1 2 3	TRULY SUGHRUE, Counsel State Bar No. 223266 Department of Real Estate P.O. Box 137007 Sacramento, CA 95813-7007 FILED
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5	DEPARTMENT OF REAL ESTATE By D. VII. C. LWA. C.
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8	BEFORE THE DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10	***
11	In the Matter of the Application of:
12) No. H-7052 SAC ANTHONY VICTOR RUGGIERO,)
13) <u>STATEMENT OF ISSUES</u> Respondent.
14	Acspondent.
15	The Complainant, TRICIA D. 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:
19	1
20	On or about April 24, 2020, Respondent made application to the Department of
21	Real Estate of the State of California ("Department") for a real estate salesperson license.
22	CRIMINAL CONVICTION
23	2
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
27	

relationship under Section 2910, Title 10, of the California Code of Regulations ("Regulations") to the qualifications, functions, or duties of a real estate licensee. 2 3 MATTERS IN AGGRAVATION 4 3 On or about July 7, 2004, in the Superior Court of California, County of 5 Sacramento, Case No. 04T01580, Respondent was convicted of violating Vehicle Code Section 6 7 23152(a) (driving under the influence), a misdemeanor. 8 On or about November 4, 2001, in the Superior Court of California, County of 9 Contra Costa, Case No. 01-029641, Respondent was convicted of violating Penal Code Section 10 11 647(f) (drunk in public), a misdemeanor. 12 5 13 On or about May 13, 1997, in the Superior Court of California, County of Butte, Case No. NCR72494, Respondent was convicted of violating Vehicle Penal Section 243(e) 14 15 (battery against a spouse, former spouse, or cohabitant), a misdemeanor. 16 17 On or about February 25, 1997, in the Superior Court of California, County of Butte, Case No. CM008278, Respondent was convicted of violating Penal Code Section 594(a) 18 19 (vandalism) and 242 (battery), misdemeanors. 20 21 On or about July 28, 1993, in the Superior Court of California, County of Contra 22 Costa, Case No. 98T05468, Respondent was convicted of violating Vehicle Code Section 23103 23 (wet reckless driving), a misdemeanor. /// 24 /// 25 26 /// 27 ///

1	PRIOR ADMINISTRATIVE PROCEEDING
2	(H-6623 SAC)
3	8
4	On or about March 30, 2016, Respondent made application to the then
5	Department of Real Estate ("Department") for a real estate salesperson license.
6	9
7	On or about December 14, 2017, the Department filed a Statement of Issues
8	against Respondent, Case No. H-6623 SAC, seeking to deny Respondent's real estate
9	salesperson application pursuant to Sections 480(a),10177(b), 10177(d), and 10177(k) of the
10	Business and Professions Code ("Code").
11.	10
12	On or about April 25, 2018, after an administrative hearing on Case No. H-6623
13	SAC, Respondent's application for a real estate salesperson license was denied. The Decision
14	became effective May 17, 2018.
15	PRIOR ADMINISTRATIVE PROCEEDING
16	(H-4854 SAC)
17	11
18	On or about February 7, 2007, Respondent made application to the then
19	Department of Real Estate ("Department") for a real estate salesperson license.
20	. 12
21	On or about September 17, 2007, the Department filed a Statement of Issues
22	against Respondent, Case No. H-4854 SAC, seeking to deny Respondent's real estate
23	salesperson application pursuant to Sections 480(a) and 10177(b) of the Business and
24	Professions Code ("Code").
25	13
26	On or about October 10, 2007, in lieu of going to hearing on BRE Case No. H-
27	4854 SAC, Respondent entered into a Stipulation and Agreement with the Department, which

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1	became effective November 13, 2007. Pursuant to the Stipulation and Agreement, the
2	Department granted Respondent a two-year restricted real estate salesperson license subject to
3	terms and conditions.
4 7	14
5	On or about May 27, 2009, the Department suspended Respondent's restricted
6	real estate salesperson license because Respondent failed to comply with the terms and
7	conditions of the Stipulation and Agreement; specifically, completing the education
8	requirements of Section 10153.4 of the Code.
9	15
10	On or about November 25, 2011, Respondent's restricted real estate salesperson
11	license expired.
12	GROUNDS TO DENY APPLICATION
13	16
14	The facts alleged above in Paragraph 2 constitute grounds for denial of
15	Respondent's application for a real estate salesperson license pursuant to Sections 480(a)
16	(conviction of a crime) and 10177(b) (conviction of crime substantially related to the
17	qualifications, functions, or duties of a real estate licensee) of the Code.
18	WHEREFORE, Complainant prays that the above-entitled matter be set for
19	hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
20	authorize the issuance of, and deny the issuance of a real estate salesperson license to
21	Respondent, and for such other and further relief as may be proper under other provisions of
22	law.
23	
24	TRICIA D. PARKHURST
25	Supervising Special Investigator
26	Dated at Sacramento, California
27	this May of Me, 2021.

DISCOVERY DEMAND

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