

DIVISION OF REAL ESTATE  
DEPARTMENT OF COMMERCE  
P.O. BOX 146711  
160 EAST 300 SOUTH  
SALT LAKE CITY, UTAH 84114-6711  
Telephone: (801) 530-6747

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BEFORE THE DIVISION OF REAL ESTATE OF  
THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH

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In the Matter of the Application of  
**SAMUEL J. NORMAN** to Act as a Sales  
Agent

ORDER ON APPLICATION  
Case No. RE-10-51055

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On August 2, 2010, Samuel J. Norman (Applicant) submitted to the Utah Real Estate Commission (Commission) and the Division of Real Estate (Division) an application for a license to practice as a sales agent. The application was reviewed in an informal proceeding to determine whether Applicant meets the licensing requirements of Utah Code Ann. § 61-2f-203(1) (2010). The presiding officer, on behalf of the Division and pursuant to a grant of authority from the Commission, now makes the following analysis and order.

**REASONS FOR DECISION**

On March 7, 2010, Applicant was charged in case number 10CR02847 with impaired driving, a class B misdemeanor, and with vehicle registration and plates required, an infraction. On June 3, 2010, Applicant entered a guilty plea. He was sentenced to a suspended jail term of 180 days, placed on probation for 12 months, and fined \$1,890, of which \$850 was suspended. In addition, he was ordered to participate in a victim impact panel and to undergo substance abuse evaluation and treatment as needed. It appears from the record that Applicant's probation is due to terminate in early June of 2011.

Utah Code Ann. § 61-2f-203(1) (2010) requires that the Division and Commission determine whether an applicant demonstrates honesty, integrity, truthfulness, reputation, and competency. Utah Administrative Code § R162-2-2.11 requires the Division and the Commission to consider an applicant's past, particularly his criminal history, in making this determination.

Applicant's criminal history involving a conviction for impaired driving demonstrates a lack of respect for the law and the safety of others, which reflects negatively on his reputation and integrity. Therefore, Applicant does not meet the requirements of Section 61-2f-203(1) (2010) for unrestricted licensure.

The presiding officer is concerned that this case is very recent and that Applicant will remain on criminal probation for the next 10 months. In mitigation, the presiding officer notes that this incident appears to be an isolated instance of poor judgment rather than an episode in a long history of criminal behavior. Therefore, the presiding officer finds that issuing a probationary license is justified.

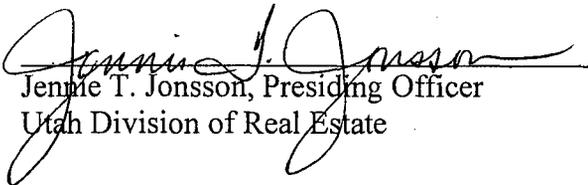
### **ORDER**

Based on the above analysis, Samuel J. Norman's application for licensure as a sales agent is granted with restriction. The license is placed on probation for the initial licensing period. During the probationary period Mr. Norman shall comply with all laws and with the rules regulating his profession, and shall conduct himself in a way that demonstrates his qualification and fitness for continuing licensure as a real estate professional.

This order shall be effective on the signature date below.

DATED this 5<sup>th</sup> day of August, 2010.

UTAH DIVISION OF REAL ESTATE

  
Jennie T. Jonsson, Presiding Officer  
Utah Division of Real Estate

Notice of Right to Administrative Review

Review of this order may be sought by filing a written request for administrative review with the Director of the Division of Real Estate within thirty (30) days after the issuance of this order. Any such request must comply with the requirements of Utah Code Ann. § 63G-4-301 and R151-46b-12 of the departmental rules.

CERTIFICATE OF MAILING

I hereby certify that on the 5 day of August, 2010, a true and correct copy of the foregoing document was sent first class mail, postage prepaid, to the following:

Samuel J. Norman  
420 W. Cadbury Dr., Apt. L207  
South Jordan, UT 84095

Renda Christensen