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FILED

NOV 06 2014

BUREAU OF REAL ESTATE

By 

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8
9 BEFORE THE BUREAU OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H- 39648 LA
13)
14 KELLY KEITH MORGAN,) A C C U S A T I O N
15)
16 Respondent.)
17)

18 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the
19 State of California, for cause of Accusation against KELLY KEITH MORGAN,
20 ("Respondent") alleges as follows:

21 1.

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

24 2.

25 Respondent is presently licensed under the Real Estate Law, Part 1 of Division 4
26 of the California Business and Professions Code ("Code"), as a restricted real estate
27 salesperson. Respondent's restricted license was issued on May 29, 2012, pursuant to a
Stipulation and Waiver signed by Respondent on April 10, 2012. The Stipulation and Waiver
contained an acknowledgement of grounds to deny an unrestricted license due to Respondent's

1 “violation of California Vehicle Code Section 23109(c) (aide/abet exhibition of speed), a
2 misdemeanor.”

3 3.

4 On or about August 23, 2012, a Final Decision and Order was issued against
5 Respondent by the California Department of Corporations, in Case No. 2011030812. The
6 Decision & Order barred Respondent from holding any position of employment, management
7 or control of any investment adviser, broker-dealer or commodity adviser. As more fully set
8 forth in the Decision & Order, the Department of Corporations found that Respondent willfully
9 failed to disclose a prior Desist and Refrain Order for selling unqualified securities when
10 offering to sell securities to consumers. Respondent also failed to disclose the Order in his
11 application to become a registered representative of a licensed broker-dealer. It was further
12 found that Respondent had been enjoined by the Superior Court of California from the offer or
13 sale of unqualified securities and from offering of selling of securities by means of
14 misrepresentation or omissions of material fact. These findings provided cause to bar
15 Respondent, pursuant to Corporations Code Sections 25213 and 25212, subsections (a), (c) and
16 (e), as well as Corporations Code Section 25401.

17 4.

18 On or about November 20, 2013, the Superior Court of the State of California
19 for the County of Los Angeles, Central District, in Case No. BS139914, entered a Final
20 Judgment Denying Petitioner Kelly Keith Morgan’s Petition for Writ of Mandate. The Petition
21 for Writ of Mandate was filed by Respondent in opposition to the Final Decision and Order
22 described in Paragraph 3 above.

23 5.

24 The allegations set forth in Paragraphs 3 and 4 above constitute cause under
25 Section 10177(f) of the Code for the suspension or revocation of the license and license rights
26 of Respondent under the Real Estate Law.

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6.

Code Section 10106, provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Bureau, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of Respondent KELLY KEITH MORGAN, under the Real Estate Law, that Complainant be awarded its costs of investigation and prosecution of this case, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California
this 30 day of October, 2014.



Maria Suarez
Deputy Real Estate Commissioner

cc: KELLY KEITH MORGAN
R & LS Investments Inc
Maria Suarez
Sacto.