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8	BEFORE THE BUREAU OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * *
11	In the Matter of the Application of)
12) NO. H-12149 SF
13	Respondent.
14	()
15	The Complainant, ROBIN S. TANNER, acting in her official capacity as a
16	Supervising Special Investigator of the State of California, for this Statement of Issues against
17	ROBERT MOWLES RUIZ ("Respondent"), is informed and alleges as follows:
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20	On or about November 3, 2016, Respondent made application to the Bureau of Real Estate of the State of California from the state of the State of the State of California from the state of t
20	Real Estate of the State of California for a real estate salesperson license.
21	FAILURE TO DISCLOSE CONVICTIONS
23	2 In response to Question 28 of said application to wit: "HAVE YOU EVER BEEN
24	CONVICTED (SEE PARAGRAPH ABOVE) OF ANY VIOLATION OF THE LAW AT THE
25	MISDEMEANOR OR FELONY LEVEL? IF YES, COMPLETE ITEM 34 WITH
26	INFORMATION ON EACH CONVICTION," Respondent concealed and failed to disclose
27	the convictions described below in Paragraph 3, 4, 5, and 6.

1 CRIMINAL CONVICTIONS 2 3 3 On or about December 2, 1997, in the Superior Court of the State of California, County of San Mateo, Case No. SC041400A, Respondent was convicted of violating Section 4 5 487(a) of the California Penal Code (grand theft), a felony and a crime that bears a substantial 6 relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section 7 2910, Title10, of the California Code of Regulations ("Regulations"). 8 9 On or about May 5, 1994, in the Superior Court of the State of California, County 10 of San Mateo, Case No. SC033922A, Respondent was convicted of violating Section 496.1 of 11 the California Penal Code (receive/etc. known stolen property), a felony and a crime that bears a substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant 12 13 to Section 2910 of the Regulations. 14 5 15 On or about May 26, 1993, in the Superior Court of the State of California, 16 County of San Mateo, Case No. NM234248A, Respondent was convicted of violating Section 17 496(a) of the California Penal Code (receive/etc. known stolen property), a misdemeanor and a 18 crime that bears a substantial relationship to the qualifications, functions or duties of a real estate 19 licensee pursuant to Section 2910 of the Regulations. 20 6 21 On or about May 26, 1993, in the Superior Court of the State of California, 22 County of San Mateo, Case No. NM234248A, Respondent was convicted of violating Section 23 23152(b) of the California Vehicle Code (driving under the influence), a misdemeanor and a 24 crime that bears a substantial relationship to the qualifications, functions or duties of a real estate 25 licensee pursuant to Section 2910 of the Regulations. 26 /// 27 111

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1 **GROUNDS FOR DENIAL** 2 7 3 Respondent's failure to disclose the convictions described above in Paragraphs 3, 4 4, 5 and 6 constitutes cause for denial of Respondent's application for a real estate salesperson license pursuant to the provisions of Sections 480(d) (false statement of fact required to be 5 6 revealed in application) and 10177(a) (attempted procurement of real estate license by fraud, misrepresentation, or deceit) of the Business and Professions Code ("Code"). 7 8 8 9 Respondent's criminal convictions described above in Paragraphs 3, 4, and 5, 10 constitute cause for denial of Respondent's application for a real estate salesperson license pursuant to the provisions of Sections 480(a)(1) (conviction of crime), 480(a)(2) (act involving 11 12 dishonesty, fraud, or deceit), 10177(b) (conviction of crime), and 10177(j) (engaged in conduct 13 that constitutes fraud or dishonest dealing) of the Code. 14 9 15 Respondent's criminal conviction described above in Paragraph 6, constitutes cause for denial of Respondent's application for a real estate salesperson license pursuant to the 16 provisions of Sections 480(a)(1) (conviction of crime) and 10177(b) (conviction of crime) of the 17 18 Code. 19 WHEREFORE, the Complainant prays that the above-entitled matter be set for 20 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to 21 /// 22 /// 23 /// 24 /// 25 /// 26 /// 27 ///

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1	authorize the issuance of, and deny the issuance of, a real estate salesperson/broker license to
2	Respondent, and for such other and further relief as may be proper under applicable provisions of
3	law.
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	ROBIN S. TANNER
6	Supervising Special Investigator
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8	Dated at Oakland, California,
9	this 17th day of Octo 2017.
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12	DISCOVERY DEMAND
13	Pursuant to Sections 11507.6, et seq. of the Administrative Procedure Act, the
14	Department hereby makes demand for discovery pursuant to the guidelines set forth in the
15	Administrative Procedure Act. Failure to provide Discovery to the Department may result in the
16	exclusion of witnesses and documents at the hearing or other sanctions that the Office of
17	Administrative Hearings deems appropriate.
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