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2	FILED	
3	JUN 1 2 2019	
4	DEPT. OF REAL ESTATE	
5	By John Againt	
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8	BEFORE THE DEPARTMENT OF REAL ESTATE	
9	STATE OF CALIFORNIA	
10	* * * *	
11	In the Matter of the Application of) No. H-41154 LA	
12	BRENT DAVID MUSSON,) 2018101006	
13) Respondent.)	
14)	
15	DECISION AFTER REJECTION	
16	This matter came on for hearing before Howard W. Cohen, Administrative Law	V
17	Judge of the Office of Administrative Hearings ("OAH"), in Los Angeles, California, on	
18	December 6, 2018. Andrea Bentler, Counsel, represented the Complainant, Maria Suarez,	
19	Supervising Special Investigator for the State of California Department of Real Estate	
20	("Department"). The Respondent BRENT DAVID MUSSON ("Respondent") appeared in	
21	person, and represented himself. Oral and documentary evidence were received.	
22	On December 31, 2018, the Administrative Law Judge issued a Proposed	
23	Decision, which I declined to adopt.	
24	My Decision is set forth herein.	
25	Pursuant to California Government Code section 11517(c), Respondent was	
26	served with notice of my determination not to adopt the Proposed Decision of the	
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Administrative Law Judge along with a copy of said Proposed Decision. Respondent was 1 notified that the case would be decided by me upon the record, the transcript of proceedings held 2 on December 6, 2018, and upon any written argument offered by Respondent and Complainant. 3 Respondent submitted a written argument on April 24, 2019. Complaint submitted a written 4 5 argument on May 10, 2019. I have given careful consideration to the record in this case including the 6 transcript of the proceedings of December 6, 2018. I have also considered the Argument 7 submitted by Complainant and Respondent. 8 The following shall constitute the Decision of the Real Estate Commissioner in 9 this proceeding. 10 11 12 **FACTUAL FINDINGS** The Factual Findings in the Proposed Decision dated December 31, 2019 are 13 hereby adopted, with the following exception: On page 2, paragraph 1 "real estate salesperson 14 license" shall be replaced with "real estate broker license". 15 16 LEGAL CONCLUSIONS 17 The Legal Conclusions in the Proposed Decision dated December 31, 2019 are 1.8 hereby adopted, with the following exceptions: On Page 6, Paragraph 4 "real estate salesperson 19 application" shall be replaced with "real estate broker application." On Page 7, Paragraph 5 20 "real estate salesperson application" shall be replaced with "real estate broker application". 21On Page 8, Paragraph 9, line 3 "real estate salesperson license" shall be replaced with "real 22 estate broker license". 23 $\parallel \parallel$ 24 /// 25 26 27 -2-Brent David Musson (H-41154 LA; 2018101006): Decision After Rejection

<u>ORDER</u>

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1	ORDER
2	1. The application of Respondent BRENT DAVID MUSSON for a real
3	estate broker license is denied; provided, however, a restricted real estate broker license shall be
4	issued to Respondent pursuant to California Business and Professions Code section 10156.5 if
5	Respondent makes application therefor and pays to the Department the appropriate fee for the
6	restricted license within 90 days from the effective date of this Decision. The restricted license
7	issued to Respondent shall be subject to all of the provisions of California Business and
8	Professions Code section 10156.7 and to the following limitations, conditions, and restrictions
9	imposed under authority of California Business and Professions Code section 10156.6:
10	a. The restricted license issued to Respondent may be suspended prior to
11	hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or
12	plea of nolo contendere to a crime which is substantially related to Respondent's fitness or
13	capacity as a real estate licensee.
14	b. The restricted license issued to Respondent may be suspended prior to
15	hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner
16	that Respondent has violated provisions of the California Real Estate Law, the Subdivided
17	Lands Law, Regulations of the Real Estate Commissioner, or conditions attaching to the
18	restricted license.
19	c. Respondent shall not be eligible to apply for the issuance of an
20	unrestricted real estate license nor for the removal of any of the conditions, limitations, or
21	restrictions of a restricted license until two years have elapsed from the effective date of this
22	Decision.
23	d. Respondent shall, within nine (9) months from the effective date of this
24	Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has,
25	since the most recent issuance of an original or renewal real estate license, taken and
26	successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the
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Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
the Commissioner may order the suspension of the restricted license until the respondent
presents such evidence. The Commissioner shall afford Respondent the opportunity for a
hearing pursuant to the Administrative Procedure Act to present such evidence.

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

JUN 27 2019 , 2019.

This Decision shall become effective at 12 o'clock noon on

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June 6, IT IS SO ORDERED

DANIEL J. SÁNDRI ACTING REAL ESTATE COMMISSIONER

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