

**FILED**

MAR 12 2012

DEPARTMENT OF REAL ESTATE

By *R. May*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of )  
JESUS CHAVEZ, ) H-11277 SF  
Respondent. )

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 February 14, 2012, 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 December 16, 2011, E. J. Haberer, II, made the Accusation in his 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 December 20, 2011.

On February 14, 2012, 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 March 5, 2010, in the Superior Court of the State of California, County of Santa Clara, Case No. CC948961, Respondent was convicted of violating Section 273.6a (violation of protective order) of the California Penal Code, 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.

4

On or about February 4, 2010, in the Superior Court of the State of California, County of Santa Clara, Case No. FF928224, Respondent was convicted of violating Section 242/243 (battery) of the California Penal Code, 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 for disciplinary action against Respondent exists with reference to the conviction set out in Paragraphs 3 and 4, 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.

///  
///  
///  
///  
///

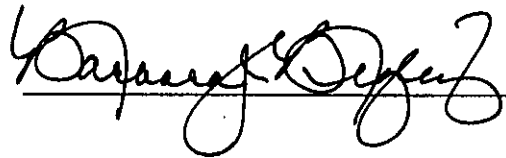
ORDER

All licenses and licensing rights of Respondent JESUS CHAVEZ 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  
APR - 2 2012

DATED: 2/28/12

BARBARA J. BIGBY  
Acting Real Estate Commissioner

  
\_\_\_\_\_

1 Department of Real Estate  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007  
4 Telephone: (916) 227-0789

**FILED**  
FEB 14 2012

DEPARTMENT OF REAL ESTATE  
By R. Mar

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \*\*\*

11 In the Matter of the Accusation of )  
12 ) H-11277 SF  
13 JESUS CHAVEZ, )  
14 ) DEFAULT ORDER  
Respondent. )

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

19 IT IS SO ORDERED February 14, 2012.

20 BARBARA J. BIGBY  
21 Acting Real Estate Commissioner

22  
23 By: Joe M. Carrillo  
24 JOE M. CARRILLO  
25 Northern Regional Manager  
26  
27

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) 227-0789 (main)  
6 (916) 227-0792 (direct)  
7  
8

**FILED**  
DEC 20 2011

DEPARTMENT OF REAL ESTATE  
By R. Mar

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \*\*\*

12 In the Matter of the Accusation of )  
13 ) NO. H-11277 SF  
14 JESUS CHAVEZ, ) ACCUSATION  
15 Respondent. )  
16 \_\_\_\_\_ )

17 The Complainant, E. J. HABERER, II, a Deputy Real Estate Commissioner of  
18 the State of California, for cause of Accusation against JESUS CHAVEZ, ("Respondent"), is  
19 informed and alleges as follows:

20 1

21 The Complainant makes this Accusation against Respondent in his official  
22 capacity.

23 2

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

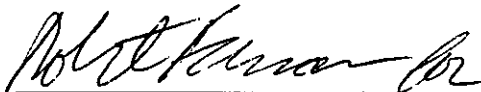
27 ///

On or about March 5, 2010, in the Superior Court of the State of California, County of Santa Clara, Case No. CC948961, Respondent was convicted of violating Section 273.6a (violation of protective order) of the California Penal Code, 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.

On or about February 4, 2010, in the Superior Court of the State of California, County of Santa Clara, Case No. FF928224, Respondent was convicted of violating Section 242/243 (battery) of the California Penal Code, 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.

The facts alleged in Paragraphs 3 and 4, above, constitute cause under Sections 490 (conviction of crime) and 10177(b) (conviction of crime substantially related to qualifications, functions or duties of real estate licensee) of the Code for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

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



E. J. HABERER, II  
Deputy Real Estate Commissioner

Dated at Oakland, California,  
this 16th day of October, 2011.