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**FILED**

OCT 18 2017

BUREAU OF REAL ESTATE

By H. Diaz

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 ROBERT MOWLES RUIZ, )  
14 Respondent. ) STATEMENT OF ISSUES

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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19 On or about November 3, 2016, Respondent made application to the Bureau of  
20 Real Estate of the State of California for a real estate salesperson license.

21 FAILURE TO DISCLOSE CONVICTIONS

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23 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

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3 On or about December 2, 1997, in the Superior Court of the State of California,  
4 County of San Mateo, Case No. SC041400A, Respondent was convicted of violating Section  
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 4

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  
12 substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant  
13 to Section 2910 of the Regulations.

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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.

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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.

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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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6 ROBIN S. TANNER  
7 Supervising Special Investigator

8 Dated at Oakland, California,  
9 this 17<sup>th</sup> day of October, 2017.

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11  
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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