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FILED

JUN 12 2019

DEPT. OF REAL ESTATE

By John Aguirre

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of)	No. H-41154 LA
)	2018101006
BRENT DAVID MUSSON,)	
)	
Respondent.)	
_____)	

DECISION AFTER REJECTION

This matter came on for hearing before Howard W. Cohen, Administrative Law Judge of the Office of Administrative Hearings (“OAH”), in Los Angeles, California, on December 6, 2018. Andrea Bentler, Counsel, represented the Complainant, Maria Suarez, Supervising Special Investigator for the State of California Department of Real Estate (“Department”). The Respondent BRENT DAVID MUSSON (“Respondent”) appeared in person, and represented himself. Oral and documentary evidence were received.

On December 31, 2018, the Administrative Law Judge issued a Proposed Decision, which I declined to adopt.

My Decision is set forth herein.

Pursuant to California Government Code section 11517(c), Respondent was served with notice of my determination not to adopt the Proposed Decision of the

1 Administrative Law Judge along with a copy of said Proposed Decision. Respondent was
2 notified that the case would be decided by me upon the record, the transcript of proceedings held
3 on December 6, 2018, and upon any written argument offered by Respondent and Complainant.
4 Respondent submitted a written argument on April 24, 2019. Complainant submitted a written
5 argument on May 10, 2019.

6 I have given careful consideration to the record in this case including the
7 transcript of the proceedings of December 6, 2018. I have also considered the Argument
8 submitted by Complainant and Respondent.

9 The following shall constitute the Decision of the Real Estate Commissioner in
10 this proceeding.

11
12 FACTUAL FINDINGS

13 The Factual Findings in the Proposed Decision dated December 31, 2019 are
14 hereby adopted, with the following exception: On page 2, paragraph 1 “real estate salesperson
15 license” shall be replaced with “real estate broker license”.

16
17 LEGAL CONCLUSIONS

18 The Legal Conclusions in the Proposed Decision dated December 31, 2019 are
19 hereby adopted, with the following exceptions: On Page 6, Paragraph 4 “real estate salesperson
20 application” shall be replaced with “real estate broker application.” On Page 7, Paragraph 5
21 “real estate salesperson application” shall be replaced with “real estate broker application”.
22 On Page 8, Paragraph 9, line 3 “real estate salesperson license” shall be replaced with “real
23 estate broker license”.

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1 Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
2 the Commissioner may order the suspension of the restricted license until the respondent
3 presents such evidence. The Commissioner shall afford Respondent the opportunity for a
4 hearing pursuant to the Administrative Procedure Act to present such evidence.

5 2. Respondent shall notify the Commissioner in writing within 72 hours of
6 any arrest by sending a certified letter to the Commissioner at the Department of Real Estate,
7 Post Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of
8 Respondent's arrest, the crime for which Respondent was arrested and the name and address of
9 the arresting law enforcement agency. Respondent's failure to timely file written notice shall
10 constitute an independent violation of the terms of the restricted license and shall be grounds for
11 the suspension or revocation of that license.

12
13 This Decision shall become effective at 12 o'clock noon on
14 JUN 27 2019, 2019.

15 IT IS SO ORDERED June 6, 2019, 2019.

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18 
19 DANIEL J. SANDRI
20 ACTING REAL ESTATE COMMISSIONER