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FILED

MAY 31 2013

DEPARTMENT OF REAL ESTATE

By K. Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of
AMBER MARIE MERRIGAN,
Respondent.

No. H-11553 SF
STATEMENT OF ISSUES

The Complainant, ROBIN S. TANNER, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against AMBER MARIE MERRIGAN (hereinafter "Respondent"), is informed and alleges as follows:

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

2

On or about October 29, 2012, Respondent made application to the Department of Real Estate of the State of California (hereinafter "Department") for a real estate salesperson license.

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On or about November 2, 2006, in the Superior Court of the State of California, County of Alameda, Case No. 394287, Respondent was convicted of a violation of Section 484(a) of the California Penal Code (petty theft), a misdemeanor and a crime which bears a

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

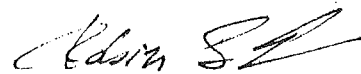
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4 On or about September 12, 2011, Respondent made application to the
5 Department for a real estate salesperson license. On or about February 2, 2012, the Department
6 issued its Statement of Issues, recommending the denial of Respondent's application.
7 Following an Administrative Hearing before Administrative Law Judge Kirk E. Miller on
8 March 29, 2012, a Proposed Decision issued, recommending the granting of a restricted real
9 estate salesperson license to Respondent. On September 28, 2012, Real Estate Commissioner
10 Wayne S. Bell issued an Order that Respondent's application for a real estate salesperson
11 license be denied.

12 5

13 Respondent's criminal conviction, as described in Paragraph 3 above, constitutes
14 cause for denial of Respondent's application for a real estate salesperson license under Section
15 10177(b) (license denial for conviction of crime) and Section 480(a)(1) (conviction of crime) of
16 the California Business and Professions Code.

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

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24 ROBIN S. TANNER
25 Deputy Real Estate Commissioner

26 Dated at Oakland, California,
27 this 29th day of May, 2013.