

FILED

AUG 18 2010

DEPARTMENT OF REAL ESTATE

By K. Max

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of

ALBERTO PARRA,

Respondent.

H-10887 SF

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on August 2, 2010, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license and/or license rights on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1

On March 24, 2010, Tricia D. Sommers made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on March 25, 2010.

On August 2, 2010, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part I of Division 4, of the California Business and Professions Code ("the Code") as a real estate salesperson.

3

On or about November 6, 2009, in the Superior Court of the State of California, County of Santa Clara, Case No. CC780524, Respondent was convicted of violating Section 532a(1) of the California Penal Code (False Financial Statement), a misdemeanor and a crime which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

DETERMINATION OF ISSUES

1

Cause of disciplinary action against Respondent exists with reference to the conviction set out in Paragraph 3, above, pursuant to Business and Professions Code Sections 490 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially Related to Qualifications, Functions or Duties of Real Estate Licensee).

2

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondent ALBERTO PARRA under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

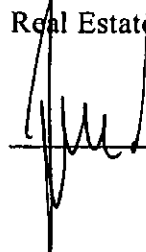
This Decision shall become effective at 12 o'clock noon on

SEP - 8 2010

DATED: \_\_\_\_\_

*8/16/2010*

JEFF DAVI  
Real Estate Commissioner

  
\_\_\_\_\_

1 Department of Real Estate  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

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AUG - 2 2010

DEPARTMENT OF REAL ESTATE

By H. Mar

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \*\*\*

11 In the Matter of the Accusation of )  
12 ALBERTO PARRA, )  
13 Respondent. )

H-10887 SF

DEFAULT ORDER

14  
15 Respondent, ALBERTO PARRA, having failed to file a Notice of Defense within  
16 the time required by Section 11506 of the Government Code, is now in default. It is, therefore,  
17 ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED August 2, 2010.

19 JEFF DAVI  
20 Real Estate Commissioner

21  
22 By: Charles W. Koenig  
23 CHARLES W. KOENIG  
24 Northern Regional Manager

1 JOHN W. BARRON, Counsel (SBN 171246)  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007  
5 Telephone: (916) 227-0792  
6  
7  
8

FILED

MAR 25 2010

DEPARTMENT OF REAL ESTATE

By K. Mar

9 BEFORE THE DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \*\*\*

12 In the Matter of the Accusation of )  
13 ALBERTO PARRA, ) No. H-10887 SF  
14 Respondent. ) ACCUSATION  
15 )

16 The Complainant, TRICIA D. SOMMERS, a Deputy Real Estate Commissioner  
17 of the State of California, for cause of Accusation against ALBERTO PARRA, (hereinafter  
18 "Respondent"), is informed and alleges as follows:

19 1

20 The Complainant makes this Accusation in her official capacity.

21 2

22 Respondent is presently licensed and/or has license rights under the Real Estate  
23 Law, Part 1 of Division 4 of the Business and Professions Code (hereinafter "the Code") as a  
24 real estate salesperson.

25 3

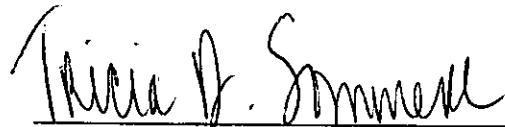
26 On or about November 6, 2009, in the Superior Court of California, County of  
27 Santa Clara, Case No. CC780524, Respondent was convicted of violating Section 532a(1) of

1 the California Penal Code (False Financial Statement), a misdemeanor and a crime which bears  
2 a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the  
3 qualifications, functions or duties of a real estate licensee.

4 4

5 The facts alleged in Paragraph 3, above, constitute a cause under Sections 490  
6 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially Related to  
7 Qualifications, Functions or Duties of Real Estate Licensee) of the Code for suspension or  
8 revocation of all licenses and license rights of Respondent under the Real Estate Law.

9 WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
10 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary  
11 action against all licenses and license rights of Respondent under the Code, and for such other  
12 and further relief as may be proper under the provisions of law.

13  
14 

15 TRICIA D. SOMMERS  
16 Deputy Real Estate Commissioner

17 Dated at Sacramento, California,  
18 this 24<sup>th</sup> day of March, 2010.