

APR 04 2019

DEPARTMENT OF REAL ESTATE

By

L. Krapp

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:) DRE No. H-12345 SF
)
 MICHAEL WILLIAM MARR,)
)
 Respondent(s).)

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 March 28, 2019, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, MICHAEL WILLIAM MARR ("Respondent"); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses and/or license rights on grounds of conviction of crimes that are substantially related to the qualifications, functions or duties of a real estate licensee.

Pursuant to Government Code Section 11521, the California Department of Real Estate ("the Department") 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 Department'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 Government Code 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 December 24, 2018, Robin S. Tanner made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to

and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on January 17, 2019.

On March 28, 2019, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

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 ("the Code") as a real estate broker.

3.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on January 17, 2019, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

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

2.

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

ORDER

All licenses and licensing rights of Respondent MICHAEL WILLIAM MARR under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

APR 25 2019

This Decision shall become effective at 12 o'clock noon on _____.

DATED: April 3, 2019.

DANIEL J. SANDRI
ACTING REAL ESTATE COMMISSIONER

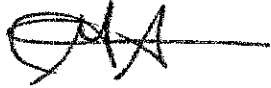


FILED

1 Department of Real Estate
2 1651 Exposition, Blvd.
3 Sacramento, CA, 95815

March 28, 2019

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

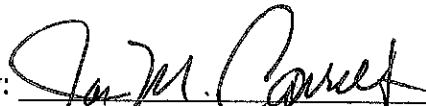
11 In the Matter of the Accusation of:) DRE NO. H-12345 SF
12 MICHAEL WILLIAM MARR,)
13 Respondent.)
14)

DEFAULT ORDER

15 Respondent MICHAEL WILLIAM MARR, having failed to file a Notice of
16 Defense within the time required by Section 11506 of the Government Code, is now in
17 default. It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED MARCH 28, 2019.

19 DANIEL J. SANDRI
20 ACTING REAL ESTATE COMMISSIONER

21
22 By: 
23 JOSEPH M. CARRILLO
24 Managing Deputy Commissioner IV
25
26
27

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

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6 (916) 263-3767 (Fax)
7 (916) 263-7303 (Direct)

FILED

JAN 17 2019

DEPARTMENT OF REAL ESTATE

By R. Knapp

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

12 MICHAEL WILLIAM MARR,)

13 Respondent.)

No. H-12345 SF

ACCUSATION

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 Accusation against
17 MICHAEL WILLIAM MARR ("Respondent"), is informed and alleges as follows:

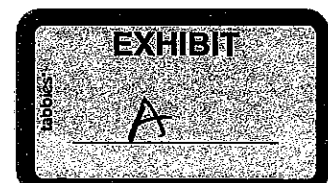
18 1

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

21 CRIMINAL CONVICTION

22 2

23 On or about March 21, 2018, in the United States District Court, Northern District
24 of California, Case No. 4:14-cr-00580-PJH, Respondent was convicted of two counts of violating
25 Section 1 (bid rigging), Title 15, of the United States Code, felonies and crimes that bear a
26 substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant
27 to Section 2910, Title 10, of the California Code of Regulations.



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