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JAN 21 2011

DEPARTMENT OF REAL ESTATE

By



BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of	)	No. H-31455 LA
	)	
STUART LANGDON TAYLOR,	)	
	)	
Respondent.	)	
	)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On November 6, 2005, a Decision was rendered herein revoking the real estate broker license of Respondent, but granting Respondent the right to the issuance of a restricted real estate broker license. A restricted real estate broker license was issued to Respondent on November 30, 2005, and Respondent has operated as a restricted licensee since that time.

On or about November 30, 2009, Respondent petitioned for reinstatement of said real estate broker license. The Attorney General of the State of California has been given notice of the filing of Respondent's petition.

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1 I have considered Respondent's petition and the evidence and arguments
2 submitted in support thereof. Respondent has demonstrated to my satisfaction that Respondent
3 meets the requirements of law for the issuance to Respondent of an unrestricted real estate broker
4 license and that it would not be against the public interest to issue said license to Respondent.

5 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
6 reinstatement is granted and that an unrestricted real estate broker license be issued to
7 Respondent, if Respondent satisfies the following conditions:

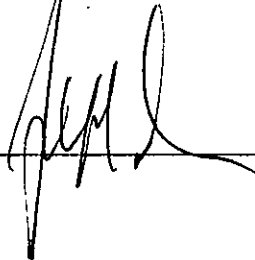
8
9 1. Submits a completed application and pays the fee for a real estate broker
10 license.

11 2. Submits proof that Respondent has completed the continuing education
12 requirements for renewal of the license sought. The continuing education courses must be
13 completed either (i) within the 12 month period preceding the filing of the completed
14 application, or (ii) within the 12 month period following the date of this Order.
15

16 This Order shall be effective immediately.

17 Dated: 12-30-2010

18 JEFF DAVI
19 Real Estate Commissioner

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FILED
NOV. 9 2005
DEPARTMENT OF REAL ESTATE

Laura B. Olm

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-31455 LA
STUART LANGDON TAYLOR,) L-2004110627
Respondent.)

DECISION AFTER REJECTION

A hearing was held in the above-referenced matter on April 18, 2005, before Administrative Law Judge ("Judge") Robert S. Eisman, at the Office of Administrative Hearings.

Respondent STUART LANGDON TAYLOR ("Respondent") appeared personally and was represented by Edgardo Gonzalez, attorney at law.

The Complainant was represented by Chris Leong, Counsel for the Department of Real Estate.

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1 Evidence was received and the case argued, but the
2 record was held open to allow Respondent an opportunity to
3 submit an exhibit. That exhibit was received at the Office of
4 Administrative Hearings on a timely basis (April 22, 2005) and
5 is identified as Respondent's Exhibit H. Further time was
6 allowed to assure there would be no objection. There being
7 none, the exhibit was received in evidence, the record was
8 closed, and the matter submitted on April 26, 2005.

9 On May 20, 2005, Judge Eisman issued a Proposed
10 Decision I declined to adopt as my Decision herein.

11 Pursuant to Section 11517(c) of the Government Code
12 of the State of California, Respondent was served with notice
13 of my determination not to adopt the Proposed Decision of the
14 Administrative Law Judge along with a copy of said Proposed
15 Decision. Respondent was notified that the case would be
16 decided by me upon the record, the transcript of proceedings
17 held on April 18, 2005, and upon any written argument offered
18 by Respondent and Complainant.

19 Argument has been submitted by Respondent and on behalf
20 of Complainant.

21 I have given careful consideration to the record in
22 this case including the transcript of proceedings of April 18,
23 2005, I have also considered the argument submitted by Respondent
24 and the argument submitted on behalf of Complainant.

25 The following shall constitute the Decision of the Real
26 Estate Commissioner in this proceeding:
27

FACTUAL FINDINGS

Issue

1. The issue addressed in this proceeding is whether Respondent's license as a real estate broker should be disciplined for cause pursuant to Business and Professions Code Sections 490 and 10177, subdivision (b) due to a criminal conviction.

Jurisdiction

2. The Administrative Law Judge takes official notice that complainant filed the Accusation while acting in her official capacity as a Deputy Real Estate Commissioner of the Department of Real Estate, State of California. (Complainant Exhibit 1.)

License

3. Respondent, at all times relevant to this matter, was licensed by the Department of Real Estate as a real estate broker, license number 00559914. Respondent was first licensed as a real estate broker in California on May 18, 1979. The Department of Real Estate renewed Respondent's license on July 31, 2003, and it will expire on July 30, 2007. (Complainant Exhibit 2.)

4. On November 9, 2004, complainant filed the Accusation to impose discipline on Respondent's real estate broker license. Respondent submitted a timely Notice of Defense on Accusation, thereby requesting a hearing to present a defense

1 or matters in mitigation or extenuation to the charges and
2 allegations in the Accusation. (Complainant exhibit 1.)

3 Conviction

4 5. On January 15, 2002, in the Superior Court of
5 California, County of Los Angeles, in Case No. 1SM03191, People
6 of the State of California v. Stuart Langdon Taylor, the court
7 convicted Respondent on a plea of nolo contendere of two counts
8 of violating Code Section 273.6, subdivision (a), intentional
9 and knowing violation of a protective order, misdemeanor
10 offenses.

11 As a consequence of Respondent's conviction, pursuant
12 to a plea agreement, the court suspended imposition of sentence
13 and placed Respondent on summary probation for a period of three
14 years under certain terms and conditions, including serving two
15 days in the county jail (with credit for time served), paying a
16 restitution fine, cooperating in a plan for psychiatric,
17 psychological, or other treatment once per week for 52 weeks,
18 and obeying all laws and further orders of the court.
19 (Complainant Exhibit 3.)
20

21 6. The facts and circumstances surrounding the
22 offenses and conviction are that on August 23, 2001, Respondent
23 violated a restraining order that the court issued on behalf of
24 Susan Ann Loranger, who is Respondent's ex-fiancée. After
25 Respondent had been served with the restraining order, he
26 presented at Ms. Loranger's place of business, even though the
27 restraining order prohibited him from being within 100 yards of

1 that location. Respondent also violated the court order when he
2 contacted Ms. Loranger outside the presence of another
3 designated person. These two violations of the restraining
4 order formed the basis for the two counts of violating Penal
5 Code section 273.6, subdivision (a). (Complainant Exhibits 3 and
6 4.)

7 7. The Judge found that Respondent's testimony was
8 credible with respect to his involvement with Ms. Loranger, who
9 was his fiancée. While on a cruise, Respondent and Mr. Loranger
10 had an argument that ultimately resulted in ending their
11 relationship. After the cruise, Respondent attempted to visit
12 Ms. Loranger without success. Eventually, Ms. Loranger arranged
13 a luncheon appointment with Respondent that was really
14 established so that a process server could present Respondent
15 with a restraining order. Upon receiving and reading the
16 restraining order, Respondent became angry because he felt it
17 contained false allegations and created professional problems
18 since both he and Ms. Loranger were involved in the real estate
19 business and the order prevented Respondent from communicating
20 with some of his real estate contacts. As a result, shortly
21 after he received the restraining order, Respondent called
22 Ms. Loranger to inform her that he received it. He then called
23 her office to discuss the matter with her employer, who agreed
24 to meet with Respondent at the office, which was only a short
25 distance from the restaurant. After Respondent arrived at the
26 office, although Ms. Loranger was not present, her assistant
27

1 contacted police who later verified the effectiveness of the
2 restraining order and arrested Respondent for violating its
3 terms.

4 8. Criminal charges pertaining to two other
5 incidents were included in the Complaint in Case No. 1SMO3191,
6 but were dismissed as part of Respondent's plea negotiation.
7 Although Respondent was not convicted based on any these other
8 charges, the underlying circumstances are pertinent to an
9 understanding of Respondent's conduct at the time.

10 On August 29, 2001, in a separate incident involving
11 Respondent's ex-girlfriend, Helen Argyriou, police reported to
12 Ms. Argyriou's residence where they observed moderate damage
13 done to her vehicle and major damage done to the front lawn of
14 her residence. They also observed several broken planters on the
15 front walkway, a broken mailbox along the front side of the
16 house, six to eight feet of tire tracks across the front lawn, a
17 broken fence and damaged bushes and shrubs. Respondent caused
18 the damage by driving his vehicle onto and across Ms. Argyriou's
19 property. As a result, Respondent was booked by Santa Monica
20 police for assault with a deadly weapon and felony vandalism.
21 (Complainant Exhibits 3 and 5.)

23 On September 4, 2001, in a second incident involving
24 Ms. Argyriou, Respondent had left a threatening message on her
25 cell phone. In that message, after telling Ms. Argyriou that she
26 needed to drop the charges related to the August 29 incident,
27 Respondent stated: "I'm gonna rip your fuckin' head off you shit

1 head. You can not do this to Stuart Taylor. You do not know who
2 you're fucking with here. You harassed me for 10 years. You're a
3 dead mother fucker. Get the fuck out of my life forever."

4 (Complainant Exhibits 3 and 6.)

5 Mitigation and Extenuation

6 9. Respondent testified that during the period when
7 the incidents involving Ms. Loranger and Ms. Argyriou occurred
8 (i.e., during the 13 days from August 23 through September 4,
9 2001), Respondent was under a significant amount of stress due
10 to (a) his termination from the real estate firm where he had
11 invested many years of his life and which was the source of his
12 livelihood, (b) on-going problems related to his recent divorce,
13 and (c) the incident that occurred on-board ship involving the
14 cruise with his fiancée. Specifically,

15 a. Although Respondent had reached the end of a
16 difficult six-year divorce proceeding (1993-1999), he was still
17 being harassed by his ex-wife, especially with respect to
18 honoring Respondent's planned contacts and visitation rights
19 with his two daughters.

20 b. After being employed since the mid-1980s as a
21 very successful broker at a major real estate firm (Cushman
22 Realty Corporation), the work environment changed considerably
23 when, in 2001, that firm was sold and became Cushman &
24 Wakefield, Inc. Although Respondent was a senior vice president
25 in the firm and had a team of other brokers who managed major
26 projects, Respondent entered into conflicts with the firm's new
27

1 management regarding team assignments and what he perceived to
2 be the infringement of outsiders into his real estate projects.
3 As a result, the company suspended Respondent for 60 days on the
4 condition that he not contact any of his clients. Since
5 Respondent was working on a \$50 million lease for a talent
6 company at the time, he felt it was his duty to contact his
7 client. After communicating with that contact, Respondent was
8 fired from Cushman & Wakefield. (Respondent Exhibits A and B.)

9 c. While they were on a cruise together, Respondent
10 and Ms. Loranger made plans to meet at an on-shore restaurant.
11 After they failed to meet each other as planned, and had
12 returned to the ship, an argument ensued. During that argument,
13 Respondent and Ms. Loranger threw and/or damaged another
14 person's property. Eventually, as a result of the argument,
15 Respondent had Ms. Loranger evicted from his state room.
16

17 Rehabilitation

18 Respondent testified to the following:

19 10. Respondent has successfully completed his three
20 year period of probation and the court expunged his conviction
21 on January 13, 2005, pursuant to Penal Code Section 1203.4.
22 (Respondent Exhibit D.)

23 11. Respondent is currently on the board of the
24 Children's Bureau, a benevolent organization dedicated to
25 addressing issues involving the, needs, welfare, and abuse of
26 at-risk children.
27

1 12. After leaving Cushman & Wakefield, Respondent
2 started a trucking company with his father and others. He also
3 engages in real estate by developing his own properties.
4 Respondent is working with various established business clients
5 on large-scale real estate transactions. Respondent does not
6 publicly advertise his real estate firm (Taylor Realty).
7 Currently he has approximately three clients and does not have
8 any salespersons operating under his broker license.

9 13. Elicia Kay Kamerman has been in a social
10 relationship with Respondent for approximately three and
11 one-half years. She talks with Respondent on a daily basis.
12 Ms. Kamerman's impression is that respondent is an honest
13 person.

14 14. John Schneider is a real estate broker who has
15 known Respondent in both professional and social settings for
16 approximately 22 years. They worked together as brokers at
17 Cushman Realty for about five or six years, and are still good
18 friends and business associates. Mr. Schneider testified that
19 Respondent never violated the trust of Cushman Realty and
20 considers Respondent to have the utmost integrity.
21 Mr. Schneider stated that at the time of the incidents that lead
22 to his conviction, Respondent was just going through a difficult
23 time in his life and his actions were out of character.
24 Mr. Schneider also praised Respondent's excellent broker
25 abilities and his stature in the real estate brokerage
26 community.
27

15. Roni Cummings, a licensed marriage and family therapist, started seeing Respondent in 1999, to help Respondent after his divorce and ongoing family issues. With respect to the incidents that occurred in 2001, Ms. Cummings opined that Respondent had been experiencing difficulties in his relationship with Ms. Argyriou and that between the work, the relationship, and his children, "it was just too much for him". (Respondent Exhibit E). Respondent stated that he still sees Ms. Cummings a few times per month for continued counseling.

16. Several letters were received that attested to Respondent's character, including letters from Lucy Taylor Parker, Respondent's younger sister (Respondent's Exhibit F); Lucille Taylor, Respondent's mother (Respondent's Exhibit G.); and Henry Fella, a business associate (Respondent's Exhibit H). In summary, the letters stated that Respondent is a non-violent person who is trustworthy, and the incidents related to Respondent's conviction are isolated and out of character.

LEGAL CONCLUSIONS

Standard and Burden of Proof

1. The standard of proof in this proceeding is "clear and convincing to a reasonable certainty." The administrative law judge applied this standard of proof because Respondent holds a vested interest in a professional license, which is of a type that requires extensive education, testing, and continued post-licensing education. (*Ettinger v. Bd. of Med.*

1 Quality Assurance (1982) 135 Cal.App.3d 853; San Benito Foods v.
2 Veneman (1996) 50 Cal.App.4th 1889, 1893.)

3 Complainant bears the burden of proof and is,
4 therefore, obliged to adduce evidence that is clear, explicit,
5 and unequivocal -- so clear as to leave no substantial doubt and
6 sufficiently strong as to command the Unhesitating assent of
7 every reasonable mind. (In Re Marriage of Weaver (1990) 224
8 Cal.App.3d 478.)

9 Jurisdictional Authority

10 2. The Department of Real Estate has jurisdiction to
11 revoke, suspend, or otherwise discipline Respondent's license as
12 a real estate broker pursuant to Business and Professions Code
13 Sections 490 and 10177, subdivision (b), for criminal
14 convictions. (Factual Findings 2, 3, and 4.)

15 Legal Authority

16 3. Business and Professions Code section 490 states,
17 in pertinent part:

18 "A board may suspend or revoke a license on the ground
19 that the licensee has been convicted of a crime, if the crime is
20 substantially related to the qualifications, functions, or
21 duties of the business or profession for which the license was
22 issued. A conviction within the meaning of this section means
23 a plea or verdict of guilty or a conviction following a plea of
24 nolo contendere."

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4. Business and Professions Code Section 10177

states, in pertinent part: "The commissioner may suspend or revoke the license of a real estate licensee... who has done any of the following.... (b) Entered a plea of guilty or nolo contendere to, or been found guilty of, or been convicted of, a felony or a crime involving moral turpitude... ."

5. Respondent's entry of the plea of nolo contendere in his criminal case is conclusive evidence of guilt upon which the administrative law judge must rely. (*Arneson v. Fox* (1980) 28 Cal.3d 440.) "[An examination of the express language of [Business and Professions Code] Section 10177.5 [1 makes the judgment itself the operative fact upon which disciplinary action is imposed; irrelevant, therefore, are the acts or omissions of the licensee which led to the judgment." (*Richards v. Gordon* (1967) 254 Cal.App.2d 735, 741.)

However, under Business and Professions Code Section 493, the Department of Real Estate "may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, and duties of the licensee in question."

Moral Turpitude

6. For Respondent's license to be disciplined under Business and Professions Code Section 10177, subdivision (b), Respondent's conviction must be for a crime of moral turpitude or, in the alternative, constitute a felony offense.

1 7. Although not amenable to a precise definition,
2 "moral turpitude" connotes a readiness to do evil, an act of
3 baseness, vileness or "depravity in the private and social
4 duties which a man owes to his fellowman, or to society in
5 general, contrary to the accepted and customary rule of right
6 and duty between man and man." (People v. Forster (1994) 29
7 Cal.App.4th 1746, 1757, quoting from People v. Mansfield (1988)
8 200 Cal.App.3d 82, 87.)

9 8. By reason of the matters set forth in Factual
10 Findings 5 and 6, Respondent was convicted on two counts of
11 violating a restraining order. Neither of the two counts under
12 which Respondent was convicted in 2001 was a felony.

13 Additionally, there is no authority for the proposition that
14 either of the two offenses involve moral turpitude. Although
15 there were other charges in Respondent's criminal proceeding
16 that could arguably be construed as acts involving moral
17 turpitude, based on the underlying circumstances they do not
18 warrant such a conclusion in this matter.

19
20 Substantial Relationship

21 9. California Code of Regulations, Title 10, Section
22 2910, states, in pertinent part:

23 "(a) When considering whether a license should be
24 denied, suspended or revoked on the basis of the conviction of a
25 crime... the crime or act shall be deemed to be substantially
26 related to the qualifications, functions or duties of a licensee
27

1 of the Department within the meaning of Sections 480 and 490 of
2 the Code if it involves:

3 "(8) Doing of any unlawful act with the intent of
4 conferring a financial or economic benefit upon the perpetrator
5 or with the intent or threat of doing substantial injury to the
6 person or property of another.

7 "(9) Contempt of court or willful failure to comply
8 with a court order...

9 "(10) Conduct which demonstrates a pattern of repeated
10 and willful disregard of law.

11 "(c) If the crime or act is substantially related to
12 the qualifications, functions or duties of a licensee of the
13 department, the context in which the crime or acts were
14 committed shall go only to the question of the weight to be
15 accorded to the crime or acts in considering the action to be
16 taken with respect to the applicant or licensee."

17
18 10. Respondent's convictions are substantially
19 related to the qualifications, functions or duties of a real
20 estate broker in that he failed to comply with a court order
21 when he violated the restraining order pertaining to
22 Ms. Loranger.

23 11. Respondent's conviction is also substantially
24 related to the real estate profession because it raises concerns
25 about his commitment to follow the law and to resolve disputes
26 in a non-violent manner. The evidence shows that when
27 Respondent is under unusual amounts of stress, his judgment may

1 become clouded, resulting in uncharacteristic behavior. (Factual
2 Findings 9.)

3 12. In determining the degree of discipline, if any,
4 to be imposed on Respondent, consideration is given to the fact
5 that Respondent engaged in misconduct that resulted in damage to
6 Ms. Argyriou's property; misconduct that was further aggravated
7 when he left a threatening message on her answering machine.
8 (Factual Finding 8.)

9 Rehabilitation

10 13. The Department of Real Estate has established
11 criteria for rehabilitation from conviction of a crime to be
12 considered in a disciplinary proceeding. The rehabilitation
13 criteria are found at California Code of Regulations, Title 10,
14 Section 2912, and are summarized as follows:

15 a. Passage of at least two years since the most
16 recent criminal conviction or act.

17 b. Restitution to any person who has suffered
18 monetary losses.

19 c. Expungement of criminal convictions.

20 d. Expungement or discontinuance of a requirement to
21 register as a sex offender.

22 e. Successful completion or early discharge from
23 probation or parole.

24 f. Abstinence for at least two years from the use of
25 controlled substances or alcohol.
26
27

1 g. Payment of fines imposed in connection with the
2 criminal conviction.

3 h. Correction of business practices responsible in
4 some degree for the conviction.

5 i. New and different social and business
6 relationships.

7 j. Family life stability of and fulfillment of
8 parental and familial responsibilities.

9 k. Completion of, or enrollment in, formal education
10 or vocational training courses.

11 l. Involvement in community, church or privately-
12 sponsored programs.

13 m. Change in attitude, as evidenced by applicant
14 Respondent and other persons knowledgeable and competent to
15 testify and absence of subsequent convictions.
16

17 14. It appears Respondent has met the applicable
18 criteria of rehabilitation. Rehabilitation as a matter of law
19 does not exist. Rehabilitation is a component of penalty, which
20 is vested in the discretion of the Board "subject only to
21 'manifest abuse'" Windham v. Board of Medical Quality
22 Assurance, (1980) 104 Cal.App.3d 461, 472, 473 quoting Cadilla,
23 26 Cal.App.3d at 968.

24 Measured against the rehabilitation criteria and other
25 relevant considerations, evidence of rehabilitation is
26 sufficient in this matter to justify a lesser form of discipline
27 than would otherwise be imposed. As referenced above,

1 Respondent's conviction was based on conduct that occurred
2 during a very short span of time and the evidence did not
3 establish a pattern of illegal or unprofessional conduct.
4 Respondent has been and continues to obtain counseling.
5 Respondent's counselor believes that other than the incident
6 involving Ms. Argyriou described above, Respondent has been able
7 to control his behavior and anger.

8 The conviction occurred more than three years ago.
9 Respondent paid all court-ordered restitution amounts;
10 successfully completed probation, which was terminated early;
11 and has had the conviction expunged. Respondent is gainfully
12 employed, engages in charitable work that benefits the
13 community, appears to have a strong work ethic, and has strong
14 support ties with his family.

15 In addition, the administrative law judge found that
16 Respondent testified in a forthcoming fashion that inspired
17 confidence in his truthfulness.
18

19 Cause for Discipline

20 15. Complainant established by a clear and convincing
21 evidence that Respondent's real estate broker license is subject
22 to discipline pursuant to Business and Professions Code section
23 490.

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26 ///

16. Given the nature of the convictions and the underlying circumstances surrounding the incidents, the Respondent did not violate Business and Professions Code section 10177, subdivision (b), because the convictions were not ones involving moral turpitude.

Decision

17. Complainant bears the burden of establishing, by clear and convincing evidence, that Respondent's license as a real estate broker is subject to discipline. In light of the foregoing factual findings and legal conclusions, complainant has met that burden. (See *Martin v. Alcoholic Bev. App. Bd.* (1950) 52 Cal.2d 259.)

18. The objective of a disciplinary proceeding is to protect the public, the licensed profession or occupation, maintain integrity, high standards, and preserve public confidence in licensed real estate brokers. The purpose of proceedings of this type is not to punish the Respondent. In particular, the statutes relating to real estate broker licenses are designed to protect the public from any potential risk of harm. The law looks with favor upon those who have been properly reformed. To that end, respondent bears a burden, against acts of misconduct and a conviction, to establish his reformation. He has adequately met that burden.

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1 19. However, Respondent's crime was serious. In
2 addition Respondent has exhibited that he has difficulty
3 following legal orders and resolving disputes in a non-
4 aggressive manner and that his judgment is clouded when under
5 stress.

6 After Respondent was served with a restraining order,
7 he went to Ms. Loranger's place of business, even though the
8 restraining order prohibited him from being within 100 yards of
9 that location. He also violated the court order when he
10 contacted Ms. Loranger outside the presence of another person.

11 20. The Real Estate Law and the disciplinary
12 procedures provided for in the Real Estate Law are designed to
13 protect the public and to achieve the maximum protection for the
14 purchasers of real property and those dealing with real estate
15 licensees (Business and Professions Code Section 10050 and
16 Handeland v. Department of Real Estate (1976) 58 Cal.App.3d
17 513.)

18 21. Real estate licensees occupy a unique position
19 of trust and responsibility toward the consuming public. They
20 function with little supervision. The possession of a real
21 estate license entitles the holder to enter the homes and have
22 access to the property of others without supervision. Such
23 licensees must be trustworthy. See Ring v. Smith (1970)
24 5 Cal.App.3rd 197, 205, Golde v Fox 98 Cal.App.3d, 167, 177.).
25 Harrington v. Department of Real Estate (1989) 214 Cal.App.3d,
26 394, 402.
27

1 Licensees must obey the law and court orders. In
2 addition, there is often a great deal of anxiety and tension
3 involved in real estate transactions. Because of this we want
4 licensees who are able to control their anger and are not prone
5 to strike out against others, verbally or physically.

6 22. Based on the entire record, including
7 consideration of Respondent's conviction and rehabilitation,
8 discipline should be imposed but of a lesser form that will
9 allow Respondent to continue to use his broker's license.

10 The following order is consistent with protection of
11 the public interest.

12 ORDER

13 WHEREFORE, THE FOLLOWING ORDER is hereby made:

14 All licenses and licensing rights of Respondent
15 STUART LANGDON TAYLOR, under the Real Estate Law are revoked;
16 provided, however, that a restricted real estate broker license
17 shall be issued to Respondent pursuant to Code Section 10156.5
18 of the Business and Professions Code if Respondent makes
19 application therefor and pays to the Department of Real Estate
20 the appropriate fee for the restricted license within 90 days
21 from the effective date of this Decision.

22 The restricted license issued to Respondent shall be
23 subject to all of the provisions of Code Section 10156.7 of the
24 Business and Professions Code and to the following limitations,
25 conditions and restrictions imposed under authority of Section
26 10156.6 of that Code:
27

1 1. The restricted license issued to Respondent
2 may be suspended prior to hearing by Order of the Real Estate
3 Commissioner in the event of Respondent's conviction or plea
4 of nolo contendere to a crime which is substantially related
5 to Respondent's fitness or capacity as a real estate licensee.

6 2. The restricted license issued to Respondent
7 may be suspended prior to hearing by Order of the Real Estate
8 Commissioner on evidence satisfactory to the Commissioner that
9 Respondent has violated provisions of the California Real Estate
10 Law, the Subdivided Lands Law, Regulations of the Real Estate
11 Commissioner or conditions attaching to the restricted license.

12 3. Respondent shall not be eligible to apply
13 for the issuance of an unrestricted real estate license
14 nor for the removal of any of the conditions, limitations
15 or restrictions of a restricted license until two (2) years
16 have elapsed from the effective date of this Decision.

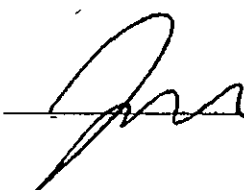
17 4. Respondent shall, within nine months from the
18 effective date of this Decision, present evidence satisfactory
19 to the Real Estate Commissioner that Respondent has, since the
20 most recent issuance of an original or renewal real estate
21 license, taken and successfully completed the continuing
22 education requirements of Article 2.5 of Chapter 3 of the Real
23 Estate Law for renewal of a real estate license. If Respondent
24 fails to satisfy this condition, the Commissioner may order the
25 suspension of the restricted license until the Respondent
26 presents such evidence. The Commissioner shall afford
27

1 Respondent the opportunity for a hearing pursuant to the
2 Adminsitratve Procedure Act to present such evidence.

3 This Decision shall become effective at 12 o'clock noon
4 on NOV 30 2005

5 IT IS SO ORDERED

6 JEFF DAVI
7 Real Estate Commissioner

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FILED
JUN 29 2005
DEPARTMENT OF REAL ESTATE
By *Laura B. Cron*

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA
* * *

In the Matter of the Accusation of	)	
	)	No. H-31455 LA
STUART LANGDON TAYLOR,	)	
	)	L-2004110627
Respondent.	)	
	)	
	)	

NOTICE

TO: STUART LANGDON TAYLOR, Respondent, and EDGARDO GONZALEZ, his
Counsel.

YOU ARE HEREBY NOTIFIED that the Proposed Decision
herein dated May 20, 2005, of the Administrative Law Judge is not
adopted as the Decision of the Real Estate Commissioner. A copy
of the Proposed Decision dated May 20, 2005, is attached for your
information.

In accordance with Section 11517(c) of the Government
Code of the State of California, the disposition of this case
will be determined by me after consideration of the record herein
including the transcript of the proceedings held on April 18,

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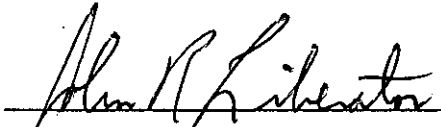
1 2005, and any written argument hereafter submitted on behalf of
2 Respondent and Complainant.

3 Written argument of Respondent to be considered by me
4 must be submitted within 15 days after receipt of the transcript
5 of the proceedings of April 18, 2005, at the Los Angeles office
6 of the Department of Real Estate unless an extension of the time
7 is granted for good cause shown.

8 Written argument of Complainant to be considered by me
9 must be submitted within 15 days after receipt of the argument of
10 Respondent at the Los Angeles office of the Department of Real
11 Estate unless an extension of the time is granted for good cause
12 shown.

13 DATED: June 20, 2005

14
15 JEFF DAVI
Real Estate Commissioner

16
17 
18 BY: John R. Liberator
Chief Deputy Commissioner

**BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

STUART LANGDON TAYLOR,

Real Estate Broker License No. 00559914,

Respondent.

Case No. H-31455 LA

OAH No. L2004110627

PROPOSED DECISION

Robert S. Eisman, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter in Los Angeles, California, on April 18, 2005.

Chris Leong, Staff Counsel, represented Maria Suarez (complainant) and the Department of Real Estate.

Edgardo Gonzalez, Attorney at Law, represented Stuart Langdon Taylor (respondent). Respondent was also present at the hearing.

Evidence was received and the case argued, but the record was held open to allow respondent an opportunity to submit an exhibit. That exhibit was received at the Office of Administrative Hearings on a timely basis (April 22, 2005) and is identified as respondent's exhibit H. Further time was allowed to assure there would be no objection. There being none, the exhibit was received in evidence, the record was closed, and the matter submitted on April 26, 2005.

The Administrative Law Judge makes the following factual findings, legal conclusions and order:

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FACTUAL FINDINGS

Issue

1. The issue addressed in this proceeding is whether respondent's license as a real estate broker should be disciplined for cause pursuant to Business and Professions Code sections 490 and 10177, subdivision (b) due to a criminal conviction.

Jurisdiction

2. The Administrative Law Judge takes official notice that complainant filed the Accusation while acting in her official capacity as a Deputy Real Estate Commissioner of the Department of Real Estate, State of California. (Complainant exhibit 1.)

License

3. Respondent, at all times relevant to this matter, was licensed by the Department of Real Estate as a real estate broker, license number 00559914. Respondent was first licensed as a real estate broker in California on May 18, 1979. The Department of Real Estate renewed respondent's license on July 31, 2003, and it will expire on July 30, 2007. (Complainant exhibit 2.)

4. On November 9, 2004, complainant filed the Accusation to impose discipline on respondent's real estate broker license. Respondent submitted a timely Notice of Defense on Accusation, thereby requesting a hearing to present a defense or matters in mitigation or extenuation to the charges and allegations in the Accusation. (Complainant exhibit 1.)

Conviction

5. On January 15, 2002, in the Superior Court of California, County of Los Angeles, in Case No. 1SM03191, *People of the State of California v. Stuart Langdon Taylor*, the court convicted respondent on a plea of nolo contendere of two counts of violating Code section 273.6, subdivision (a), intentional and knowing violation of a protective order, misdemeanor offenses.

As a consequence of respondent's conviction, pursuant to a plea agreement, the court suspended imposition of sentence and placed respondent on summary probation for a period of three years under certain terms and conditions, including serving two days in the county jail (with credit for time served), paying a restitution fine, cooperating in a

plan for psychiatric, psychological, or other treatment once per week for 52 weeks, and obeying all laws and further orders of the court. (Complainant exhibit 3.)

6. The facts and circumstances surrounding the offenses and conviction are that on August 23, 2001, respondent violated a restraining order that the court issued on behalf of Susan Ann Loranger, who is respondent's ex-fiancé. After respondent had been served with the restraining order, he presented at Ms. Loranger's place of business, even though the restraining order prohibited him from being within 100 yards of that location. Respondent also violated the court order when he contacted Ms. Loranger outside the presence of another designated person. These two violations of the restraining order formed the basis for the two counts of violating Penal Code section 273.6, subdivision (a). (Complainant exhibits 3 and 4.)

7. Respondent's testimony was credible with respect to his involvement with Ms. Loranger, who was his fiancé. While on a cruise, respondent and Mr. Loranger had an argument that ultimately resulted in ending their relationship. After the cruise, respondent attempted to visit Ms. Loranger without success. Eventually, Ms. Loranger arranged a luncheon appointment with respondent that was really established so that a process server could present respondent with a restraining order. Upon receiving and reading the restraining order, respondent became angry because he felt it contained false allegations and created professional problems since both he and Ms. Loranger were involved in the real estate business and the order prevented respondent from communicating with some of his real estate contacts. As a result, shortly after he received the restraining order, respondent called Ms. Loranger's to inform her that he received it. He then called her office to discuss the matter with her employer, who agreed to meet with respondent at the office, which was only a short distance from the restaurant. After respondent arrived at the office, although Ms. Loranger was not present, her assistant contacted police who later verified the effectiveness of the restraining order and arrested respondent for violating its terms.

8. Criminal charges pertaining to two other incidents were included in the Complaint in Case No. 1SM03191, but were dismissed as part of respondent's plea negotiation. Although respondent was not convicted based on any these other charges, the underlying circumstances are pertinent to an understanding of respondent's conduct at the time.

On August 29, 2001, in a separate incident involving respondent's ex-girlfriend, Helen Argyriou, police reported to Ms. Argyriou's residence where they observed moderate damage done to her vehicle and major damage done to the front lawn of her residence. They also observed several broken planters on the front walkway, a broken mailbox along the front side of the house, six to eight feet of tire tracks across the front lawn, a broken fence and damaged bushes and shrubs. Respondent caused the damage by driving his vehicle onto and across Ms. Argyriou's property. As a result, respondent was booked by Santa Monica police for assault with a deadly weapon and felony vandalism. (Complainant exhibits 3 and 5.)

On September 4, 2001, in a second incident involving Ms. Argyriou, respondent had left a threatening message on her cell phone. In that message, after telling Ms. Argyriou that she needed to drop the charges related to the August 29 incident, respondent stated: "I'm gonna rip your fuckin' head off you shit head. You can not do this to Stuart Taylor. You do not know who you're fucking with here. You harassed me for 10 years. You're a dead mother fucker. Get the fuck out of my life forever." (Complainant exhibits 3 and 6.)

Evidence in Mitigation and Extenuation

9. During the period when the incidents involving Ms. Loranger and Ms. Argyriou occurred (i.e., during the 13 days from August 23 through September 4, 2001), respondent was under a significant amount of stress due to (a) his termination from the real estate firm where he had invested many years of his life and which was the source of his livelihood, (b) on-going problems related to his recent divorce, and (c) the incident that occurred on-board ship involving the cruise with his fiancé. Specifically,

a. Although respondent had reached the end of a difficult six-year divorce proceeding (1993-1999), he was still being harassed by his ex-wife, especially with respect to honoring respondent's planned contacts and visitation rights with his two daughters.

b. After being employed since the mid-1980s as a very successful broker at a major real estate firm (Cushman Realty Corporation), the work environment changed considerably when, in 2001, that firm was sold and became Cushman & Wakefield, Inc. Although respondent was a senior vice president in firm and had a team of other brokers who managed major projects, respondent entered into conflicts with the firm's new management regarding team assignments and what he perceived to be the infringement of outsiders into his real estate projects. As a result, the company suspended respondent for 60 days on the condition that he not contact any of his clients. Since respondent was working on a \$50 million lease for a talent company at the time, he felt it was his duty to contact his client. After communicating with that contact, respondent was fired from Cushman & Wakefield. (Respondent exhibits A and B.)

c. While they were on a cruise together, respondent and Ms. Loranger made plans to meet at an on-shore restaurant. After they failed to meet each other as planned, and had returned to the ship, an argument ensued. During that argument, respondent and Ms. Loranger threw and/or damaged another person's property. Eventually, as a result of the argument, respondent had Ms. Loranger evicted from his state room.

Evidence of Rehabilitation

10. Respondent has successfully completed his three year period of probation and the court expunged his conviction on January 13, 2005, pursuant to Penal Code section 1203.4. (Respondent exhibit D.)

11. Respondent is currently on the board of the Children's Bureau, a benevolent organization dedicated to addressing issues involving the needs, welfare, and abuse of at-risk children.

12. After leaving Cushman & Wakefield, respondent started a trucking company with his father and others. He also engages in real estate by developing his own properties. Respondent is working with various established business clients on large-scale real estate transactions. Respondent does not publicly advertise his real estate firm (Taylor Realty). Currently he has approximately three clients and does not have any salespersons operating under his broker license.

13. Elicia Kay Kamerman has been in a social relationship with respondent for approximately three and one-half years. She talks with respondent on a daily basis. Ms. Kamerman's impression is that respondent is an honest person.

14. John Schneider is a real estate broker who has known respondent in both professional and social settings for approximately 22 years. They worked together as brokers at Cushman Realty for about five or six years, and are still good friends and business associates. Mr. Schneider testified that respondent never violated the trust of Cushman Realty and considers respondent to have the utmost integrity. Mr. Schneider stated that at the time of the incidents that lead to his conviction, respondent was just going through a difficult time in his life and his actions were out of character. Mr. Schneider also praised respondent's excellent broker abilities and his stature in the real estate brokerage community.

15. Roni Cummings, a licensed marriage and family therapist, started seeing respondent in 1999, to help respondent after his divorce and ongoing family issues. With respect to the incidents that occurred in 2001, Ms. Cummings opined that respondent had been experiencing difficulties in his relationship with Ms. Argyriou and that between the work, the relationship, and his children, "it was just too much for him." (Respondent exhibit E.)

Respondent stated that he still sees Ms. Cummings a few times per month for continued counseling.

16. Several letters were received that attested to respondent's character, including letters from Lucy Taylor Parker, respondent's younger sister (respondent's exhibit F); Lucille Taylor, respondent's mother (respondent's exhibit G.); and Henry Fella, a business associate (respondent's exhibit H). In summary, the letters stated that respondent is a non-violent person who is trustworthy, and the incidents related to respondent's conviction are isolated and out of character.

LEGAL CONCLUSIONS

Standard and Burden of Proof

1. The standard of proof in this proceeding is "clear and convincing to a reasonable certainty." The administrative law judge applied this standard of proof because respondent holds a vested interest in a professional license, which is of a type that requires extensive education, testing, and continued post-licensing education. (*Ettinger v. Bd. of Med. Quality Assurance* (1982) 135 Cal.App.3d 853; *San Benito Foods v. Veneman* (1996) 50 Cal.App.4th 1889, 1893.)

Complainant bears the burden of proof and is therefore obliged to adduce evidence that is clear, explicit, and unequivocal -- so clear as to leave no substantial doubt and sufficiently strong as to command the unhesitating assent of every reasonable mind. (*In Re Marriage of Weaver* (1990) 224 Cal.App.3d 478.)

Jurisdictional Authority

2. The Department of Real Estate has jurisdiction to revoke, suspend, or otherwise discipline respondent's license as a real estate broker pursuant to Business and Professions Code sections 490 and 10177, subdivision (b), for criminal convictions. (Factual Findings 2, 3, and 4.)

Legal Authority

3. Business and Professions Code section 490 states, in pertinent part:

"A board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere."

4. Business and Professions Code section 10177 states, in pertinent part:

"The commissioner may suspend or revoke the license of a real estate licensee . . . who has done any of the following [¶] . . . [¶] (b) Entered a plea of guilty or nolo contendere to, or been found guilty of, or been convicted of, a felony or a crime involving moral turpitude"

5. Respondent's entry of the plea of nolo contendere in his criminal case is conclusive evidence of guilt upon which the administrative law judge must rely. (*Arneson v. Fox* (1980) 28 Cal.3d 440.) "[A]n examination of the express language of [Business and Professions Code] section 10177.5 [] makes the judgment itself the operative fact upon which disciplinary action is imposed; irrelevant, therefore are the acts or omissions of the licensee which led to the judgment." (*Richards v. Gordon* (1967) 254 Cal.App.2d 735, 741.)

However, under Business and Professions Code section 493, the Department of Real Estate "may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, and duties of the licensee in question."

Moral Turpitude

6. For Respondent's license to be disciplined under Business and Professions Code section 10177, subdivision (b), respondent's conviction must be for a crime of moral turpitude or, in the alternative, constitute a felony offense.

7. Although not amenable to a precise definition, "moral turpitude" connotes a readiness to do evil, an act of baseness, vileness or "depravity in the private and social duties which a man owes to his fellowmen, or to society in general, contrary to the accepted and customary rule of right and duty between man and man." (*People v. Forster* (1994) 29 Cal.App.4th 1746, 1757, quoting from *People v. Mansfield* (1988) 200 Cal.App.3d 82, 87.)

8. By reason of the matters set forth in Factual Findings 5 and 6, respondent was convicted on two counts of violating a restraining order. Neither of the two counts under which respondent was convicted in 2001 was a felony. Additionally, there is no authority for the proposition that either of the two offenses involve moral turpitude. Although there were other charges in respondent's criminal proceeding that could arguably be construed as acts involving moral turpitude, based on the underlying circumstances they do not warrant such a conclusion in this matter.

Substantial Relationship

9. California Code of Regulations, title 10, section 2910, states, in pertinent part:

"(a) When considering whether a license should be denied, suspended or revoked on the basis of the conviction of a crime . . . the crime or act shall be deemed to be substantially related to the qualifications, functions or duties of a licensee of the Department within the meaning of Sections 480 and 490 of the Code if it involves: [¶] . . . [¶]

"(8) Doing of any unlawful act with the intent of conferring a financial or economic benefit upon the perpetrator or with the intent or threat of doing substantial injury to the person or property of another.

"(9) Contempt of court or willful failure to comply with a court order. [¶] . . . [¶]

"(10) Conduct which demonstrates a pattern of repeated and willful disregard of law.

"(c) If the crime or act is substantially related to the qualifications, functions or duties of a licensee of the department, the context in which the crime or acts were committed shall go only to the question of the weight to be accorded to the crime or acts in considering the action to be taken with respect to the applicant or licensee."

10. Respondent's convictions are substantially related to the qualifications, functions or duties of a real estate broker in that he failed to comply with a court order when he violated the restraining order pertaining to Mr. Loranger.

11. Respondent's conviction is also substantially related to the real estate profession because it raises concerns about his commitment to follow the law and to resolve disputes in a non-violent manner. The evidence shows that when respondent is under unusual amounts of stress, his judgment may become clouded, resulting in uncharacteristic behavior. (Factual Findings 9.)

12. In determining the degree of discipline, if any, to be imposed on respondent, consideration is given to the fact that respondent engaged in misconduct that resulted in damage to Ms. Argyriou's property; misconduct that was further aggravated when he left a threatening message on her answering machine,. (Factual Finding 8.)

Rehabilitation

13. The Department of Real Estate has established criteria for rehabilitation from conviction of a crime to be considered in a disciplinary proceeding. The rehabilitation criteria are found at California Code of Regulations, title 10, section 2912, and are summarized as follows:

- a. Passage of at least two years since the most recent criminal conviction or act
- b. Restitution to any person who has suffered monetary losses
- c. Expungement of criminal convictions
- d. Expungement or discontinuance of a requirement to register as a sex offender
- e. Successful completion or early discharge from probation or parole
- f. Abstinence for at least two years from the use of controlled substances or alcohol
- g. Payment of fines imposed in connection with the criminal conviction
- h. Correction of business practices responsible in some degree for the conviction
- i. New and different social and business relationships
- j. Family life stability of and fulfillment of parental and familial responsibilities

- k. Completion of, or enrollment in, formal education or vocational training courses
- l. Involvement in community, church or privately-sponsored programs
- m. Change in attitude, as evidenced by applicant / respondent and other persons knowledgeable and competent to testify and absence of subsequent convictions

14. Measured against the rehabilitation criteria and other relevant considerations, evidence of rehabilitation is sufficient in this matter to justify a lesser form of discipline than would otherwise be imposed. As referenced above, respondent's conviction was based on conduct that occurred during a very short span of time and the evidence did not establish a pattern of illegal or unprofessional conduct. Respondent has been and continues to obtain counseling. Respondent's counselor believes that other than the incident involving Ms. Argyriou described above, respondent has been able to control his behavior and anger.

The conviction occurred more than three years ago. Respondent paid all court-ordered restitution amounts; successfully completed probation, which was terminated early; and has had the conviction expunged. Respondent is gainfully employed, engages in charitable work that benefits the community, appears to have a strong work ethic, and has strong support ties with his family. In addition, respondent testified in a forthcoming fashion that inspired confidence in his truthfulness.

Cause for Discipline

15. Complainant established by a clear and convincing evidence that respondent's real estate broker license is subject to discipline pursuant to Business and Professions Code section 490.

16. Given the nature of the convictions and the underlying circumstances surrounding the incidents, the administrative law judge concludes that respondent did not violate Business and Professions Code section 10177, subdivision (b), because the convictions were not ones involving moral turpitude..

Decision

17. Complainant bears the burden of establishing, by clear and convincing evidence, that respondent's license as a real estate broker is subject to discipline. In light of the foregoing factual findings and legal conclusions, complainant has met that burden. (See *Martin v. Alcoholic Bev. App. Bd.* (1950) 52 Cal.2d 259.)

18. The objective of a disciplinary proceeding is to protect the public, the licensed profession or occupation, maintain integrity, high standards, and preserve public confidence in licensed real estate brokers.¹ The purpose of proceedings of this type is not to punish the Respondent. In particular, the statutes relating to real estate broker licenses are designed to protect the public from any potential risk of harm.² The law looks with favor upon those who have been properly reformed.³ To that end, respondent bears a burden, against acts of misconduct and a conviction, to establish his reformation. He has adequately met that burden.

19. Based on the entire record, including consideration of respondent's conviction and rehabilitation, discipline should be imposed but of a lessor form that will allow respondent to continue to use his broker's license.

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

All licenses and licensing rights of Respondent Stuart Langdon Taylor under the Real Estate Law are suspended for a period of thirty (45) days from the effective date of this Decision; provided, however, that thirty (30) days of said suspension shall be stayed for one (1) year upon the following terms and conditions:

1. Respondent shall be actually suspended for fifteen (15) days;
2. Respondent shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California; and

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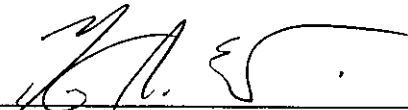
¹ *Camacho v. Youde* (1975) 95 Cal.App.3d 161, 165; *Clerici v. Department of Motor Vehicles* (1990) 224 Cal.App.3d 1016, 1030-1031; *Fahmy v. Medical Bd. of California* (1995) 38 Cal.App.4th 810, 816.

² *Lopez v. McMahon* (1988) 205 Cal.App.3d 1510, 1516; *Arneson v. Fox* (1980) 28 Cal.3d 440.

³ *Resner v. State Bar* (1967) 67 Cal.2d 799, 811.

not adopted
3. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred within one (1) year of the effective date of this Decision. Should such a determination be made, the Real Estate Commissioner may, in his discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed suspension. Should no such determination be made, the stay imposed herein shall become permanent.

May 20, 2005.



ROBERT S. EISMAN
Administrative Law Judge
Office of Administrative Hearings

*Sacto
file*

**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

FILED
JAN 13 2005
DEPARTMENT OF REAL ESTATE

Laura B. Allen
By

In the Matter of the Accusation of

STUART LANGDON TAYLOR,

}

Case No. H-31455 LA

OAH No. L-2004110627

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, California on **MARCH 9, 2005**, at the hour of **1:30 p.m.**, or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

By *Chris Leong*

CHRIS LEONG, Counsel

Dated: January 13, 2005

cc: Stuart Langdon Taylor
Erica Tabachnick, Esq.
Sacto.OAH

*Sacks
Jag*

1 CHRIS LEONG, Counsel (SBN 141079)
2 Department of Real Estate
3 320 West Fourth Street, Suite 350
4 Los Angeles, CA 90013-1105
5
6
7
8 Telephone: (213) 576-6982
9 -or- (213) 576-6910 (Direct)

FILED
NOV 9 2004
DEPARTMENT OF REAL ESTATE

By *Laura B. Simon*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

11	In the Matter of the Accusation of	)	No. H-31455 LA
12	STUART LANGDON TAYLOR,	)	<u>A C C U S A T I O N</u>
13	Respondent.	)	
14			

15 The Complainant, Maria Suarez, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against STUART LANGDON TAYLOR (hereinafter "Respondent"), is
18 informed and alleges as follows:

19 I

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

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II

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation against Respondent in her official capacity.

CONVICTION

III

On or about January 15, 2002, in the Superior Court of Santa Monica Judicial District, County of Los Angeles, State of California, Case No. 1SM03191, Respondent was convicted of violating two counts of Section 273.6(a) of the California Penal Code (PC) (Violation of Protective Order), a misdemeanor and a crime involving moral turpitude which is substantially related to the qualifications, functions and duties of a real estate licensee.

IV

The conviction set forth in Paragraph III, above, constitutes cause under Code Sections 490 and 10177(b) for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

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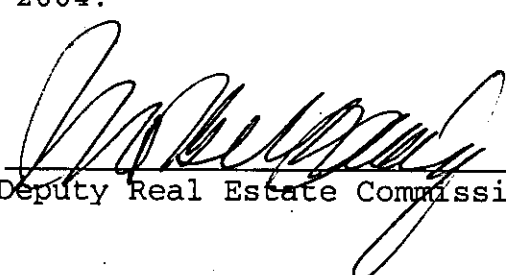
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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and license rights of Respondent,
5 STUART LANGDON TAYLOR, under the Real Estate Law (Part 1 of
6 Division 4 of the Business and Professions Code), and for such
7 other and further relief as may be proper under other
8 applicable provisions of law.

9 Dated at Los Angeles, California

10 this 5th day of November, 2004.

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13 
14 Deputy Real Estate Commissioner
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23 cc: Stuart Langdon Taylor
24 Maria Suarez
25 Sacto.
26 WA
27