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FILED
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DEPARTMENT OF REAL ESTATE
By J. Taggart

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12) NO. H-7082 SAC
13 JOHNNY ALEC SANEZ,)
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 JOHNNY ALEC SANEZ ("Respondent"), is informed and alleges as follows:

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19 On or about December 10, 2020, Respondent made application to the Department
20 of Real Estate of the State of California for a real estate salesperson license.

21 2

22 On or about November 15, 2016, in the Superior Court of the State of California,
23 County of Sonoma, Case No. SCR 669598, Respondent was convicted of violating Section
24 21310 (unlawfully possess or carry a concealed dirk or dagger) of the California Penal Code, a
25 felony and a crime that bears a substantial relationship to the qualifications, functions or duties of
26 a real estate licensee pursuant to Section 2910, Title 10, of the California Code of Regulations
27 ("Regulations").

On or about November 15, 2016, in the Superior Court of the State of California, County of Sonoma, Case No. SCR 694311, Respondent was convicted of violating Section 29800(a)(1) (felon in possession of a firearm) of the California Penal Code, a felony 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 February 19, 2015, in the Superior Court of the State of California, County of Sonoma, Case No. SCR 659331, Respondent was convicted of violating Section 148(a)(1) (willfully resist, delay, and obstruct a peace officer) of the California Penal Code and Section 23152(b) (driving under the influence-over .08%) of the California Vehicle Code, misdemeanors and crimes that bear a substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the Regulations.

On or about February 19, 2015, in the Superior Court of the State of California, County of Sonoma, Case No. SCR 656083, Respondent was convicted of violating Section 69 (resisting an officer) of the California Penal Code, a misdemeanor, Section 23152(b) of the California Vehicle Code, a misdemeanor, and Section 25400(a)(1) (possession of an unregistered firearm and ammunition in a vehicle) of the California Penal Code, a felony. Respondent's crimes bear a substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the Regulations.

GROUND FOR DENIAL

Respondent's criminal convictions described above in Paragraphs 2 through 5 constitute cause for denial of Respondent's application for a real estate salesperson license pursuant to the provisions of Sections 480(a)(1) (conviction of crime), 10177(b) (conviction of crime) of the California Business and Professions Code.

1 WHEREFORE, the Complainant prays that the above-entitled matter be set for
2 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
3 authorize the issuance of, and deny the issuance of, a real estate salesperson/broker license to
4 Respondent, and for such other and further relief as may be proper under applicable provisions of
5 law.

6
7  (for T. Parkhurst)

8 TRICIA D. PARKHURST

9 Supervising Special Investigator

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11 Dated at Sacramento, California,
12 this 24th day of November 2021.

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15 DISCOVERY DEMAND

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