

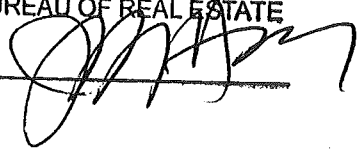
Jan.

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FILED

APR 25 2014

BUREAU OF REAL ESTATE
By 

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of) No. H- 04624 SD
12 ERIC JOEL KERSTEN,) STATEMENT OF ISSUES
13 Respondent.)
14 _____)

15 The Complainant, Veronica Kilpatrick, a Deputy Real
16 Estate Commissioner of the State of California, acting in her
17 official capacity, for Statement of Issues against ERIC JOEL
18 KERSTEN ("Respondent") alleges as follows:

19 1.

20 On or about June 15, 2012, Respondent made application
21 to the Bureau of Real Estate of the State of California for a
22 real estate salesperson license.

23
24 (CRIMINAL CONVICTIONS)

25 2.

26 On or about October 8, 1992, in the Superior Court of
27 California, County of San Diego, Case No. ECR5853, Respondent

1 was convicted of violating California Penal Code section 242
2 (battery), a misdemeanor. Said crime bears a substantial
3 relationship to the qualifications, functions, or duties of a
4 real estate licensee under Section 2910, Title 10, Chapter 6,
5 California Code of Regulations.

6 3.

7 On or about January 25, 2002, in the Superior Court of
8 California, County of San Diego, Case No. C217969, Respondent
9 was convicted of violating California Vehicle Code section
10 23152(a) (driving under the influence), a misdemeanor. Said
11 crime bears a substantial relationship to the qualifications,
12 functions, or duties of a real estate licensee under Section
13 2910, Title 10, Chapter 6, California Code of Regulations.

14 4.

15 The crimes of which Respondent was convicted as
16 alleged in Paragraphs 2 and 3, above, constitute cause for
17 denial of Respondent's application for a real estate license
18 under California Business and Professions Code sections
19 475(a)(2), 480(a), and 10177(b).

20
21 (FAILURE TO REVEAL CONVICTIONS)

22 5.

23 In response to Part D - Question 1 of his license
24 application, to wit: "HAVE YOU EVER BEEN CONVICTED OF A
25 MISDEMEANOR OR FELONY? CONVICTIONS EXPUNGED UNDER PENAL CODE
26 SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT TRAFFIC
27 CITATIONS WHICH DO NOT CONSTITUTE A MISDEMEANOR OR FELONY,"

1 Respondent answered "No," and failed to reveal the convictions
2 described in Paragraphs 2 and 3, above.

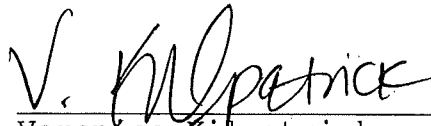
3 6.

4 Respondent's failure to reveal these convictions in
5 his license application constitutes knowingly making a false
6 statement of material fact required to be revealed in said
7 application, which is grounds for denial of the issuance of a
8 license under California Business and Professions Code sections
9 475(a)(1), 480(c), and 10177(a).

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

14 WHEREFORE, the Complainant prays that the above-
15 entitled matter be set for hearing and, upon proof of the
16 charges contained herein, that the Commissioner refuse to
17 authorize the issuance of, and deny the issuance of, a real
18 estate salesperson license to Respondent, ERIC JOEL KERSTEN, and
19 for such other and further relief as may be proper under other
20 applicable provisions of law.

21 Dated at San Diego, California: April 1st, 2014.

22
23 

24 _____
Veronica Kilpatrick
Deputy Real Estate Commissioner

25 cc: ERIC JOEL KERSTEN
26 Veronica Kilpatrick
27 Sacto