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8 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
9 **FOR THE BUREAU OF ELECTRONIC & APPLIANCE REPAIR, HOME**
FURNISHINGS AND THERMAL INSULATION
10 **STATE OF CALIFORNIA**

11
12 In the Matter of the Statement of Issues Against:

Case No. AN 2012-411

13 **PAUL BRADEN,**
aka PAUL JEFF BRADEN,
14 **aka PAUL J. BRADEN,**
dba BESTTECH COMPUTING

STATEMENT OF ISSUES

15
16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Tonya Blood ("Complainant") brings this Statement of Issues solely in her official
20 capacity as the Bureau Chief of the Bureau of Electronic & Appliance Repair, Home Furnishings
21 and Thermal Insulation ("Bureau"), Department of Consumer Affairs.

22 2. On or about May 9, 2012, the Bureau received an application for an electronic service
23 dealer registration from Paul Braden, also known as Paul Jeff Braden and Paul J. Braden, doing
24 business as BestTech Computing ("Respondent"). On or about April 12, 2012, Respondent
25 certified under penalty of perjury to the truthfulness of all statements, answers, and
26 representations in the application. The Bureau denied the application on July 31, 2012.

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1 **STATUTORY AND REGULATORY PROVISIONS**

2 3. Business and Professions Code (“Code”) section 9831 states, in pertinent part, that
3 the Director (Director of Consumer Affairs) shall refuse to validate the registration of an
4 electronic service dealer if the applicant has committed acts or crimes constituting grounds for
5 denial of licensure under section 480 of that code.

6 4. Code section 9841 states, in pertinent part:

7 (a) The director may deny, suspend, revoke, or place on probation the
8 registration of a service dealer for any of the following acts or omissions done by
9 himself or herself or any employee, partner, officer, or member of the service dealer
10 and related to the conduct of his or her business:

11

12 (7) Conviction of a crime that has a substantial relationship to the
13 qualifications, functions and duties of a registrant under this chapter, in which event
14 the record of the conviction shall be conclusive evidence thereof . . .

15 5. Code section 480 states, in pertinent part:

16 (a) A board may deny a license regulated by this code on the grounds that
17 the applicant has one of the following:

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

25

26 (3)(A) Done any act that if done by a licentiate of the business or
27 profession in question, would be grounds for suspension or revocation of license.

28 (B) The board may deny a license pursuant to this subdivision only if the
crime or act is substantially related to the qualifications, functions, or duties of the
business or profession for which application is made . . .

6. Code section 22, subdivision (a), states:

“Board” as used in any provision of this Code, refers to the board in
which the administration of the provision is vested, and unless otherwise expressly
provided, shall include “bureau,” “commission,” “committee,” “department,”
“division,” “examining committee,” “program,” and “agency.”

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1 7. Code section 477, subdivision (b), states, in pertinent part, that a "license" includes
2 "registration" and "certificate."

3 8. California Code of Regulations, title 16, section 2767 states, in pertinent part:

4 For the purposes of denial, suspension, or revocation of the registration of
5 a repair service dealer pursuant to Division 1.5 (commencing with Section 475) of the
6 Business and Professions Code, a crime or act shall be considered to be substantially
7 related to the qualifications, functions or duties of a service dealer if to a substantial
8 degree it evidences present or potential unfitness of a service dealer to perform the
9 functions authorized by his registration in a manner consistent with the public health,
10 safety, or welfare . . .

11 **CAUSE FOR DENIAL**

12 **(Criminal Conviction)**

13 9. Respondent's application is subject to denial pursuant to Code sections 9841,
14 subdivision (a)(7), and 480, subdivisions (a)(1) and (a)(3)(A), in that on or about February 21,
15 1997, in the general court-martial case of *United States v. Specialist Paul J. Braden*, U.S. Army,
16 Respondent pled guilty to violating UCMJ Articles 125 (acts of sodomy with a child under the
17 age of 12 years) and 134 (taking indecent liberties with a male under 16 years of age). Pursuant
18 to General Court Martial Order Number 79, dated March 8, 1999, Respondent was sentenced to a
19 dishonorable discharge, reduction to Private E1, and confinement for 20 years (Respondent
20 reported to the Bureau that he served a total of 12 years in prison). Respondent is a registered sex
21 offender in the State of California. The circumstances of the crimes are as follows:

22 a. In and between March 1995 and August 1996, Respondent engaged in sexual
23 activities with his five year old stepson when the two of them were alone. Respondent orally
24 copulated his stepson and had his stepson orally copulate him. Respondent also masturbated his
25 stepson, had his stepson masturbate him, and masturbated himself in front of his stepson.

26 b. Between March 1996 and August 1996, one of Respondent and his wife's neighbors
27 would sometimes leave her two sons, a four year old and an eight year old, at Respondent's house
28 to play while the neighbor and Respondent's wife were out together shopping or running errands.
One day during the summer of 1996, Respondent was watching his stepson and his neighbors'
two sons while Respondent's wife and the neighbor were out. While Respondent was playing
with the boys, he gave one of the boys a ride on his back. Respondent reached up and placed his

1 hand on the boy's groin and massaged his groin area. Later, Respondent masturbated himself in
2 front of the three boys and orally copulated his stepson in front of the two neighbor boys.

3 c. On or about September 21, 1996, Respondent's stepson and the two neighbor boys
4 informed their mothers (Respondent's wife and the neighbor boys' mother) that Respondent had
5 told them all about sex and had done sexual things to them and in front of them.

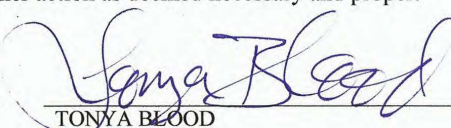
6 d. In November 1996, Respondent was evaluated by a 1st Cavalry Division psychiatrist.
7 The psychiatrist's clinical diagnosis of Respondent was pedophilia, manifested by recurrent,
8 intense sexually arousing fantasies, sexual urges, or behaviors involving sexual activity with a
9 prepubescent (under age 13) child or children, a diagnosis found within the Diagnostic and
10 Statistical Manual-IV (DSMIV), which categorizes deviant sexual behaviors.

11 **PRAYER**

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
13 and that following the hearing, the Director of Consumer Affairs issue a decision:

- 14 1. Denying the application of Paul Braden, also known as Paul Jeff Braden and Paul J.
15 Braden, doing business as BestTech Computing, for an electronic service dealer registration;
16 2. Taking such other and further action as deemed necessary and proper.

17
18 DATED: **NOV 06 2012**


19 TONYA BLOOD
20 Bureau Chief
21 Bureau of Electronic & Appliance Repair, Home
22 Furnishings and Thermal Insulation
23 Department of Consumer Affairs
24 State of California
25 Complainant

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