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FILED

OCT 16 2013

BUREAU OF REAL ESTATE


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 8 **BEFORE THE BUREAU OF REAL ESTATE**
 9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Accusation of)
 12) H-11596 SF
 JOHN STEVENSON MORKEN,)
 13) ACCUSATION
 Respondent.)
 14)

15 The Complainant, ROBIN S. TANNER, in her official capacity as a Deputy Real
 16 Estate Commissioner of the State of California, for cause of Accusation against JOHN
 17 STEVENSON MORKEN (hereinafter "Respondent"), is informed and alleges as follows:

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19 Respondent is presently licensed and/or has license rights under the Real Estate
 20 Law, Part 1 of Division 4 of the Business and Professions Code (hereinafter "the Code") as a
 21 suspended real estate broker.

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23 On or about March 27, 2012, after giving Respondent fair notice of the pending
 24 charges and being afforded the opportunity for a hearing and other due process protections, the
 25 State Bar Court of California, in Case No. 07-O-14082, and Respondent entered into a
 26 Stipulation Re Facts, Conclusions of Law and Disposition and Order Approving ("Stipulated

27 ///

1 Order”), recommending to the California Supreme Court that Respondent be disbarred. The
2 Stipulated Order was based upon the finding and admission that Respondent violated Rule 3-
3 310(c)(1) (willful representation of more than one client in a matter in which the interests of the
4 clients potentially conflicted without the informed written consent of each client) of the Rules of
5 Professional Conduct, and four (4) counts in violation of Section 6106 of the Code (acts
6 involving moral turpitude, dishonesty or corruption). On or about July 19, 2012, in Case No.
7 S202247, the California Supreme Court adopted the State Bar Court of California’s Stipulated
8 Order and ordered that Respondent be disbarred from the practice of law.

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10 The facts alleged in paragraph 2, above, constitute cause for the suspension or
11 revocation of all real estate licenses and license rights of Respondent pursuant to Section
12 10177(f) of the Code (license issued by another agency of this state suspended or revoked for acts
13 that, if done by a real estate licensee, would be grounds for the suspension or revocation of a
14 California real estate license).

15 PREVIOUS ADMINISTRATIVE PROCEEDINGS

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17 Effective April 4, 2005, in Case No. H-8856 SF, the Real Estate Commissioner
18 (“Commissioner”) suspended Respondent’s real estate broker license for sixty (60) days, and
19 stayed thirty (30) days of the suspension upon terms and conditions.

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21 Effective June 24, 3011, in Case No. R-4467, the Commissioner suspended
22 Respondent’s real estate broker license indefinitely.

23 COST RECOVERY

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25 Section 10106 of the Code provides, in pertinent part, that in any order issued in
26 resolution of a disciplinary proceeding before the Bureau of Real Estate, the Commissioner may
27 request the administrative law judge to direct a licensee found to have committed a violation of

1 this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of
2 the case.

3 WHEREFORE, Complainant prays that a hearing be conducted on the
4 allegations of this Accusation and that upon proof thereof, a decision be rendered revoking all
5 licenses and license rights of Respondent under the Real Estate Law (Part 1 of Division 4 of the
6 Business and Professions Code), for the costs of investigation and enforcement as permitted by
7 law, and for such other and further relief as may be proper under the provisions of law.

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10 ROBIN S. TANNER
11 Deputy Real Estate Commissioner

11 Dated at Oakland, California,
12 this 2nd day of October, 2013.

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