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DIANE LEE, Counsel (SBN 247222) Department of Real Estate 320 West 4th Street, Suite 350 Los Angeles, California 90013

Telephone: (213) 576-6982 (Direct) (213) 576-6907

## FILED

JUL 2 6 2012

DEPARTMENT, OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of ) No. H-38270 LA KRISTEN MARIE WALKER,

Respondent.

FIRST AMENDED STATEMENT OF ISSUES

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This First Amended Statement of Issues amends the Statement of Issues filed on July 17, 2012. The Complainant, Veronica Kilpatrick, a Deputy Real Estate Commissioner of the State of California, acting in her official capacity, for Statement of Issues against KRISTEN MARIE WALKER aka Kristen Marie Burkland aka Kristen Marie Keith ("Respondent") alleges as follows:

1.

application to the Department of Real Estate of the State of

California for a real estate broker license.

On or about September 2, 2010, Respondent made

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- 1 -

## (CRIMINAL CONVICTION)

2.

On or about July 1, 1999, in the Superior Court of California, County of San Diego, Case No. CN097476, Respondent was convicted of violating California Penal Code Section 484-488 (theft), a misdemeanor. Said crime bears a substantial relationship to the qualifications, functions or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

3.

The crime of which Respondent was convicted as alleged in Paragraph 2 constitutes cause for denial of Respondent's application for a real estate license under California Business and Professions Code Sections 475(a)(2), 480(a), and 10177(b).

(FAILURE TO REVEAL CONVICTION)

4.

In response to Part D - Question 1 of her license application, to wit: "HAVE YOU EVER BEEN CONVICTED OF A MISDEMEANOR OR FELONY? CONVICTIONS EXPUNGED UNDER PENAL CODE SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT TRAFFIC CITATIONS WHICH DO NOT CONSTITUTE A MISDEMEANOR OR FELONY," Respondent answered "No," and failed to reveal the conviction described in Paragraph 2, above.

5.

Respondent's failure to reveal the conviction in her license application constitutes knowingly making a false

statement of material fact required to be revealed in said application, which is grounds for denial of the issuance of a license under California Business and Professions Code Sections 475(a)(1), 480(c), and 10177(a).

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the California Government Code.

WHEREFORE, the Complainant prays that the aboveentitled 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 broker license to Respondent, KRISTEN MARIE WALKER, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at San Diego, California: Wy 14, 2012, 2012.

Deputy Real Estate Commissioner

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KRISTEN MARIE WALKER Veronica Kilpatrick

Sacto

DIANE LEE, Counsel (SBN 247222) Department of Real Estate 320 West 4th Street, Suite 350 Los Angeles, California 90013

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## FILED

JUL 1 7 2012

DEPARTMENT OF REAL ESTATE
BY: SAW GO

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of )

No. H-38270 LA

KRISTEN MARIE WALKER,

STATEMENT OF ISSUES

Respondent.

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The Complainant, Veronica Kilpatrick, a Deputy Real Estate Commissioner of the State of California, acting in her official capacity, for Statement of Issues against KRISTEN MARIE WALKER aka Kristen Marie Burkland aka Kristen Marie Keith ("Respondent") alleges as follows:

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On or about September 2, 2010, Respondent made application to the Department of Real Estate of the State of California for a real estate broker license.

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## (CRIMINAL CONVICTIONS)

2. .

On or about July 1, 1999, in the Superior Court of California, County of San Diego, Case No. CN097476, Respondent was convicted of violating California Penal Code Section 484-488 (theft), a misdemeanor. Said crime bears a substantial relationship to the qualifications, functions or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

3.

The crime of which Respondent was convicted as alleged in Paragraph 2 constitutes cause for denial of Respondent's application for a real estate license under California Business and Professions Code Sections 475(a)(2), 480(a), and 10177(b).

(FAILURE TO REVEAL CONVICTION)

4.

In response to Part D - Question 1 of her license application, to wit: "HAVE YOU EVER BEEN CONVICTED OF A MISDEMEANOR OR FELONY? CONVICTIONS EXPUNGED UNDER PENAL CODE SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT TRAFFIC CITATIONS WHICH DO NOT CONSTITUTE A MISDEMEANOR OR FELONY," Respondent answered "No," and failed to reveal the conviction described in Paragraph 2, above.

5.

Respondent's failure to reveal the conviction in her license application constitutes knowingly making a false

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statement of material fact required to be revealed in said application, which is grounds for denial of the issuance of a license under California Business and Professions Code Sections 475(a)(1), 480(c), and 10177(a).

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the California Government Code.

WHEREFORE, the Complainant prays that the aboveentitled 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 license to Respondent, KRISTEN MARIE WALKER, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at San Diego, California: July 16, 2012

Deputy Real Estate Commissioner

KRISTEN MARIE WALKER Veronica Kilpatrick Sacto