

FILED

JUN 18 2008

DEPARTMENT OF REAL ESTATE

By L. Frost

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of) No. H-10277 SF
BRIAN DANIEL SANCHEZ,)
Respondent.)

ORDER DENYING APPLICATION FOR A REAL ESTATE LICENSE

The Real Estate Commissioner, in conformity with Section 10152, Division 4, Business and Professions Code of the State of California, required further proof of the honesty and truthfulness of BRIAN DANIEL SANCHEZ (hereinafter "Respondent"), in connection with Respondent's application for a real estate salesperson license filed on or about August 1, 2006, and in relation thereto, filed a Statement of Issues on December 20, 2007.

Said Statement of Issues was properly served on Respondent on December 20, 2007 by regular mail and by certified mail. Respondent has, to date, failed to file a Notice of

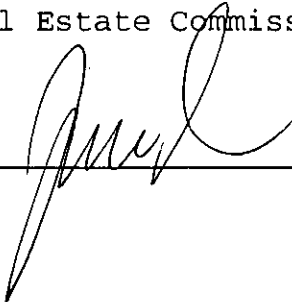
1 Defense, request a hearing, or otherwise establish that
2 Respondent is entitled to the license sought.

3 IT IS THEREFORE ORDERED, pursuant to the authority
4 granted under Section 11520 of the Government Code of the State
5 of California, that the application of BRIAN DANIEL SANCHEZ for a
6 real estate salesperson license is hereby denied.

7 This Order shall be effective immediately.

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9 DATED: 6/17/08

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11 JEFF DAVI
12 Real Estate Commissioner

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5 Sacramento, CA 95818-7007
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7 Telephone: (916) 227-0789

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DEC 20 2007

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10 * * *

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BRIAN DANIEL SANCHEZ,

Respondent.

17 The Complainant, E. J. HABERER II, a Deputy Real
18 Estate Commissioner of the State of California, for Statement of
19 Issues against BRIAN DANIEL SANCHEZ (hereinafter "Respondent"),
20 is informed and alleges as follows:

21 I

22 Respondent made application to the Department of Real
23 Estate of the State of California for a real estate salesperson
24 license on or about August 1, 2006, with the knowledge and
25 understanding that any license issued as a result of said
26 application would be subject to the conditions of Section
27 10153.4 of the Business and Professions Code.

1 II

2 Complainant, E. J. HABERER II, a Deputy Real Estate
3 Commissioner of the State of California, makes this Statement of
4 Issues in his official capacity and not otherwise.

5 III

6 On or about December 16, 1999, in the Superior Court,
7 County of Contra Costa, State of California, in case number
8 117652-8, Respondent was convicted of violating Section 23103 of
9 the California Vehicle Code (Drive vehicle upon highway in
10 willful and wanton disregard for safety), a misdemeanor and a
11 crime involving moral turpitude which bears a substantial
12 relationship under Section 2910, Title 10, California Code of
13 Regulations, to the qualifications, functions, or duties of a
14 real estate licensee.

15 IV

16 On or about March 3, 2006, in the Superior Court,
17 County of Alameda, State of California, in case number 119324,
18 Respondent was convicted of violating Section 23152(a) of the
19 California Vehicle Code (Unlawfully driving a vehicle while
20 under the influence of alcohol), a misdemeanor and a crime
21 involving moral turpitude which bears a substantial relationship
22 under Section 2910, Title 10, California Code of Regulations, to
23 the qualifications, functions, or duties of a real estate
24 licensee.

25 V

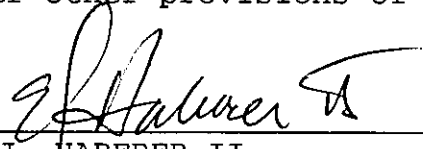
26 On or about October 30, 2007, in the Superior Court,
27 County of Alameda, State of California, in case number 121280,

1 Respondent was convicted of violating Section 415 of the
2 California Penal Code (Unlawfully fighting or challenging to
3 fight in a public place, maliciously disturbs another by
4 unreasonable noise, offensive words in a public place), a
5 misdemeanor and a crime involving moral turpitude which bears a
6 substantial relationship under Section 2910, Title 10,
7 California Code of Regulations, to the qualifications,
8 functions, or duties of a real estate licensee.

9 VI

10 The crimes of which Respondent was convicted, as
11 allege in Paragraphs III, IV and V, above, individually and
12 collectively, constitutes cause for denial of Respondent's
13 application for a real estate license under Sections 480(a) and
14 10177(b) of the California Business and Professions Code.

15 WHEREFORE, the Complainant prays that the above-
16 entitled matter be set for hearing and, upon proof of the
17 charges contained herein, that the Commissioner refuse to
18 authorize the issuance of, and deny the issuance of, a real
19 estate salesperson license to Respondent, and for such other and
20 further relief as may be proper under other provisions of law.

21
22 
23 E. J. HABERER II
24 Deputy Real Estate Commissioner

25 Dated at Oakland, California,
26 this 18th day of December, 2007.