

FILED

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November 21, 2013

BUREAU OF REAL ESTATE

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By _____

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12)
13 MICHAEL PHILLIP KRAMER,)
14) Respondent.)

No. H-11612 SF
STATEMENT OF ISSUES

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16 The Complainant, ROBIN S. TANNER, a Deputy Real Estate Commissioner of
17 the State of California, for Statement of Issues against MICHAEL PHILLIP KRAMER,
18 (Respondent) is informed and alleges as follows:

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20 Complainant makes this Statement of Issues against Respondent in her official
21 capacity.

22 2

23 Respondent made application to the Bureau of Real Estate of the State of
24 California for a real estate salesperson license on or about July 20, 2013.

25 3

26 In response to Question 1 of said application, to wit: "Have you ever been
27 convicted of a misdemeanor or felony? Convictions expunged under Penal Code Section 1203.4

1 must be disclosed. However, you may omit minor traffic citations which do not constitute a
2 misdemeanor or felony offense”, Respondent concealed and failed to disclose the convictions
3 described in Paragraphs 4 through 6, below.

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5 4

6 On or about July 10, 2001, in the Municipal Court of the State of New Jersey,
7 Bernards Township, Case No. S1999-000122-1802, Respondent was convicted of violating
8 2C:35-10a(4) of the New Jersey Criminal Code (Possession of Marijuana), a felony and a crime
9 that bears a substantial relationship under Section 2910, Title 10, Chapter 6 of the California
10 Code of Regulations (the Regulations), to the qualifications, functions, or duties of a real estate
11 licensee.

12 5

13 On or about April 20, 2001, in the Superior Court of the State of New Jersey,
14 County of Somerset, Case No. 340806C, Respondent was convicted of violating 2c:35-5a (1) and
15 2C:35-5b (1) (Distributing Marijuana), 2C:35-7 (Distribution of Marijuana within 1000 feet of
16 School Property) and 2C:35-5a (1), 2C:35-5b (12) and 2C:5-2 (Conspiracy to Distribute
17 Marijuana), of the New Jersey Criminal Code, all felonies and crimes that bear a substantial
18 relationship under Section 2910 of the Regulations to the qualifications, functions, or duties of a
19 real estate licensee.

20 6

21 On or about February 6, 2001, in the Municipal Court of the State of New Jersey,
22 Township of Millburn, Case No. S-2001-41-0701, Respondent was convicted of violating 2C:20-
23 11B(2) (Shoplifting), of the New Jersey Criminal Code, a misdemeanor and a crime that bears a
24 substantial relationship under Section 2910 of the Regulations to the qualifications, functions, or
25 duties of a real estate licensee.

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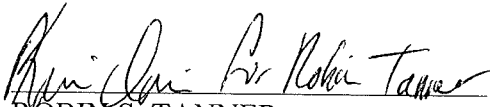
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Respondent's criminal convictions, described in Paragraphs 4 through 6, above, constitute cause for denial of Respondent's application for a real estate salesperson license pursuant to the provisions of Sections 480(a) (Conviction of Crime) and 10177(b) (Further Grounds for Disciplinary Action-Conviction of Crime) of the Code

Respondent's failure to reveal in said application the convictions set forth in Paragraph 4 through 6, above, constitutes the procurement of or attempt to procure a real estate license by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in said application, which failure is cause for denial of Respondent's application for a real estate salesperson license pursuant to the provisions of Sections 480(c) (False Statement) and 10177(a) (Attempt to Procure License Through Fraud, etc.) 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 under other provisions of law.


ROBIN S. TANNER
Deputy Real Estate Commissioner

Dated at Oakland, California
this 6th day of November, 2013.