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FILED

AUG 12 2014
BUREAU OF REAL ESTATE
By S. Black

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 MARIO BURNIAS,)
13 Respondent.)

No. H- 11746 SF
ACCUSATION

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15 The Complainant, ROBIN S. TANNER, a Deputy Real Estate Commissioner of
16 the State of California, for cause of Accusation against MARIO BURNIAS (Respondent), is
17 informed and alleges as follows:

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19 Complainant makes this Accusation against Respondent in her official capacity.

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21 At all times herein mentioned, Respondent was and is presently licensed and/or
22 has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and
23 Professions Code (the Code) by the Bureau of Real Estate (the Bureau) as a real estate broker.

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25 On or about November 6, 2013, in the Superior Court of the State of California,
26 County of Santa Clara, Case No. C 1368346, Respondent was convicted of violating Section
27 23103 of the California Vehicle Code (reckless driving), a misdemeanor and a crime which bears

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

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4 On or about May 10, 2013, in the Superior Court of the State of California,
5 County of Santa Clara, Case No. C 1121154, Respondent was convicted of violating Section
6 484/487 of the California Penal Code (grand theft), a misdemeanor and a crime which bears a
7 substantial relationship under Section 2910 of the Regulations to the qualifications, functions, or
8 duties of a real estate licensee.

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10 The facts alleged in Paragraphs 3 and 4, above, constitute cause under Section
11 10177(b) (further grounds for disciplinary action- conviction of crime) and Section 490
12 (conviction of substantially related crime) of the Code for suspension or revocation of
13 Respondent's license under the Real Estate Law.

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15 A diligent search was made of the records of the Bureau, relating to
16 Respondent's Real Estate Broker License. As a result of said search, no record was discovered
17 having been received from Respondent notifying the Bureau, in writing, of any conviction.

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19 The facts alleged above, in Paragraphs 3, 4 and 6, constitute a violation of
20 Section 10186.2 (failure to report in writing, a conviction within 30 days) of the Code, and are
21 grounds for revocation of all licenses and license rights of Respondent under Section 10177(d)
22 of the Code.

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24 Section 10106 of the Code provides, in pertinent part, that in any order issued
25 in resolution of a disciplinary proceeding before the Bureau, the commissioner may request the
26 administrative law judge to direct a licensee found to have committed a violation of this part to
27 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a Decision be rendered imposing disciplinary action against all licenses and license rights of Respondent under the Code, for the reasonable costs of investigation and prosecution of this case, including agency attorney's fees and for such other and further relief as may be proper under provisions of law.



ROBIN S. TANNER
Deputy Real Estate Commissioner

Dated at Oakland, California
this 7th day of August, 2014.