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BUREAU OF REAL ESTATE  
By Cal Selorio

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BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Application of ) No. H-40901 LA  
FLINT J WHEELER, ) STATEMENT OF ISSUES  
Respondent. )

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, for Statement of Issues against FLINT J WHEELER ("Respondent"), is informed and alleges as follows:

1.

The Complainant, Veronica Kilpatrick, acting in her official capacity as a Supervising Special Investigator of the State of California, makes this Statement of Issues against FLINT J WHEELER.

2.

On or about June 21, 2017, Respondent made application to the Bureau of Real Estate of the State of California for a real estate salesperson license.

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Statement of Issues of Flint J Wheeler

1 FIRST CAUSE FOR DENIAL  
2 (CRIMINAL CONVICTIONS)

3 3.

4 On or about July 5, 1994, Respondent pled guilty and was convicted in the  
5 Benton County District Court, State of Washington, Case No. R00072021 RLP, for violation of  
6 Richland Municipal Code Section 9.04.010 (Assault Domestic Violence), a misdemeanor.  
7 Respondent was placed on two years of probation, and ordered to serve 365 days in jail  
8 suspended and pay fines and fees.

9 4.

10 On or about December 28, 2001, Respondent pled guilty and was convicted in  
11 the 18th Judicial Circuit, Shelby County, State of Alabama, Case No. DC 2001 002638 00, for  
12 violation of Alabama Code Section 13A-11-10 (Public Intoxication), a misdemeanor.  
13 Respondent was placed on 24 months of probation, and ordered to serve 30 days in jail  
14 suspended and pay fines and fees.

15 5.

16 On or about December 28, 2001, Respondent pled guilty and was convicted in  
17 the 18th Judicial Circuit, Shelby County, State of Alabama, Case No. DC 2001 002639 00, for  
18 violation of Alabama Code Section 13A-11-7 (Disorderly Conduct), a misdemeanor.  
19 Respondent was placed on 24 months of probation, and ordered to serve 30 days in jail  
20 suspended and pay fines and fees.

21 6.

22 The convictions described in Paragraphs 3 through 5 bear a substantial  
23 relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the  
24 qualifications, functions or duties of a real estate licensee.

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1 7.

2 The crimes of which Respondent was convicted, as described in Paragraphs 3  
3 through 5 above, constitute cause for denial of Respondent's application for a real estate license  
4 under Business and Professions Code Sections 475(a)(2)-(3), 480(a)(1)-(2), and 10177(b)(1).

5 SECOND CAUSE FOR DENIAL

6 (FAILURE TO REVEAL CONVICTIONS ON LICENSE APPLICATION)

7 8.

8 In response to Question 28, under the Background Information section of his  
9 license application, to wit, "HAVE YOU EVER BEEN CONVICTED (SEE PARAGRAPH  
10 ABOVE) OF ANY VIOLATION OF THE LAW AT THE MISDEMEANOR OR FELONY  
11 LEVEL? IF YES, COMPLETE ITEM 34 WITH INFORMATION ON EACH  
12 CONVICTION", Respondent answered "NO," and failed to disclose the convictions described  
13 in Paragraphs 3 through 5 above.

14 9.

15 Respondent's failure to reveal these convictions, as set forth in Paragraphs 3  
16 through 5 above, in his license application constitutes an attempt to procure a real estate license  
17 by fraud, misrepresentation, or deceit, or by making a false statement of material fact required  
18 to be revealed in said application, which is grounds for denial of the issuance of a license under  
19 California Business and Professions Code Sections 475(a)(1), 480(d), and 10177(a).

20 10.

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

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1                   WHEREFORE, the Complainant prays that the above-entitled matter be set for  
2 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to  
3 authorize the issuance of, and deny the issuance of, a real estate salesperson license to  
4 Respondent FLINT J WHEELER and for such other and further relief as may be proper under  
5 other applicable provisions of law.

6  
7 Dated at San Diego, California

8 this 27 day of December, 2017

9  
10   
11 Veronica Kilpatrick  
12 Supervising Special Investigator

13 cc:   FLINT J WHEELER  
14       Veronica Kilpatrick  
15       Sacto.  
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