

Handwritten: JAMES R. PEEL

JAMES R. PEEL, Counsel (SBN 47055)
Department of Real Estate
320 West Fourth Street, Ste. 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982
-or- (213) 576-6913 (Direct)

FILED

OCT 22 2012

DEPARTMENT OF REAL ESTATE
BY: *R. M. DeWald*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	No. H-38488 LA
SCOTT ALLEN WEST,)	<u>STATEMENT OF ISSUES</u>
Respondent.)	

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against SCOTT ALLEN WEST (Respondent) is informed and alleges in her official capacity as follows:

I

On or about August 4, 2011, Respondent applied to the Department of Real Estate of the State of California for a real estate salesperson license.

II

In response to Question 23 of said application, to wit,
"Have you ever been convicted of a misdemeanor or felony?",
Respondent answered "Yes".

III

On or about June 12, 2002, Maricopa County, Respondent
was convicted of driving under the influence of intoxicating
liquor with one prior felony DUI conviction within 60 months and
resisting arrest,

IV

Respondent failed to disclose the following convictions
in his application.

a. 3-26-98. Maricopa County. Respondent was
convicted of driving under the influence.

b. 8-1-00. Maricopa County. Respondent was convicted
of assault and interference with judicial proceedings.

c. 9-25-00. Maricopa County. Convicted of
interference judicial proceedings.

d. 10-28-08. Maricopa County. Convicted of
disorderly conduct.

V

The matters alleged in Paragraphs III and IV are
substantially related to the duties, functions and qualifications
of a real estate licensee.

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VI

The matters alleged in Paragraphs III and IV are grounds to deny Respondent's application under Sections 480(a)(1) and 10177(b) of the California Business and Professions Code.

VII

Respondent's failure to reveal the matters set forth in Paragraph IV in said application constitutes the attempt to procure a real estate license by fraud, misrepresentation or deceit, or by making a material misstatement of fact or knowingly making a false statement of fact required to be revealed in said application, which failure is cause for denying Respondent's application for a real estate license under Sections 480(c) and 10177(a) of the Code.

The Statement of Issues is 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 Government Code.

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1 WHEREFORE, the Complainant prays that the above-
2 entitled matter be set for hearing and, upon proof of the charges
3 contained herein, that the Commissioner refuse to authorize the
4 issuance of, and deny the issuance of, a real estate salesperson
5 license to Respondent, SCOTT ALLEN WEST, and for such other and
6 further relief as may be proper in the premises.

7 Dated at Los Angeles, California,
8 this 1st day of October, 2012.

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11 MARIA SUAREZ
12 Deputy Real Estate Commissioner
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23 cc: Scott Allen West
24 Maria Suarez
25 Sacto.
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