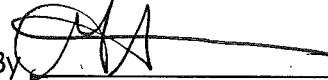


**FILED**

**August 15, 2012**

RICHARD K. UNO, Counsel (SBN 98275)  
Department of Real Estate  
P. O. Box 187007  
Sacramento, CA 95818-7007

DEPARTMENT OF REAL ESTATE

By 

Telephone: (916) 227-0789  
(916) 227-2380 (Direct)

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of

JOSEPH VINCENT GWYNN,

Respondent.

No. H-11431 SF

FIRST AMENDED

STATEMENT OF ISSUES

The Complainant, ROBIN S. TANNER, a Deputy Real Estate Commissioner of the State of California, for First Amended Statement of Issues against JOSEPH VINCENT GWYNN, (Respondent), alleges as follows:

1

Complainant makes this First Amended Statement of Issues in her official capacity.

2

On or about February 13, 2012, Respondent made application to the Department of Real Estate of the State of California (herein "the Department") for a real estate broker license.

///

///

3

On or about July 29, 2009, in the Superior Court of the State of California,  
County of Contra Costa, Case No. 01-143894-4, Respondent was convicted of violating Section  
23103/23103.5 of the California Vehicle Code (Wet Reckless), a misdemeanor and a crime that  
bears a substantial relationship under Section 2910, Title 10 of the California Code of  
Regulations, (Regulations), to the qualifications, functions or duties of a real estate licensee.

4

On or about February 7, 2007, in the Superior Court of the State of California,  
County of Contra Costa, Case No. W03-223424-3, Respondent was convicted of violating  
Section 25658 of the California Business and Professions Code (Sell/Let Minor Consume  
Liquor), a misdemeanor and a crime that bears a substantial relationship under Section 2910 of  
the Regulations, to the qualifications, functions or duties of a real estate licensee.

5

On or about May 24, 2006, in the Superior Court of the State of California,  
County of Contra Costa, Case No. 3-221037-5, Respondent was convicted of violating  
Section 272 of the California Penal Code (Contributing to Delinquency of Minor/Encourage  
Consumption of Controlled Substance), misdemeanor and a crime that bears a substantial  
relationship under Section 2910 of the Regulations, to the qualifications, functions or duties of a  
real estate licensee.

6

On or about February 17, 2005, in the Superior Court of the State of California,  
County of Santa Barbara, Case Number 1199017, Respondent was convicted of violating  
Section 12500(a) of the California Vehicle Code (Driving Without a License), a misdemeanor  
and a crime that bears a substantial relationship under Section 2910 of the Regulations, to the  
qualifications, functions or duties of a real estate licensee.

///

///

On or about October 7, 2004, in the Superior Court of the State of California, County of Santa Barbara, Case No.1147376, Respondent was convicted of violating Section 23152(a) of the California Vehicle Code (Driving Under the Influence of Alcohol or a Drug), a misdemeanor and crime that bears a substantial relationship under Section 2910 of the Regulations, to the qualifications, functions or duties of a real estate licensee.

Respondent's criminal convictions, as set out in Paragraphs 3 through 7, above, constitute cause for denial of Respondent's application for a real estate broker license pursuant to the provisions of Sections 480(a) (Conviction of Crime) and 10177(b) (Further Grounds for Disciplinary Action-Conviction of Crime) of the Code.

WHEREFORE, Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of a real estate broker license to Respondent, and for such other and further relief as may be proper in the premises.



ROBIN S. TANNER  
Deputy Real Estate Commissioner

Dated at Oakland, California,  
this 13<sup>th</sup> day of AUGUST, 2012.

FILED

July 30, 2012

1 RICHARD K. UNO, Counsel (SBN 98275)

2 Department of Real Estate

3 P. O. Box 187007

4 Sacramento, CA 95818-7007

5 Telephone: (916) 227-0789

6 (916) 227-2380 (Direct)

DEPARTMENT OF REAL ESTATE

By



7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )

12 JOSEPH VINCENT GWYNN, )

13 Respondent. )

No. H-11431 SF

STATEMENT OF ISSUES

14  
15 The Complainant, ROBIN S. TANNER, a Deputy Real Estate Commissioner of  
16 the State of California, for Statement of Issues against JOSEPH VINCENT GWYNN,  
17 (Respondent), alleges as follows:

18 1

19 Complainant makes this Statement of Issues in her official capacity.

20 2

21 On or about February 13, 2012, Respondent made application to the Department  
22 of Real Estate of the State of California (herein "the Department") for a real estate broker  
23 license.

24 3

25 On or about July 29, 2009, in the Superior Court of the State of California,  
26 County of Contra Costa, Case No. 01-143894-4, Respondent was convicted of violating Section  
27 23103/23103.5 of the California Vehicle Code (Wet Reckless), a misdemeanor and a crime that

1 bears a substantial relationship under Section 2910, Title 10 of the California Code of  
2 Regulations, (Regulations), to the qualifications, functions or duties of a real estate licensee.

3 4

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5 County of Contra Costa, Case No. W03-223424-3, Respondent was convicted of violating  
6 Section 25658 of the California Business and Professions Code (Sell/Let Minor Consume  
7 Liquor), a misdemeanor and a crime that bears a substantial relationship under Section 2910 of  
8 the Regulations, to the qualifications, functions or duties of a real estate licensee.

9 5

10 On or about May 24, 2006, in the Superior Court of the State of California,  
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12 Section 272 of the California Penal Code (Contributing to Delinquency of Minor/Encourage  
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15 real estate licensee.

16 6

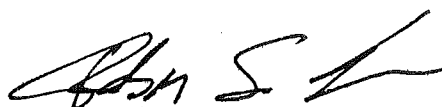
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22 7

23 On or about October 7, 2004, in the Superior Court of the State of California,  
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27 Regulations, to the qualifications, functions or duties of a real estate licensee.

Respondent's criminal convictions, as set out in Paragraphs 3 through 7, above, constitute cause for denial of Respondent's application for a real estate broker license pursuant to the provisions of Sections 480(a) (Conviction of Crime) and 10177(b) (Further Grounds for Disciplinary Action-Conviction of Crime) of the Code.

WHEREFORE, Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of a real estate salesperson license to Respondent, and for such other and further relief as may be proper in the premises.



ROBIN S. TANNER  
Deputy Real Estate Commissioner

Dated at Oakland, California,

this 25<sup>th</sup> day of July, 2012.