

FILED

MAR 27 2015

BUREAU OF REAL ESTATE

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of)

MICHAEL NOAH FORD,)

Respondent.)

H-11836 SF

STATEMENT OF ISSUES

The Complainant, ROBIN S. TANNER, in her official capacity as a Deputy Real Estate Commissioner of the State of California, brings this Statement of Issues against MICHAEL NOAH FORD, ("Respondent") and is informed and alleges as follows:

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On or about November 4, 2013, Respondent made application to the Bureau of Real Estate of the State of California ("the Bureau") for a real estate salesperson license.

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On or about January 30, 2014, in the Superior Court of the State of California, County of San Mateo, Case No. SF388849A, Respondent was convicted, upon a plea of nolo contendere, of violating Section 23153(b) of the Vehicle Code (DUI, BAC of 0.15% or higher, causing bodily injury to another), a misdemeanor, and admitted as part of that plea to one

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1 previous conviction for violation of Section 23152(b) of the Vehicle Code (DUI), a crime which
2 bears a substantial relationship under Section 2910, Title 10 of the California Code of
3 Regulations ("the Regulations") to the qualifications, functions, or duties of a real estate licensee.

4 3

5 On or about May 9, 2005, in the Superior Court of the State of California, County
6 of Santa Clara, Case No. BB513777, Respondent was convicted, upon a plea of nolo contendere,
7 of violating Section 23152(b) of the Vehicle Code (DUI, BAC of 0.08% or higher) and Section
8 20002(a) of the Vehicle Code (Hit-and-Run, Property Damage), both misdemeanors and crimes
9 which bear a substantial relationship under Section 2910 of the Regulations to the qualifications,
10 functions, or duties of a real estate licensee.

11 4

12 The facts alleged in paragraphs 2 and 3, above, constitute cause for denial of
13 Respondent's application for a real estate license pursuant to Sections 480(a)(1) (conviction of
14 crime) and 10177(b) (conviction of crime substantially related to qualifications, functions or
15 duties of real estate licensee) of the California Business and Professions Code.

16 WHEREFORE, Complainant prays that the above-entitled matter be set for
17 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
18 authorize the issuance of, and deny the issuance of a real estate salesperson license to
19 Respondent, and for such other and further relief as may be proper under other provisions of law.

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21 ROBIN S. TANNER
22 Deputy Real Estate Commissioner

23 Dated at Oakland, California

24 this 18th day of March, 2015.

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DISCOVERY DEMAND

Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the Bureau hereby makes demand for discovery pursuant to the guidelines set forth in the *Administrative Procedure Act*. Failure to provide Discovery to the Bureau may result in the exclusion of witnesses and documents at the hearing or other sanctions that the Office of Administrative Hearings deems appropriate.