to become effective June 10, 1994.

On May 2, 1994, Respondent petitioned for reconsideration of the Decision of April 18, 1994.

I have given due consideration to the petition of Respondent. I find no good cause to reconsider the Decision of April 18, 1994, and reconsideration is hereby denied.

IT IS HEREBY ORDERED 6/7, 19 94.

CLARK WALLACE  
Real Estate Commissioner

*Clark Wallace*

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FILED  
MAY 02 1994

DEPARTMENT OF REAL ESTATE

By Victoria Dillon  
Victoria Dillon

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	NO. H-6990 SF
	)	
CHARLES JEFFERY KRUM,	)	OAH N 9311053
	)	
Respondent.	)	
_____	)	

ORDER STAYING EFFECTIVE DATE

On April 18, 1994, a Decision was rendered in the above-entitled matter to become effective May 12, 1994.

IT IS HEREBY ORDERED that the effective date of the Decision of April 18, 1994, is stayed for a period of twenty-nine (29) days.

The Decision of April 18, 1994, shall become effective at 12 o'clock noon on June 10, 1994.

DATED: May 2, 1994.

CLARK WALLACE  
Real Estate Commissioner

Les R. Bettencourt  
By: LES R. BETTENCOURT  
Deputy Real Estate Commissioner



BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Accusation of ) NO. H-6990 SF  
  ) )  
  ) OAH NO. N9311053  
CHARLES JEFFREY KRUM, )  
  ) )  
  ) Respondent. )  
\_\_\_\_\_ )

PROPOSED DECISION

This matter was heard in San Francisco, California, on March 1, 1994, by Jerry Mitchell, Administrative Law Judge of the Office of Administrative Hearings, State of California. The Department of Real Estate was represented by Larry A. Alamao, Counsel. The respondent was present and represented by David A. Boone, Attorney at Law.

FINDINGS OF FACT

I

The accusation herein was made by Norman G. Catalano in his official capacity as a Deputy Real Estate Commissioner of the State of California.

II

Respondent submitted an application, dated January 30, 1993, for a real estate salesperson's license. The applied-for license was issued on February 19, 1993.

III

In response to Question 25 on his application, to wit: "Have you ever been convicted of any violation of law?", and the instruction in Question 27 to provide specified information about each violation, respondent answered "Yes" and provided the information that on July 31, 1985, he had been convicted of drunk driving. He failed to disclose the fact that he had been convicted of violation of Section 488 of the Penal Code as described below.

IV

On or about March 6, 1990, in the Municipal Court of California, Santa Clara County Judicial District, respondent was convicted upon his plea of guilty of violation of Section 488 of the Penal Code (Theft), a crime involving moral turpitude which

bears a substantial relationship to the qualifications, functions or duties of a real estate salesperson. He was placed on one year's court probation on conditions that included 75 hours of community service.

V

According to respondent, the circumstances resulting in his conviction of Section 488 were that after inadvertently taking a wallet from a store without paying for it, he returned to the store and tried to exchange the wallet for cash as if he had purchased it.

VI

Respondent attributes his violation of Section 488 to depression and poor judgement resulting from alcoholism.

VII

Respondent claims that he failed to disclose his conviction for violation of Section 488 because he forgot about it. It seems unlikely that he would forget a conviction for which he was required to perform 75 hours of community service. His explanation is therefore rejected and it is found that he knowingly failed to disclose the conviction on his application.

VIII

Respondent testified on his own behalf but did not establish that he is sufficiently rehabilitated at this time to warrant his continued licensure.

DETERMINATION OF ISSUES

I

The facts set forth in Findings III, IV and VII constitute cause under Sections 498 and 10177(a) of the Business and Professions Code to suspend or revoke respondent's license.

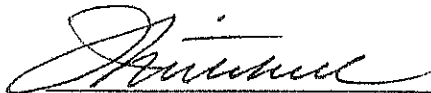
II

In making the following order, due consideration has been given to all competent evidence of mitigation and rehabilitation.

ORDER

The real estate salesperson's license heretofore issued to respondent Charles Jeffery Krum is hereby revoked.

Dated: March 30, 1994



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JERRY MITCHELL  
Administrative Law Judge  
Office of Administrative Hearings



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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

FILED  
DEC 13 1993

DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

CHARLES JEFFERY KRUM,

By Lynda Montiel  
Lynda Montiel

Case No. H-6990 SF

OAH No. N 9311053

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at \_\_\_\_\_

OFFICE OF ADMINISTRATIVE HEARINGS, STATE BUILDING,

455 Golden Gate Avenue, Room 2248, San Francisco, CA 94102

on Tuesday, March 1, 1994 (1 hour), at the hour of 1:30 pm,  
or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

DEPARTMENT OF REAL ESTATE

Dated: December 13, 1993

By Larry A. Alamao, Jr.  
LARRY A. ALAMA O, Counsel

*orig  
SD*

1 LARRY A. ALAMAO, Counsel  
Department of Real Estate  
2 185 Berry Street, Room 3400  
San Francisco, California 94107-1770  
3

FILED  
OCT 22 1993

4 Telephone: (415) 904-5917

DEPARTMENT OF REAL ESTATE

By Victoria Dillon  
Victoria Dillon

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8 . BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10

\* \* \*

11 In the Matter of the Accusation of )  
 )  
12 CHARLES JEFFERY KRUM, )  
13 )  
14 Respondent. )  
15

NO. H-6990 SF  
ACCUSATION

16 The Complainant, NORMAN G. CATALANO, a Deputy Real  
17 Estate Commissioner of the State of California for cause of  
18 Accusation against CHARLES JEFFERY KRUM (hereinafter "Respondent")  
19 is informed and alleges as follows:

20 I

21 The Complainant, NORMAN G. CATALANO, a Deputy Real  
22 Estate Commissioner of the State of California, makes this  
23 Accusation in his official capacity and not otherwise.

24 II

25 Respondent was issued a real estate salesperson license  
26 on or about February 16, 1993, following Respondent's application  
27 therefor filed on or about February 2, 1993.

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III

In response to Question 25 of said application, to wit:  
"Have you ever been convicted of any violation of law?",  
Respondent answered "Yes" and disclosed that on or about July 31,  
1985, Respondent had been convicted of drunk driving.

IV

On or about March 6, 1990, in the Municipal Court, State  
of California, County of Santa Clara Judicial District, Respondent  
was convicted of violation of Section 488 of the California Penal  
Code (Theft), a crime involving moral turpitude 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.

V

Respondent's failure to reveal the conviction set forth  
in Paragraph IV above in said application constitutes the  
procurement of a real estate license by fraud, misrepresentation,  
or deceit, or by making a material misstatement of fact in said  
application.

VI

The facts alleged above constitute cause under Sections  
498 and 10177(a) of the Code for the suspension or revocation of  
all licenses and license rights of respondent under the Real  
Estate Law.

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///

1                   WHEREFORE, Complainant prays that a hearing be conducted  
2 on the allegations of this Accusation and that upon proof thereof,  
3 a decision be rendered imposing disciplinary action against all  
4 licenses and license rights of Respondent under the Real Estate  
5 Law (Part 1 of Division 4 of the Business and Professions Code),  
6 and for such other and further relief as may be proper under other  
7 provisions of law.

8  
9  
10                   Norman G. Catalano  
11                   NORMAN G. CATALANO  
                    Deputy Real Estate Commissioner

12                   Dated at San Francisco, California,  
13 this 30<sup>th</sup> day of September, 1993.  
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