

FILED

JAN 28 2014

BUREAU OF REAL ESTATE

By *J. Stevenson Morken*

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
JOHN STEVENSON MORKEN,)
)
Respondent.)
_____)

No. H-11596 SF

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on January 15, 2014, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license on grounds of the administrative discipline of a license.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1

On October 2, 2013, Robin S. Tanner made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by regular and certified mail, return receipt requested, to Respondent's last known mailing address on file with the Bureau on October 16, 2013.

2

On January 15, 2014, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

3

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

4

On or about March 27, 2012, after giving Respondent fair notice of the pending charges and being afforded the opportunity for a hearing and other due process protections, the State Bar Court of California, in Case No. 07-O-14082, and Respondent entered into a Stipulation Re Facts, Conclusions of Law and Disposition and Order Approving ("Stipulated Order"), recommending to the California Supreme Court that Respondent be disbarred. The Stipulated Order was based upon the finding and admission that Respondent violated Rule 3-310(c)(1) (willful representation of more than one client in a matter in which the interests of the clients potentially conflicted without the informed written consent of each client) of the Rules of Professional Conduct, and four (4) counts in violation of Section 6106 of the Code (acts involving moral turpitude, dishonesty or corruption). On or about July 19, 2012, in Case No. S202247, the California Supreme Court adopted the State Bar Court of California's Stipulated Order and ordered that Respondent be disbarred from the practice of law.

PREVIOUS ADMINISTRATIVE PROCEEDINGS

5

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

6

Effective June 24, 2011, in Case No. R-4467, the Commissioner suspended Respondent's real estate broker license indefinitely.

DETERMINATION OF ISSUES

1

The facts alleged in paragraph 4, above, constitute cause for the suspension or revocation of all real estate licenses and license rights of Respondent pursuant to Section 10177(f) of the Code (license issued by another agency of this state suspended or revoked for acts that, if done by a real estate licensee, would be grounds for the suspension or revocation of a California real estate license).

2

The standard of proof applied was clear and convincing proof to a reasonable certainty.

2

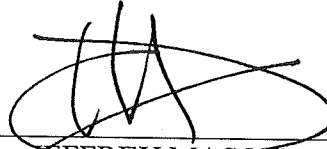
ORDER

All licenses and licensing rights of Respondent JOHN STEVENSON MORKEN, under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on FEB 18 2014

DATED: JAN 22 2014

REAL ESTATE COMMISSIONER

A handwritten signature in black ink, appearing to be 'JM', is written over a horizontal line. The signature is stylized and somewhat abstract.

By: JEFFREY MASON
Chief Deputy Commissioner

1 Bureau of Real Estate
2 P. O. Box 137007
3 Sacramento, CA 95813-7007

4 Telephone: (916) 263-8670

FILED

JAN 15 2014

BUREAU OF REAL ESTATE

By: 

7
8 BEFORE THE
9 BUREAU OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of

13 JOHN STEVENSON MORKEN,

14 Respondent.

No. H-11596 SF

DEFAULT ORDER

15
16 Respondent, JOHN STEVENSON MORKEN, having failed to file a Notice of
17 Defense within the time required by Section 11506 of the Government Code, is now in default.

18 It is, therefore, ordered that a default be entered on the record in this matter.

19 IT IS SO ORDERED January 15, 2014

20 REAL ESTATE COMMISSIONER

21
22
23 By:



24 Joe Carrillo
25 Northern Regional Manager
26
27