

**FILED**

AUG - 1 2011

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE  
BY: *[Signature]*

\* \* \* \* \*

In the Matter of the Application of )	No. H-36783 LA
)	
WILLIAM DALE ADAMS, )	L-2010101103
)	
Respondent. )	
_____ )	

DECISION

The Proposed Decision dated July 6, 2011, of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

Pursuant to Section 11517(c)(2)(C) of the Government Code, the following correction is made:

Page 1, Add "LA" to the Case No.

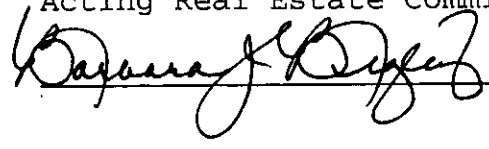
The application for a real estate salesperson license is denied, but the right to a restricted real estate salesperson license is granted to respondent. Petition for the removal of restrictions from a restricted license is controlled by Section 11522 of the Government Code. A copy of Section 11522 is attached hereto for the information of respondent.

If and when application is made for a real estate salesperson license through a new application or through a petition for removal of restrictions, all competent evidence of rehabilitation presented by the respondent will be considered by the Real Estate Commissioner. A copy of the Commissioner's Criteria of Rehabilitation is attached hereto.

This Decision shall become effective at 12  
o'clock noon on AUG 22 2011.

IT IS SO ORDERED 7/28/11.

BARBARA J. BIGBY  
Acting Real Estate Commissioner

  
\_\_\_\_\_

BEFORE THE  
DEPARTMENT OF REAL ESTTE  
STATE OF CALIFORNIA

In the Matter of the Application of:

WILLIAM DALE ADAMS,

Respondent.

Case No. H-36783 LA

OAH No. 2010101103

**PROPOSED DECISION**

Administrative Law Judge Michele Mann, State of California, Office of Administrative Hearings, heard this matter on June 14, 2011 in Los Angeles, California.

Diane Lee, Staff Attorney, Department of Real Estate (Department) represented complainant Maria Suarez, Real Estate Commissioner of the Department (Complainant).

Scott Lyon, Attorney at Law, represented William Dale Adams, (Respondent), who was present throughout the administrative hearing.

Oral and documentary evidence and evidence by way of official notice was received and the matter was argued. The matter was submitted on June 14, 2011.

The Administrative Law Judge now finds, concludes and orders as follows:

**FACTUAL FINDINGS**

*Jurisdiction and Background*

1. Complainant filed the First Amended Statement of Issues in her official capacity as a Deputy Real Estate Commissioner.
2. On or about May 15, 2009, Respondent applied to the Department of Real Estate of the State of California for a real estate salesperson license.

### *Criminal Convictions*

3. Respondent suffered criminal convictions in at least eleven different criminal cases during the years from 1987 through 2001, as set forth below.

4. On or about December 17, 2001, in the Superior Court of California, County of Los Angeles, Case No. VA066267, Respondent was convicted of violating Penal Code section 245, subdivision (b) (assault with a semi-automatic firearm), a felony.

Respondent's neighbor broke into his apartment and robbed him. Respondent grabbed his gun and gave chase. Respondent verbally threatened to injure the neighbor. Respondent testified that he understood that this was an act of "taking the law into his own hands" and stated that his reaction was excessive.

5. On or about July 14, 1995, in the Municipal Court of California, County of Los Angeles, Case No. 95M04353, Respondent was convicted of violating Health & Safety Code section 11377, subdivision (a) (possession of a controlled substance), a misdemeanor, and Health and Safety Section 11550, subdivision (a) under the influence of a controlled substance, a misdemeanor.

6. On or about May 31, 1995, in the Municipal Court of Whittier Judicial District, County of Los Angeles, California, Case No. 94M07203-01, Respondent was convicted of violating Penal Code section 12031, subdivision (a) (carrying a loaded firearm in a public place), a misdemeanor, and Health & Safety Code Section 11550, subdivision (a) (under the influence of a controlled substance), a misdemeanor.

7. On or about May 31, 1995, in the Municipal Court of Whittier Judicial District, County of Los Angeles, California, Case No. 95M02286-01, Respondent was convicted of violating Health & Safety Code section 11550, subdivision (a) (under the influence of a controlled substance), a misdemeanor, and Penal Code section 594, subdivision (a) (vandalism), a misdemeanor.

8. On or about May 31, 1995, On or about May 31, 1995, in the Municipal Court of Whittier Judicial District, County of Los Angeles, California, Case No. 95M03440, Respondent was convicted of violating Health & Safety Code section 11377, subdivision (a) (possession of a controlled substance), a misdemeanor, and Health and Safety Code section 11364 (possession of controlled substance paraphernalia), a misdemeanor.

9. On or about December 20, 1994, in the Municipal Court of Bellflower Judicial District, County of Los Angeles, California, Case No. 94M05428, Respondent was convicted of violating Penal Code sections 12031, subdivision (a) (carrying a loaded firearm in a public place), a misdemeanor, and section 12025, subdivision (a)(1) (carrying a concealed firearm in vehicle), a misdemeanor.

10. On or about December 8, 1992, in the Municipal Court of Whittier Judicial District, County of Los Angeles, California, Case No. 91M08269, Respondent was convicted of violating Vehicle Code section 14601.1, subdivision (a) (driving with a suspended license), a misdemeanor.

11. On or about May 17, 1990, in the Municipal Court of the Metropolitan Judicial District, County of Los Angeles California Case No. 90V04865, Respondent was convicted of violating Vehicle Code section 14601.1, subdivision (a) (driving with a suspended license), a misdemeanor.

12. On or about April 23, 1990, in the County of Orange, Case No. NG9005292, Respondent was convicted of violating Penal Code sections 484 and 488 (petty theft), both misdemeanors.

13. On or about December 15, 1989, in the County of Orange, Case No. 89CM17032, Respondent was convicted of violating Penal Code sections 484 and 488 (petty theft), both misdemeanors.

14. On or about July 23, 1987, in the County of Orange, Case No. 87M02561, Respondent was convicted of violating Vehicle Code section 23152, subdivision (b) (driving under the influence of alcohol), a misdemeanor. This is a crime of moral turpitude and constitutes the doing of an unlawful act.

15. Respondent's criminal conduct, in total, set forth in Findings 4-14, constitutes conduct which demonstrates a pattern of repeated and willful disregard of the law and is therefore substantially related to the qualifications, functions, and duties of a real estate salesperson.

#### *Failure to Disclose*

16. In response to Part D, Question 1 of the license application, to wit: "HAVE YOU EVER BEEN CONVICTED OF A MISDEMEANOR OR FELONY? CONVICTIONS EXUPUNGED UNDER PENAL CODE SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT TRAFFIC CITATIONS WHICH DO NOT CONSTITUTE A MEISDEMEANOR OR FELONY OFFENSE, Respondent answered "Yes," but failed to disclose two sets of misdemeanor convictions set forth in Factual Findings 13 and 14.

17. Respondent had a mistaken belief that he had disclosed all of his prior felony and misdemeanor convictions in his application to the department after he visited the Norwalk Courthouse for the specific purpose of obtaining a complete printout of his criminal records/history.<sup>1</sup> He relied, unreasonably, on his memory that all of his misdemeanor and/or

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<sup>1</sup> Respondent testified, and Claimant did not dispute, at the hearing that Respondent disclosed some nine prior convictions in his application in response to Part D, Question 1 for crimes

felony convictions had occurred only in Los Angeles County but one, the Orange County-based conviction described in Finding 12. His failure to provide full disclosure as to two of his Orange County convictions (Findings 13 and 14) did not result from an intent to conceal the convictions from the Department, and, does not constitute fraud, misrepresentation or deceit but it is a knowing material misstatement of fact. He failed to exercise due care in filling out the application.

### *Mitigation and Rehabilitation*

18. Respondent was addicted to drugs and alcohol at the time all of the above crimes were committed.

19. Respondent similarly failed to disclose these same convictions described in Factual Findings 13 and 14 in 2005 when he applied to the California Contractors State License Board. Respondent's stated reason for not disclosing these two convictions when he applied to that agency was identical to the one provided at the hearing in this matter: He did not recall being in trouble with the law in Orange County (Findings 14 and 15) other than one of the convictions identified in Finding 12 during his troubled past. He testified credibly that he believed all of his arrests and convictions originated near or around the Whittier or Santa Fe Springs area in Los Angeles County where he has resided most of his life. Respondent did not recall the incident which occurred when he was 18 years old (Finding 14) but did not dispute that it occurred. Notwithstanding the fact that Respondent failed to recall or disclose these same sets of convictions twice after undertaking a comprehensive review of his conviction record, Respondent's failure to disclose the same two sets of convictions (Findings 13 and 14) indicates that the omission is based on a consistently faulty memory rather than an intent to deceive the Department of Real Estate.

20. Respondent did timely complete all probation requirements, pay all fines, and serve all required jail time for the eleven criminal cases involving his convictions set forth in Findings 4-14.

21. Respondent's most recent conviction was in 2001, over nine years ago, and occurred prior to him achieving a "clean and sober" status in 2002. Respondent's sole felony conviction in 2001 for assault with a deadly weapon (Finding 4) was expunged from his record on January 28, 2005.

22. Over the years since his last conviction in 2001, Respondent has suffered no other conviction. He is presently in conformity to and in compliance with society's norms and rules.

23. Respondent has been gainfully employed by Gardner Trucking, Inc. since 2002. In 2005, Respondent was promoted to site supervisor and is responsible for managing

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ranging from multiple "possession" or "under the influence" of a controlled substance, to assault with a semi-automatic firearm, to multiple convictions for driving with a suspended license.

five truck driver employees, handling customer service complaints, protecting one million dollars plus in equipment for the owners, coordinating deliveries and logistics to ensure deadlines are met, monitoring payroll, and enforcing Department of Transportation regulations, including administering random drug tests. The Human Resource Coordinator for Gardner Trucking confirmed Respondent's dates of employment and hourly rate in a letter dated January 6, 2010.

24. Respondent is simultaneously gainfully self-employed as the owner/operator of his own construction company, Adams Home Improvement Construction located in Santa Fe Springs, CA. He received his General Building Contractor (Class B) license (No. 855162) from the California State Contractor's License Board on February 28, 2005. At the hearing Respondent submitted a copy of the Contractor's License Detail for License No. 855162 printed from the Department of Consumers Affairs website. The document indicates that Respondent is the sole owner of the Company, there are no consumer complaints for this license, and Respondent is currently bonded by American Contractor's Indemnity Company.

25. Respondent is now in a stable marriage. His wife, Monica Adams, is a physician's assistant and part-time professor who teaches physician assistant training courses. She testified that Respondent is a hardworking father who also pulls his weight by providing "equal time" childcare for their toddler-aged son. She has never seen him use drugs or abuse alcohol and she states that he has only positive influences in his life now. Respondent's brother, Donald Adams, described him as a reliable man and the rare success story one hopes for rather than hears about when you hear about lives devastated by addiction. His step-daughter Tonia Arredondo, a recent nursing school graduate, testified credibly that Respondent has been supportive of her educational pursuits and is a good stepfather. Despite Respondent's extremely troubled past, and the recent date of his marriage in February 2008, his family members testified that he has stability of family life now and fulfills familial obligations and responsibilities.

26. Respondent has been clean and sober for over nine years since he completed his jail sentence for the 2001 conviction described in Finding 4 and began full-time employment as described in Finding 23.

27. Ben Lopez, a real estate broker (DRE License No. 01056268) with Excellence Realty (DRE License No. 01857376) stated in his June 13, 2011 letter to the Department that he knows about Respondent's "extensive criminal history and the felony assault in 2001" but offered him a position as a real estate salesperson with his company. His decision is based on Respondent's solid work history and the lapse of time since Respondent's last conviction.

28. Respondent was open and candid with the Department during the application process about his convictions for nine criminal convictions, including the very serious offense of felony assault with a semi-automatic firearm (Finding 5). His testimony at trial demonstrated remorse for the crimes and an empathy for the victims of his crimes. Despite his troubles with addiction spanning many years, Respondent assumed responsibility for his

actions and didn't attempt to blame others for his conduct. In the Department's Conviction Detail Report, he did not misstate any facts or understate the gravity of his offenses.

29. In 2008, Respondent enrolled at Rio Hondo Community College and, according to his unofficial transcript submitted at the hearing, has taken ten general education type courses. He has maintained a 3.7 GPA while working full time for Gardner Trucking Company, maintaining his own construction business (which he admitted at the hearing has been slow), and caring for his family.

## LEGAL CONCLUSIONS

### *Applicable Law*

1. These proceedings are brought under the provisions under the provisions of the Real Estate Law. (Bus. & Prof. Code, Section 11100 et seq.)

2. Section 475, subdivision (a)<sup>2</sup> states:

Notwithstanding any other provisions of this code, the provisions of this division shall govern the denial of licenses on the grounds of:

¶ .... ¶

(2) Conviction of a crime.

3. Section 480, subdivision (a) states in relevant part:

A board may deny a license .... on the grounds that the applicant has one of the following:

(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

¶ .... ¶

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<sup>2</sup>All further statutory references are to the Business and Professions Code, except as otherwise provided.



4. Section 480, subdivision (c) states:

A board may deny a license regulated by this code on the ground that the applicant knowingly made a false statement of fact required to be revealed in the application for the license.

5. Section 10177 states in relevant part:

The commissioner may suspend or revoke the license of a real estate licensee or deny the issuance of a license to an applicant, who has done any of the following ....

(a) Procured, or attempted to procure, a real estate license or license renewal, for himself or herself or a salesperson, by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in an application for a real estate license, license renewal, or reinstatement.

(b) Entered a plea of guilty or nolo contendere to, or been found guilty of, or been convicted of, a felony, or a crime substantially related to the qualifications, functions, or duties of a real estate licensee ....

¶ .... ¶

(d) Willfully disregarded or violated the Real Estate Law ... or the rules and regulations of the Commissioner for the administration and enforcement of the Real Estate Law ...

¶ .... ¶

6. California Code of Regulations, title 10, section 2910, subdivision (a) states in relevant part:

(a) When considering whether a license should be denied, suspended or revoked on the basis of the conviction of a crime, or on the basis of an act described in Section 480(a)(2) or 480(a)(3) of the Code, the crime or act shall be deemed to be substantially related to the qualifications, functions or duties of a licensee of the Department within of Sections 480 and 490 of the Code if it involves:

¶ .... ¶

(4) The employment of bribery, fraud, deceit, falsehood or misrepresentation to achieve an end.

¶ .... ¶

(10) Conduct which demonstrates a pattern of repeated and willful disregard of law.

7. California Code of Regulations, title 10, section 2910, subdivision (c) states:

If the crime or act is substantially related to the qualifications, functions or duties of a licensee of the department, the context in which the crime or act were committed shall go only to the question of the weight to be accorded to the crime or acts in considering the action to be taken with respect to the applicant or licensee.

### *Violations*

8. Cause exists for denial of Respondent's application for a real estate license under sections 475, subdivision (a)(2), 480, subdivision (a) and 10177, subdivision (b), and California Code of Regulations, title 10, section 2910, subdivision (a)(10) for convictions that are substantially related to the qualifications, functions, and duties of a licensee, by reason of Legal Conclusions 2,3,5,6 and 7 and Factual Findings 4 and 15.

9. Cause exists for denial of Respondent's application for a real estate license pursuant to section 480, subdivision (c) and 10177, subdivision (a) by reason of Legal Conclusions 4 and 5 and Factual Findings 16 and 17 in that Respondent knowingly made a false statement of material fact required to be revealed in the application.

### *Licensing Considerations*

10. California Code of Regulations, title 10, section 2911 sets forth criteria of rehabilitation that have been developed by the department, pursuant to section 482, subdivision (a), to evaluate the rehabilitation of an applicant for issuance of a license in considering whether or not to deny the issuance on account of a crime or act committed by the applicant.

11. Here, the convictions are extremely numerous. Different criminal cases led to convictions for serious crimes spanning a fourteen-year period while Respondent wrestled on and off with addiction issues but remote with more than nine years elapsed since the last conviction. Respondent disclosed the convictions in nine out of eleven of his criminal cases, including his only felony. It appears Respondent was not intentionally trying to deceive the Department even if he made the same factual omissions when he applied to the State Contractor's License Board for licensure. Factual Findings 18 through 29 are corroborated mostly by people unrelated to Respondent like his employer, the Contractors State Licensing Board website, and college transcripts. Respondent has functioned successfully as a licensed contractor in the State of California (License No. 855162) without incident in a role requiring honesty, integrity, and trustworthiness. His conduct over the past nine years has otherwise

been exemplary (Findings 18-29), and not withstanding his failure to disclose, granting Respondent a properly restricted license is appropriate and consistent with the public interest.

### ORDER

Respondent's application for a real estate license is denied; provided, however a restricted real estate salesperson license shall be issued to Respondent pursuant to section 10156.5 of the Business and Professions Code. The restricted license issued to the Respondent shall be subjected to all provisions of section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of section 10156.6 of said Code:

1. The license shall not confer any property right in the privileges to be exercised and the Real Estate Commissioner may by appropriate Order suspend the right to exercise any privileges granted under this restricted license in the event of:

(a) The conviction of Respondent (including a plea of nolo contendere) a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee;  
or

(b) The receipt of evidence that Respondent has violated provisions of California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to this restricted license.

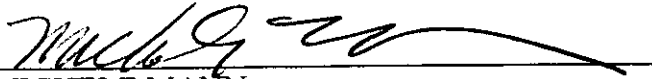
2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations or restrictions attaching to the restricted license until two years have elapsed from the date of issuance of the restricted license to Respondent.

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3. With the application for license, or with the application for transfer to a new employing broker, Respondent shall submit a statement signed by the prospective employing real estate broker on a form RE 552 (Rev. 4/88) approved by the Department of Real Estate which shall certify as follows:

- (a) That the employing broker has read the Decision which is the basis for the issuance of the restricted license; and
- (b) That the employing broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

DATED: July 6, 2011

  
MICHELE MANN  
Administrative Law Judge  
Office of Administrative Hearings

*Amesley*

**FILED**

JUN 14 2011

1 DIANE LEE, Counsel (SBN 247222)  
2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013

DEPARTMENT OF REAL ESTATE  
BY: *[Signature]*

5 Telephone: (213) 576-6982  
6 (Direct) (213) 576-6907  
7

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of ) No. H-36783 LA  
12 )  
13 WILLIAM DALE ADAMS, ) FIRST AMENDED  
14 ) STATEMENT OF ISSUES  
Respondent. )

15 This First Amended Statement of Issues amends the  
16 Statement of Issues filed on August 31, 2010. The Complainant,  
17 Maria Suarez, a Deputy Real Estate Commissioner of the State of  
18 California, acting in her official capacity, for Statement of  
19 Issues against WILLIAM DALE ADAMS ("Respondent") alleges as  
20 follows:

21 1.

22 On or about May 15, 2009, Respondent made application  
23 to the Department of Real Estate of the State of California for  
24 a real estate salesperson license.

25 ///  
26 ///  
27 ///

1 (CRIMINAL CONVICTIONS)

2 2.

3 On or about December 17, 2001, in the Superior Court  
4 of California, County of Los Angeles, Case No. VA066267,  
5 Respondent was convicted of violating California Penal Code  
6 Section 245(b) (assault with a semi-automatic firearm), a  
7 felony. Said crime bears a substantial relationship to the  
8 qualifications, functions, or duties of a real estate licensee  
9 under Section 2910, Title 10, Chapter 6, California Code of  
10 Regulations.

11 3.

12 On or about July 14, 1995, in the Municipal Court of  
13 Whittier Judicial District, County of Los Angeles, California,  
14 Case No. 95M04353, Respondent was convicted of violating  
15 California Health and Safety Code Section 11377(a) (possession  
16 of a controlled substance), a misdemeanor, and California Health  
17 and Safety Code Section 11550(a) (under the influence of a  
18 controlled substance), a misdemeanor. Said crimes bear a  
19 substantial relationship to the qualifications, functions, or  
20 duties of a real estate licensee under Section 2910, Title 10,  
21 Chapter 6, California Code of Regulations.

22 4.

23 On or about May 31, 1995, in the Municipal Court of  
24 Whittier Judicial District, County of Los Angeles, California,  
25 Case No. 94M07203-01, Respondent was convicted of violating  
26 California Penal Code Section 12031(a) (carrying a loaded  
27 firearm in a public place), a misdemeanor, and California Health

1 and Safety Code Section 11550(a) (under the influence of a  
2 controlled substance), a misdemeanor. Said crimes bear a  
3 substantial relationship to the qualifications, functions, or  
4 duties of a real estate licensee under Section 2910, Title 10,  
5 Chapter 6, California Code of Regulations.

6 5.

7 On or about May 31, 1995, in the Municipal Court of  
8 Whittier Judicial District, County of Los Angeles, California,  
9 Case No. 95M02286-01, Respondent was convicted of violating  
10 California Health and Safety Code Section 11550(a) (under the  
11 influence of a controlled substance), a misdemeanor, and  
12 California Penal Code Section 594(a) (vandalism), a misdemeanor.  
13 Said crimes bear a substantial relationship to the  
14 qualifications, functions, or duties of a real estate licensee  
15 under Section 2910, Title 10, Chapter 6, California Code of  
16 Regulations.

17 6.

18 On or about May 31, 1995, in the Municipal Court of  
19 Whittier Judicial District, County of Los Angeles, California,  
20 Case No. 95M03440, Respondent was convicted of violating  
21 California Health and Safety Code Section 11377(a) (possession  
22 of a controlled substance), a misdemeanor, and California Health  
23 and Safety Code Section 11364 (possession of controlled  
24 substance paraphernalia), a misdemeanor. Said crimes bear a  
25 substantial relationship to the qualifications, functions, or  
26 duties of a real estate licensee under Section 2910, Title 10,  
27 Chapter 6, California Code of Regulations.

1 7.

2 On or about December 20, 1994, in the Municipal Court  
3 of Bellflower Judicial District, County of Los Angeles,  
4 California, Case No. 94M05428, Respondent was convicted of  
5 violating California Penal Code Section 12031(a) (carrying a  
6 loaded firearm in a public place), a misdemeanor, and  
7 California Penal Code Section 12025(a)(1) (carrying a concealed  
8 firearm in vehicle), a misdemeanor. Said crimes bear a  
9 substantial relationship to the qualifications, functions, or  
10 duties of a real estate licensee under Section 2910, Title 10,  
11 Chapter 6, California Code of Regulations.

12 8.

13 On or about December 8, 1992, in the Municipal Court  
14 of Whittier Judicial District, County of Los Angeles,  
15 California, Case No. 91M08269, Respondent was convicted of  
16 violating California Vehicle Code Section 14601.1(a) (driving  
17 with a suspended license), a misdemeanor. Said crime bears a  
18 substantial relationship to the qualifications, functions, or  
19 duties of a real estate licensee under Section 2910, Title 10,  
20 Chapter 6, California Code of Regulations.

21 9.

22 On or about May 17, 1990, in the Municipal Court of  
23 Metropolitan Judicial District, County of Los Angeles,  
24 California, Case No. 90V04865, Respondent was convicted of  
25 violating California Vehicle Code Section 14601.1(a) (driving  
26 with a suspended license), a misdemeanor. Said crime bears a  
27 substantial relationship to the qualifications, functions, or



1 duties of a real estate licensee under Section 2910, Title 10,  
2 Chapter 6, California Code of Regulations.

3 10.

4 On or about April 23, 1990, in the County of Orange,  
5 Case No. NG9005292, Respondent was convicted of violating  
6 California Penal Code Sections 484 and 488 (petty theft), both  
7 misdemeanors. Said crime bears a substantial relationship to  
8 the qualifications, functions, or duties of a real estate  
9 licensee under Section 2910, Title 10, Chapter 6, California  
10 Code of Regulations.

11 11.

12 On or about December 15, 1989, in the County of  
13 Orange, Case No. 89CM17032, Respondent was convicted of  
14 violating California Penal Code Sections 484 and 488 (petty  
15 theft), both misdemeanors. Said crimes bear a substantial  
16 relationship to the qualifications, functions, or duties of a  
17 real estate licensee under Section 2910, Title 10, Chapter 6,  
18 California Code of Regulations.

19 12.

20 On or about July 23, 1987, in the Superior Court of  
21 California, County of Los Angeles, Case No. 87M02561, Respondent  
22 was convicted of violating California Vehicle Code Section  
23 23152(b) (driving under the influence of alcohol), a  
24 misdemeanor. Said crime bears a substantial relationship to the  
25 qualifications, functions, or duties of a real estate licensee  
26 under Section 2910, Title 10, Chapter 6, California Code of  
27 Regulations.

(FAILURE TO REVEAL CONVICTION)

13.

In response to Question 25 of his license application, to wit: "HAVE YOU EVER BEEN CONVICTED OF A MISDEMEANOR OR FELONY? CONVICTIONS EXPUNGED UNDER PENAL CODE SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT TRAFFIC CITATIONS WHICH DO NOT CONSTITUTE A MISDEMEANOR OR FELONY." Respondent answered "Yes," but failed to reveal the convictions described in Paragraphs 11 and 12 above. Respondent's failure to reveal these convictions in his license application constitutes knowingly making a false statement of material fact required to be revealed in said application, which is grounds for denial of the issuance of a license under California Business and Professions Code Sections 480(c) and 10177(a).

14.

The crimes of which Respondent was convicted as alleged in paragraph 2, above, constitutes cause for denial of Respondent's application for a real estate license under California Business and Professions Code Sections 475(a)(2), 480(a), and 10177(b).

These proceedings are 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 California Government Code.

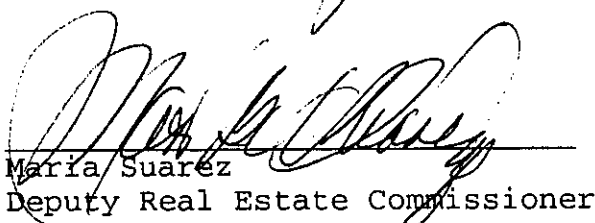
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WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license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

Dated at Los Angeles, California: 13 June, 2011.

  
\_\_\_\_\_  
Maria Suarez  
Deputy Real Estate Commissioner

cc: WILLIAM DALE ADAMS  
Maria Suarez  
Sacto

*Dashed*

1 DIANE LEE, Counsel (SBN 247222)  
2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013

5 Telephone: (213) 576-6982  
6 (Direct) (213) 576-6907

**FILED**

AUG 31 2010

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

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )	No. H-36783 LA
12 WILLIAM DALE ADAMS, )	<u>STATEMENT OF ISSUES</u>
13 Respondent. )	
14 _____ )	

15 The Complainant, Maria Suarez, a Deputy Real Estate  
16 Commissioner of the State of California, acting in her official  
17 capacity, for Statement of Issues against WILLIAM DALE ADAMS,  
18 ("Respondent") alleges as follows:

19 1.

20 On or about May 15, 2009, Respondent made application  
21 to the Department of Real Estate of the State of California for  
22 a real estate salesperson license.

23 (CRIMINAL CONVICTIONS)

24 2.

25 On or about December 17, 2001, in the Superior Court  
26 of California, County of Los Angeles, Case No. VA066267,  
27

1 Respondent was convicted of violating California Penal Code  
2 Section 245(b) (assault with a semi-automatic firearm), a  
3 felony. Said crime bears a substantial relationship to the  
4 qualifications, functions, or duties of a real estate licensee  
5 under Section 2910, Title 10, Chapter 6, California Code of  
6 Regulations.

7 3.

8 On or about July 14, 1995, in the Superior Court of  
9 California, County of Los Angeles, Case No. 95M04353, Respondent  
10 was convicted of violating California Health and Safety Code  
11 Section 11377(a) (possession of a controlled substance), a  
12 misdemeanor, and California Health and Safety Code Section  
13 11550(a) (under the influence of a controlled substance), a  
14 misdemeanor. Said crimes bear a substantial relationship to the  
15 qualifications, functions, or duties of a real estate licensee  
16 under Section 2910, Title 10, Chapter 6, California Code of  
17 Regulations.

18 4.

19 On or about May 31, 1995, in the Superior Court of  
20 California, County of Los Angeles, Case No. 94M07203-01,  
21 Respondent was convicted of violating California Penal Code  
22 Section 12031(a) (carrying a loaded firearm in a public place),  
23 a misdemeanor, and California Health and Safety Code Section  
24 11550(a) (under the influence of a controlled substance), a  
25 misdemeanor. Said crimes bear a substantial relationship to the  
26 qualifications, functions, or duties of a real estate licensee  
27

1 under Section 2910, Title 10, Chapter 6, California Code of  
2 Regulations.

3 5.

4 On or about May 31, 1995, in the Superior Court of  
5 California, County of Los Angeles, Case No. 95M02286-01,  
6 Respondent was convicted of violating California Health and  
7 Safety Code Section 11550(a) (under the influence of a  
8 controlled substance), a misdemeanor, and California Penal Code  
9 Section 594(a) (vandalism), a misdemeanor. Said crimes bear a  
10 substantial relationship to the qualifications, functions, or  
11 duties of a real estate licensee under Section 2910, Title 10,  
12 Chapter 6, California Code of Regulations.

13 6.

14 On or about May 31, 1995, in the Superior Court of  
15 California, County of Los Angeles, Case No. 95M03440, Respondent  
16 was convicted of violating California Health and Safety Code  
17 Section 11377(a) (possession of a controlled substance), a  
18 misdemeanor, and California Health and Safety Code Section 11364  
19 (possession of controlled substance paraphernalia), a  
20 misdemeanor. Said crimes bear a substantial relationship to the  
21 qualifications, functions, or duties of a real estate licensee  
22 under Section 2910, Title 10, Chapter 6, California Code of  
23 Regulations.

24 7.

25 On or about December 20, 1994, in the Superior Court  
26 of California, County of Los Angeles, Case No. 94M05428,  
27 Respondent was convicted of violating California Penal Code

1 Section 12031(a) (carrying a loaded firearm in a public place),  
2 a misdemeanor, and California Penal Code Section 12025(a)(1)  
3 (carrying a concealed firearm in vehicle), a misdemeanor. Said  
4 crimes bear a substantial relationship to the qualifications,  
5 functions, or duties of a real estate licensee under Section  
6 2910, Title 10, Chapter 6, California Code of Regulations.

7 8.

8 On or about December 8, 1992, in the Superior Court of  
9 California, County of Los Angeles, Case No. 91M08269, Respondent  
10 was convicted of violating California Vehicle Code Section  
11 14601.1(a) (driving with a suspended license), a misdemeanor.  
12 Said crime bears a substantial relationship to the  
13 qualifications, functions, or duties of a real estate licensee  
14 under Section 2910, Title 10, Chapter 6, California Code of  
15 Regulations.

16 9.

17 On or about May 17, 1990, in the Superior Court of  
18 California, County of Los Angeles, Case No. 90V04865, Respondent  
19 was convicted of violating California Vehicle Code Section  
20 14601.1(a) (driving with a suspended license), a misdemeanor.  
21 Said crime bears a substantial relationship to the  
22 qualifications, functions, or duties of a real estate licensee  
23 under Section 2910, Title 10, Chapter 6, California Code of  
24 Regulations.

25 10.

26 On or about April 23, 1990, in the Superior Court of  
27 California, County of Orange, Case No. NG9005292, Respondent was

1 convicted of violating California Penal Code Sections 484 and  
2 488 (petty theft), both misdemeanors. Said crime bears a  
3 substantial relationship to the qualifications, functions, or  
4 duties of a real estate licensee under Section 2910, Title 10,  
5 Chapter 6, California Code of Regulations.

6 11.

7 On or about December 15, 1989, in the Superior Court  
8 of California, County of Orange, Case No. 89CM17032, Respondent  
9 was convicted of violating California Penal Code Sections 484  
10 and 488 (petty theft), both misdemeanors. Said crimes bear a  
11 substantial relationship to the qualifications, functions, or  
12 duties of a real estate licensee under Section 2910, Title 10,  
13 Chapter 6, California Code of Regulations.

14 12.

15 In aggravation, on or about July 23, 1987, in the  
16 Superior Court of California, County of Los Angeles, Case No.  
17 87M02561, Respondent was convicted of violating California  
18 Vehicle Code Section 23152(b) (driving under the influence of  
19 alcohol), a misdemeanor. Said crime bears a substantial  
20 relationship to the qualifications, functions, or duties of a  
21 real estate licensee under Section 2910, Title 10, Chapter 6,  
22 California Code of Regulations.

23

24 (FAILURE TO REVEAL CONVICTION)

25 13.

26 In response to Question 25 of his license application,  
27 to wit: "HAVE YOU EVER BEEN CONVICTED OF A MISDEMEANOR OR



1 FELONY? CONVICTIONS EXPUNGED UNDER PENAL CODE SECTION 1203.4  
2 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT TRAFFIC CITATIONS  
3 WHICH DO NOT CONSTITUTE A MISDEMEANOR OR FELONY." Respondent  
4 answered "Yes," but failed to reveal the convictions described  
5 in Paragraphs 11 and 12 above. Respondent's failure to reveal  
6 these convictions in his license application constitutes  
7 knowingly making a false statement of material fact required to  
8 be revealed in said application, which is grounds for denial of  
9 the issuance of a license under California Business and  
10 Professions Code Sections 480(c) and 10177(a).

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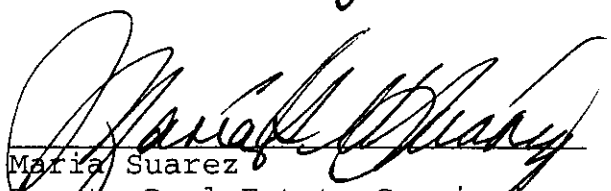
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These proceedings are brought under the provisions of  
Section 10100, Division 4 of the Business and Professions Code  
of the State of California and Sections 11500 through 11528 of  
the California Government Code.

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

Dated at Los Angeles, California: 16 August, 2010.

  
Maria Suarez  
Deputy Real Estate Commissioner

cc: WILLIAM DALE ADAMS  
Maria Suarez  
Sacto