

FILED

BEFORE THE BUREAU OF REAL ESTATE

DEC 20 2017

STATE OF CALIFORNIA

BUREAU OF REAL ESTATE

By B. Nicholas

In the Matter of the Accusation of)
) CalBRE No. H-12151 SF
WILTON CANOLD SHORT,)
) OAH No. 2017110358
Respondent.)
_____)

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on October 10, 2017, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) Respondent WILTON CANOLD SHORT's ("hereinafter "Respondent") express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license and/or license rights on grounds of conviction of a crime that is substantially related to the qualifications, functions or duties of a real estate licensee.

Pursuant to Government Code Section 11521, the Bureau of Real Estate (hereinafter "Bureau") may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Bureau's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On October 5, 2017, Robin S. Tanner made the Accusation in her official capacity as a Supervising Special Investigator of the Bureau. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Bureau on October 10, 2017.

On October 26, 2017, Respondent filed a Notice of Defense

On November 14, 2017, a Notice of Hearing on Accusation was mailed, by regular mail, setting forth the time, date and location to Respondent's last known mailing address on file and the address identified by Respondent on the Notice of Defense. The Notice of Hearing informed Respondent that the Hearing on Accusation would take place on December 7, 2017, at the hour of 9:00 a.m., at the Oakland Office of Administrative Hearings.

No appearance having been made by Respondent or by anyone on his behalf at the noticed time, date, and location of the hearing, and upon evidence of compliance with the provisions of Section 11506 and 11509 of the Government Code, Respondent's default was entered on December 7, 2017.

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (herein "the Code") as a real estate broker.

3.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on October 10, 2017, which is incorporated herein as part of this Decision.

FAILURE TO DISCLOSE

4.

A diligent search was made of the records of the Bureau relating to Respondent's real estate license. As a result of said search no written record was discovered having been received from Respondent notifying the Bureau in writing and within 30 days of either the bringing of an indictment or the charging of a felony, the conviction of Respondent of one or more misdemeanor and/or felony convictions, and/or any disciplinary action taken by another licensing agency.

DETERMINATION OF ISSUES

1.

The allegations contained in the Accusation, constitute cause under Sections 490 and 10177(b) (conviction of a crime substantially related to the qualifications, functions or duties of a real estate licensee), and 10177(d) (willful disregard or violation of Real Estate Law) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

2.

The allegation contained in the Accusation, constitutes cause under Sections 10177(d) (willful disregard or violation of the Real Estate Law) and 10186.2 (failure to disclose) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

3.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondent WILTON CANOLD SHORT under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on **JAN 10 2018**

DATED: 12/18/17.

WAYNE S. BELL
REAL ESTATE COMMISSIONER

By: 
DANIEL J. SANDRI
Chief Deputy Commissioner

1 Bureau of Real Estate
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3 Sacramento, CA, 95815

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FILED

DEC 12 2017

BUREAU OF REAL ESTATE

By S. Black

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

CalBRE NO. *H-12151 SF*

12 WILTON CANOLD SHORT,)

DEFAULT ORDER

13 Respondent.)
14)

15 Respondent WILTON CANOLD SHORT, filed a Notice of Defense within
16 the time required by Section 11506 of the Government Code. A hearing was set for
17 December 7, 2017 . Respondent was duly notified of the hearing but failed to appear.
18 Respondent is now in default. It is, therefore, ordered that a default be entered on the record
19 in this matter.

20 IT IS SO ORDERED December 12, 2017

21 WAYNE S BELL
22 REAL ESTATE COMMISSIONER

23
24 By: Joe M. Carrillo
25 JOSEPH M. CARRILLO
26 Regional Manager
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