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FILED

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BUREAU OF REAL ESTATE

By S. Black

9 BEFORE THE BUREAU OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of)

13 JAMES ALVIN LANATTI,)

14 Respondent.)

No. H-11772 SF

ACCUSATION

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

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20 Respondent is presently licensed and/or has license rights under the Real Estate
21 Law (Part 1 of Division 4 of the California¹ Business and Professions Code) (hereinafter "the
22 Code") as a real estate salesperson.

23 2

24 On or about March 24, 2014, in the Superior Court of the State of California,
25 County of Sonoma, Case No. SCR-648061, a felony complaint was filed alleging Respondent

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27 ¹ All references are to California Codes and Regulations, unless otherwise stated.

1 violated Section 422(a) of the Penal Code (making criminal threat(s) of causing death or great
2 bodily injury to another), a felony. Respondent was informed of and arraigned on these charges
3 on March 24, 2014.

4 3

5 On or about May 9, 2014, in the Superior Court of the State of California, County
6 of Sonoma, Case No. SCR-648061, Respondent was convicted upon a plea of no contest, to
7 violating Section 422(a) of the Penal Code (making criminal threat(s) of causing death or great
8 bodily injury to another), a felony and a crime which bears a substantial relationship under
9 Section 2910, Title 10 of the Code of Regulations, to the qualifications, functions, or duties of a
10 real estate licensee.

11 4

12 Pursuant to Section 10186.2 of the Code, effective January 1, 2012, a licensee
13 shall report in writing to the Bureau the bringing of an indictment or information charging a
14 felony against the licensee, and the conviction of a licensee, including any verdict of guilty, or
15 plea of guilty or no contest, of any felony or misdemeanor, within thirty (30) days of the date of
16 the filing of the indictment or information, and conviction, verdict or plea. Respondent failed to
17 report the felony charge identified in paragraph 2, above, and the felony conviction identified in
18 paragraph 3, above, in writing to the Bureau within the time required by Section 10186.2 of the
19 Code. Such failures, individually and collectively, constitute grounds for the suspension or
20 revocation of all licenses and license rights of Respondent pursuant to Section 10177(d) (willful
21 disregard or violation of the Real Estate Law) of the Code, in conjunction with Section 10186.2
22 of the Code.

23 5

24 Respondent's conviction identified in paragraph 3, above, constitutes cause
25 under Sections 490 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially
26 Related to Qualifications, Functions or Duties of Real Estate Licensee) of the Code for the

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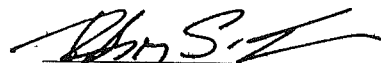
1 suspension or revocation of all licenses and license rights of Respondent under the Real Estate
2 Law.

3 Cost Recovery

4 6

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

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

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16 ROBIN S. TANNER
Deputy Real Estate Commissioner

17 Dated at Oakland, California,
18 this 23rd day of October, 2014.