

1 TRULY SUGHRUE, Counsel
2 State Bar No. 223266
3 Bureau of Real Estate
4 P.O. Box 137007
5 Sacramento, CA 95813-7007

6 Telephone: (916) 263-8670
7 (916) 263-8676 (Direct)
8 Fax: (916) 263-3767

FILED

OCT 06 2015

BUREAU OF REAL ESTATE

By B. Nicholas

9 BEFORE THE BUREAU OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of

13 RANDY B. KELLER,

14 Respondent.

No. H-11893 SF

ACCUSATION

15 The Complainant, ROBIN S. TANNER, a Supervising Special Investigator of the
16 State of California, for cause of Accusation against RANDY B. KELLER (Respondent), is
17 informed and alleges as follows:

18 1

19 The Complainant makes this Accusation in her official capacity.

20 2

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

24 3

25 On or about January 28, 2015, in the Superior Court of the State of California,
26 County of Sacramento, Case No. 14F00284, Respondent was convicted of violating Section
27 11366.5(a) of the California Health and Safety Code (unlawfully rent, lease, and make available

1 for use a building, room, space and enclosure for the purpose of unlawfully manufacture, store,
2 and distribute marijuana), a misdemeanor which bears a substantial relationship under Section
3 2910, Title 10, of the California Code of Regulations to the qualifications, functions or duties of
4 a real estate licensee.

5 4

6 The facts alleged in Paragraph 3 constitute grounds under Sections 490
7 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of
8 Respondent under Part 1 of Division 4 of the Code.

9 5

10 At no time did Respondent provide notice of the conviction referenced in
11 Paragraph 3 to the Bureau as required by Section 10186.2 of the Code.

12 6

13 The facts alleged in Paragraph 5 constitute cause under Sections 10177(d) and
14 10186.2 of the Code for suspension or revocation of Respondent's license under the Real Estate
15 Law.

16 COST RECOVERY

17 7

18 Section 10106 of the Code provides, in pertinent part, that in any order issued in
19 resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the
20 Administrative Law Judge to direct a licensee found to have committed a violation of this part to
21 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

22 ///

23 ///

24 ///

25 ///

26 ///

1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
3 action against all licenses and license rights of Respondent under the Code, for the cost of
4 investigation and enforcement as permitted by law, and for such other and further relief as may
5 be proper under the provisions of law.

6 

7 ROBIN S. TANNER
8 Supervising Special Investigator

8 Dated at Oakland, California,
9 this 2nd day of October, 2015

10
11 DISCOVERY DEMAND

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