

FLAG

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187000
3 Sacramento, CA 95818-7000
4 Telephone: (916) 227-0789

FILED
DEC 15 2010
DEPARTMENT OF REAL ESTATE
By *L. Just*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of:)	NO. H-5520 SAC
)	
12 ALBERTO PARRA,)	<u>NOTICE OF INTENTION</u>
)	<u>TO ISSUE BAR ORDER</u>
13)	<u>AND BAR ORDER</u>
14 _____ Respondent.)	(B&P. Code § 10087)

15 TO: ALBERTO PARRA (herein "Respondent")
16 1852 Naples Drive
17 San Jose, CA 95122

18 Pursuant to section 10087(c) of the Business and Professions Code (herein "the
19 Code") YOU ARE IMMEDIATELY PROHIBITED FROM ENGAGING IN ANY BUSINESS
20 ACTIVITY INVOLVING REAL ESTATE THAT IS SUBJECT TO REGULATION UNDER
21 THE REAL ESTATE LAW.

22 Pursuant to section 10087(b) of the Code, you are hereby notified of the intention
23 of the California Real Estate Commissioner (herein "Commissioner") to issue a Bar Order
24 pursuant to section 10087(a)(2) of the Code for the allegations in the default Decision and Order
25 filed on August 18, 2010 by the Department of Real Estate (herein "the Department") in Case
26 No. H-10887 SF, a copy of which is attached hereto.
27

FINDINGS OF FACT

1
2 1. On or about November 6, 2009, in the Superior Court of the State of
3 California, County of Santa Clara, Case Number CC780524, Respondent was convicted of
4 violating section 532a(1) of the California Penal Code (filing a false financial statement), a
5 misdemeanor which bears a substantial relationship section 2910, title 10, California Code of
6 Regulations to the qualifications, functions, or duties of a real estate licensee and constituted
7 grounds under sections 490 and 10177(b) of the Code for suspension or revocation of all licenses
8 and license rights of Respondent under Part 1 of Division 4 of the Business and Professions Code
9 (herein "the Real Estate Law").

10 2. The events and circumstances leading to the above conviction are that
11 Respondent defrauded Boris M., Vanessa M. and Julio M. in the process of transferring the
12 ownership interest in Boris M.'s home.

13 3. Respondent in his Plea Agreement entered into in connection with the
14 abovementioned conviction, admits to causing a false statement to be made in writing with the
15 intent that it be relied upon by another person for Respondent's own personal benefit.
16 Respondent's conviction therefore concerns an offense involving dishonesty, fraud or deceit or is
17 an offense reasonably related to the qualifications, functions or duties of a person engaged in the
18 real estate business in accordance with the Real Estate Law.

19 4. On or about March 25, 2010, the Department filed its Accusation, in
20 Department Case Number H-10887 SF, seeking discipline against the real estate salesperson
21 license issued to ALBERTO PARRA, for the conviction identified above in Paragraph 1.

22 5. On or about August 16, 2010 the Real Estate Commissioner made his
23 Findings of Facts, Determination of Issues and Order revoking Respondent's license for the acts
24 set forth above in Paragraph 1. The Order became effective September 8, 2010.

24 ///

25 ///

26 ///

27 ///

1 CONCLUSIONS OF LAW

2 Based on the findings set forth above, the Commissioner has determined that
3 Respondent has been convicted of a crime involving an offense involving fraud or deceit.

4 ORDER

5 NOW, THEREFORE, IT IS ORDERED, pursuant to the authority of sections
6 10086 and 10087 of the Code, ALBERTO PARRA is hereby barred and prohibited for a period
7 of thirty-six (36) months from the effective date of this Bar Order from engaging in any of the
8 following activities in the State of California:

- 9 (A) Holding any position of employment, management, or control in a real
10 estate business;
- 11 (B) Participating in any business activity of a real estate salesperson or a real
12 estate broker;
- 13 (C) Engaging in any real estate related business activity on the premises where
14 a real estate salesperson or real estate broker is conducting business; and,
15 participating in any real estate related business activity of a finance lender,
16 residential mortgage lender, bank, credit union, escrow company, title
17 company, or underwritten title company.

18 NOTICE OF RIGHT AND OPPORTUNITY FOR A HEARING

19 Pursuant to section 10087 of the Code, you have the right to request a hearing
 20 under the California Administrative Procedure Act (Chapter 4.5 – commencing with section
 21 11400 of the Government Code). If you desire a hearing, you must submit a written request
 22 within fifteen (15) days after the mailing or service of this “Notice of Intention to Submit Bar
 23 Order and Bar Order.” The request may be in any form provided it is in writing, includes your
 24 current return address, indicates that you want a hearing, is signed by you or on your behalf, and
 25 is mailed to the Department of Real Estate, P. O. Box 187007, Sacramento, California, 95818-
 26 7007, Attention Legal Section, or is delivered personally to the offices of the Department of Real
 27 Estate, 2201 Broadway, Sacramento, California.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

If no hearing is requested within said fifteen (15) day time period, your failure to request a hearing shall constitute a waiver of the right to a hearing.

THIS BAR ORDER IS EFFECTIVE IMMEDIATELY.

DATED: _____



JEFF DAVI
Real Estate Commissioner

