

FILED

JUL 20 2015

BUREAU OF REAL ESTATE

By S. Black

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7
8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)

12 RODGER PENN ALLEN JR.,)

13 Respondent.)

H-11866 SF

STATEMENT OF ISSUES

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15 The Complainant, ROBIN S. TANNER, in her official capacity as a Supervising
16 Special Investigator of the State of California, brings this Statement of Issues against RODGER
17 PENN ALLEN JR. ("Respondent") and is informed and alleges as follows:

18 1

19 On or about September 30, 2014, Respondent made application to the Bureau of
20 Real Estate of the State of California ("the Bureau") for a real estate salesperson license.

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22 In response to Question 32 of said application, to wit: "HAVE YOU EVER
23 BEEN CONVICTED (SEE PARAGRAPH ABOVE) OF ANY VIOLATION OF THE LAW AT
24 THE MISDEMEANOR OR FELONY LEVEL? IF YES, COMPLETE ITEM 38 WITH
25 INFORMATION ON EACH CONVICTION", Respondent concealed and failed to disclose the
26 conviction identified in paragraph 3, below.

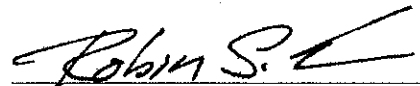
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On or about March 15, 2004, in the Superior Court of the State of California, County of Alameda, Case No. 372468, Respondent was convicted of violating Section 484(a) of the Penal Code (Petty Theft), a misdemeanor, and a crime which bears a substantial relationship under Section 2910, Title 10 of the California Code of Regulations to the qualifications, functions, or duties of a real estate licensee.

The facts alleged in paragraphs 1 through 3, above, constitute cause for denial of Respondent's application for a real estate license pursuant to Sections 480(d) (denial of license by board – false statement of fact on application) and 10177(a) (further grounds for disciplinary action-attempted procurement of license by fraud, misrepresentation, deceit, or material misstatement) of the Business and Professions Code ("the Code").

The facts alleged in paragraph 3, above, constitute cause for denial of Respondent's application for a real estate license pursuant to Sections 480(a)(1) (conviction of crime), 10177(b) (conviction of crime), 480(a)(2) (act involving dishonesty, fraud, or deceit), and 10177(j) (fraud or dishonest dealing) 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 Real Estate 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
Supervising Special Investigator

Dated at Oakland, California

this 16th day of July, 2015.