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**FILED**

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DEPARTMENT OF REAL ESTATE  
By S. Kump

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )

12 MICHAEL NOAH FORD, )

13 Respondent. )  
14 )

NO. H-12364 SF

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 MICHAEL NOAH FORD ("Respondent"), is informed and alleges as follows:

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19 On or about August 24, 2017, Respondent made application to the Department of  
20 Real Estate of the State of California for a real estate salesperson license.

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22 On or about October 15, 2015, in the Superior Court of the State of  
23 California, County of Santa Cruz, Case No. M86546, Respondent was convicted of violating  
24 Section 647(f) (public intoxication) of the California Penal Code, a misdemeanor and a crime  
25 that bears a substantial relationship to the qualifications, functions or duties of a real estate  
26 licensee pursuant to Section 2910, Title 10, of the California Code of Regulations  
27 ("Regulations").

On or about January 30, 2014, in the Superior Court of the State of California, County of San Mateo, Case No. SF388849A, Respondent was convicted of violating Section 23153(driving under the influence-over .08% with bodily injury) of the California Vehicle Code, a misdemeanor and a crime that bears a substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the Regulations.

On or about May 9, 2005, in the Superior Court of the State of California, County of Santa Clara, Case No. BB513777, Respondent was convicted of violating Sections 20002(a) (hit and run) and 23152(b) (driving under the influence-over .08%) of the California Vehicle Code, misdemeanors and crimes that bear a substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section 2910 of the Regulations.

PRIOR LICENSE DENIAL

On or about November 4, 2013, Respondent made application to the Department of Real Estate for a real estate salesperson license. Effective June 11, 2015, in Case No. H-11836 SF, the Department denied Respondent's application for a real estate salesperson's license.

GROUND FOR DENIAL

Respondent's criminal convictions described above in Paragraphs 2, 3, and 4 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 dishonesty, fraud, or deceit), 10177(b) (conviction of crime), and 10177(j) (engaged in conduct that constitutes fraud or dishonest dealing) of the Business and Professions Code.

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to 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.

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4 ROBIN S. TANNER  
5 Supervising Special Investigator

6 Dated at Oakland, California,  
7 this 3<sup>rd</sup> day of April, 2019.

8  
9 DISCOVERY DEMAND

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