

1 KYLE T. JONES, Counsel (SBN 300751)  
2 Bureau of Real Estate  
3 P.O. BOX 137007  
4 Sacramento, CA 95813-7007

5 Telephone: (916) 263-8672  
6 (916) 263-3767 (Fax)  
7 (916) 263-7303 (Direct)

**FILED**

**JUL 11 2018**

DEPARTMENT OF REAL ESTATE

By K. Knapp

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )  
12 ) NO. H-12250 SF  
13 KAREN LYNETTE MILLER, )  
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 KAREN LYNETTE MILLER ("Respondent"), is informed and alleges as follows:

18 1

19 On or about January 25, 2017, Respondent made application to the Bureau of Real  
20 Estate of the State of California for a real estate salesperson license.

21 CRIMINAL CONVICTIONS

22 2

23 On or about August 28, 1998, in the Superior Court of the State of California,  
24 County of Contra Costa, Case No. 168522-1, Respondent was convicted of violating Section  
25 484/666 (petty theft with priors) of the California Penal Code, a misdemeanor and a crime that  
26 bears a substantial relationship to the qualifications, functions or duties of a real estate licensee  
27 pursuant to Section 2910, Title 10, of the California Code of Regulations ("Regulations").

1 3

2 On or about October 24, 1997, in the Superior Court of the State of California,  
3 County of San Francisco, Case No. 167019-01, Respondent was convicted of violating Section  
4 11351.5 (possession of cocaine base for sale) of the California Health and Safety Code, a felony  
5 and a crime that bears a substantial relationship to the qualifications, functions or duties of a real  
6 estate licensee pursuant to Section 2910 of the Regulations.

7 4

8 On or about February 8, 1995, in the Superior Court of the State of California,  
9 County of Contra Costa, Case No. 942276-7, Respondent was convicted of violating Section  
10 484/666 of the California Penal Code, a misdemeanor and a crime that bears a substantial  
11 relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section  
12 2910 of the Regulations.

13 5

14 On or about November 19, 1993, in the Superior Court of the State of California,  
15 County of San Francisco, Case No. 152430-02, Respondent was convicted of violating Sections  
16 10980(c) (fraud in obtaining aid) and 10980(g) (unlawful use or sale of food stamps) of the  
17 California Welfare and Institutions Code, felonies and crimes that bear a substantial relationship  
18 to the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the  
19 Regulations.

20 6

21 On or about November 15, 1991, in the Superior Court of the State of California,  
22 County of San Mateo, Case No. SC027580A, Respondent was convicted of violating Section  
23 484/666 of the California Penal Code, a felony and a crime that bears a substantial relationship to  
24 the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the  
25 Regulations.

26 ///

27 ///

1  
2 On or about November 7, 1991, in the Superior Court of the State of California, County of San  
3 Mateo, Case No. NF218926A, Respondent was convicted of violating Section 484/666 of the  
4 California Penal Code, a felony and a crime that bears a substantial relationship to the  
5 qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the  
6 Regulations.

7  
8 On or about May 21, 1991, in the Superior Court of the State of California,  
9 County of San Francisco, Case No. 139903, Respondent was convicted of violating Section  
10 11350(a) (possession of controlled substance) of the California Health and Safety Code, a felony  
11 and a crime that bears a substantial relationship to the qualifications, functions or duties of a real  
12 estate licensee pursuant to Section 2910 of the Regulations.

13 PRIOR LICENSE DENIAL

14  
15 On or about March 24, 2009, Respondent made application to the Bureau for a  
16 real estate salesperson license. Effective September 9, 2010, in Case No. H-5381 SAC, the  
17 Bureau denied Respondent's application for a license.

18 GROUND FOR DENIAL

19  
20 Respondent's criminal convictions described above in Paragraphs 2 through 8,  
21 constitute cause for denial of Respondent's application for a real estate salesperson license  
22 pursuant to the provisions of Sections 480(a)(1) (conviction of crime), 480(a)(2) (act involving  
23 dishonesty, fraud, or deceit), 10177(b) (conviction of crime), and 10177(j) (engaged in conduct  
24 that constitutes fraud or dishonest dealing) of the Business and Professions Code.

25 WHEREFORE, the Complainant prays that the above-entitled matter be set for  
26 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to  
27 authorize the issuance of, and deny the issuance of, a real estate salesperson/broker license to

1 Respondent, and for such other and further relief as may be proper under applicable provisions of  
2 law.

3  
4 

5 ROBIN S. TANNER  
6 Supervising Special Investigator

7 Dated at Oakland, California,  
8 this 20<sup>th</sup> day of June, 2018.  
9

10  
11 DISCOVERY DEMAND

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

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27