

1 read as follows:

2 ORDER

3 The real estate salesperson license and license rights
4 of respondent ALBERTO PRECIADO (hereinafter "PRECIADO") under the
5 Real Estate Law (Part 1 of Division 4 of the Business and
6 Professions Code) are hereby revoked.

7 However, Respondent PRECIADO shall be entitled to apply
8 for and be issued a restricted real estate salesperson license if
9 Respondent makes application therefor and pays to the Department
10 of Real Estate the appropriate fee for said license within ninety
11 (90) days of the effective date of the Decision herein.

12 The restricted real estate salesperson license issued
13 to Respondent shall be subject to all of the provisions of
14 Section 10156.7 of the Business and Professions Code and the
15 following limitations, conditions and restrictions imposed under
16 authority of Section 10156.6 of the Code:

17 A. The restricted license may be suspended prior to
18 hearing by Order of the Real Estate Commissioner in the event of
19 respondent's conviction (including conviction of a plea of nolo
20 contendere) to a crime which bears a significant relationship to
21 respondent's fitness or capacity as a real estate licensee.

22 B. The restricted license may be suspended prior to
23 hearing by Order of the Real Estate Commissioner on evidence
24 satisfactory to the Commissioner that respondent PRECIADO has,
25 after the effective date of the Order herein, violated provisions
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of the California Real Estate Law, the Subdivided Lands Law,
Regulations of the Real Estate Commissioner or conditions
attaching to said restricted license.

C. Respondent PRECIADO shall obey all laws of the
United States, the State of California and its political
subdivisions, and shall further obey and comply with all rules
and regulations of the Real Estate Commissioner.

D. Respondent PRECIADO shall not be eligible for the
issuance of an unrestricted real estate license nor the removal
of any of the conditions, limitations or restrictions of the
restricted license until two (2) years have elapsed from the
effective date of the Decision.

E. Respondent PRECIADO shall upon making application
for the restricted real estate salesperson license present
evidence satisfactory to the Real Estate Commissioner that he
has, since the most recent issuance of an original or renewal
real estate license, taken and successfully completed the
continuing education requirements of Article 2.5 of Chapter 3 of
the Real Estate Law for renewal of a real estate license.

G. Respondent PRECIADO shall submit with his
application for transfer to a new employing broker, a statement
signed by the prospective broker which shall certify:

(1) That s/he has read the Decision of the
Commissioner which granted the right
to a restricted license; and

(2) That s/he will exercise close supervision

1 over the performance by the restricted
2 licensee of the activities for which a
3 real estate license is required.

4 H. During the term of any restricted license,
5 Respondent shall submit to the Department of Real Estate as of
6 the last day of each March, June, September and December, proof
7 satisfactory to the Real Estate Commissioner of Respondent's
8 ongoing participation in a recognized alcohol diversion program.
9 Said proof shall be submitted to the Manager of the Crisis
10 Response Team at the Los Angeles Office of the Department of
11 Real Estate and shall be verified as true and accurate by
12 Respondent under penalty of perjury.

13 The Commissioner may suspend the restricted license
14 issued to Respondent pending a hearing held in accordance with
15 Section 11500 et seq., of the Government Code, if such proof is
16 not timely submitted as provided for herein, or as provided for
17 in a subsequent agreement between the Respondent and the
18 Commissioner. The suspension shall remain in effect until such
19 proof is submitted or until Respondent enters into an agreement
20 satisfactory to the Commissioner to provide such proof, or until
21 a decision providing otherwise is adopted following a hearing
22 held pursuant to this condition.

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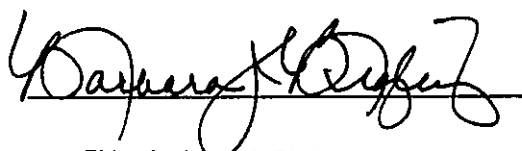
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As hereby modified and amended, the Decision of March
2, 2010, shall become effective at 12 o'clock noon on

JUN 28 2010.

IT IS SO ORDERED 6/1 2010.

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Blgby
Chief Deputy Commissioner

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FILED

APR 30 2010

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	NO. H-35627 LA
ALBERTO PRECIADO,)
Respondent.)

ORDER GRANTING RECONSIDERATION

On January 16, 2009, an Accusation was filed in Case No. H-35627 LA.

A Stipulation and Agreement was mailed to Respondent February 2, 2009 and on March 30, 2009. Respondent did not sign and return either one to the Department.

Respondent's default was entered on January 29, 2010.

On March 2, 2010 a Decision was signed to enter Respondent's default and to revoke his license, effective April 19, 2010. The effective date of the revocation has been stayed until April 29, 2010, pursuant to Respondent's request for reconsideration.

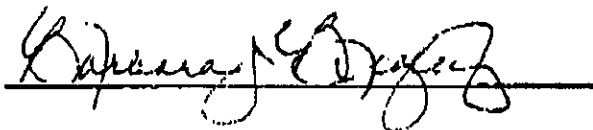
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I find that there is good cause to reconsider the Decision of March 2, 2010. Reconsideration is granted for the limited purpose of determining whether the action imposed against Respondent by said Decision should be reduced.

Respondent shall have until May 10, 2010 in which to file written argument in further support of his petition for reconsideration. Counsel for the Department of Real Estate shall submit any written reply to said argument within ten (10) days thereafter.

IT IS SO ORDERED 4/28, 2010.

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Bigby
Chief Deputy Commissioner

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FILED

APR 14 2010

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation	of)	No. H-35627 LA
)	
ALBERTO PRECIADO,)	
)	
Respondent.)	
)	

ORDER STAYING EFFECTIVE DATE

On March 2, 2010, a Decision was signed in the above-entitled matter to become effective April 19, 2010.

IT IS HEREBY ORDERED that the effective date of the Decision of March 2, 2010, is stayed for a period of ten days.

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The Decision of March 2, 2010, shall become effective
at 12 o'clock noon April 29, 2010.

DATED: APRIL 14, 2010

JEFF DAVI
Real Estate Commissioner



By: Phillip Ihde
Regional Manager

FILED

BEFORE THE DEPARTMENT OF REAL ESTATE MAR 27 2010

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

* * *

By H. Contreras

In the Matter of the Accusation of)
ALBERTO PRECIADO,)
Respondent(s).)

No. H-35627 LA

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 10, 2010, and the findings of fact set forth herein 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 on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension 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

I

On January 12, 2009, Maria Suarez 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, to Respondent's last known mailing address on file with the Department on January 16, 2009.

On January 29, 2010, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

II

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

III

On or about January 10, 2008, in the Superior Court of California, County of Los Angeles, in Case No. 7PS61730, Respondent was convicted of violating Vehicle Code Section 23152(b) (DUI), a misdemeanor.

On or about January 16, 2008, in the Superior Court of California, County of Los Angeles, in Case No. 7PS04754, Respondent was convicted of violating Vehicle Code Section 23103.5(a) (Reckless Driving-Alcohol), a misdemeanor.

IV

These crimes are substantially related to the qualifications, functions or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 490 and 10177(b).

II

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

ORDER

The licenses and license rights of Respondent
ALBERTO PRECIADO 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 April 19, 2010.

DATED: _____

3/2/2010
JEFF DAVIS
Real Estate Commissioner

1 Department of Real Estate
2 320 West 4th Street, suite 350
3 Los Angeles, CA 90013

4 (213) 576-6982

FILED
FEB 10 2010
DEPARTMENT OF REAL ESTATE

K. Medelsohn

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11
12 In the Matter of the Accusation of) NO. H-35627 LA
13 ALBERTO PRECIADO,)
14 Respondent (s).)
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16 Respondent, ALBERTO PRECIADO, having failed to file a
17 Notice of Defense within the time required by Section 11506 of
18 the Government Code, is now in default. It is, therefore,
19 ordered that a default be entered on the record in this matter.

20 IT IS SO ORDERED

January 29, 2010

21 JEFF DAVI
22 Real Estate Commissioner

23 By: *Dolores Weeks*
24 DOLORES WEEKS
25 Regional Manager

2.

1 Respondent is presently licensed and/or has license
2 rights under the Real Estate Law, Part 1 of Division 4 of the
3 California Business and Professions Code ("Code"), as a real
4 estate salesperson.
5

3.

6
7 On or about January 10, 2008, in the Superior Court of
8 California, County of Los Angeles, in Case No. 7PS61730,
9 Respondent was convicted of violating Vehicle Code Section
10 23152(b) (DUI), a misdemeanor. The underlying facts of this
11 crime bear a substantial relationship under Section 2910, Title
12 10, Chapter 6, California Code of Regulations to the
13 qualifications, functions or duties of a real estate licensee.
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4.

15
16 On or about January 16, 2008, in the Superior Court of
17 California, County of Los Angeles, in Case No. 7PS04754,
18 Respondent was convicted of violating Vehicle Code Section
19 23103.5(a) (Reckless Driving-Alcohol), a misdemeanor. The
20 underlying facts of this crime bear a substantial relationship
21 under Section 2910, Title 10, Chapter 6, California Code of
22 Regulations to the qualifications, functions or duties of a real
23 estate licensee.

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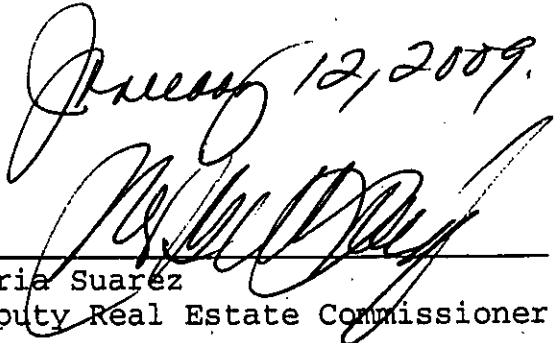
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The crimes of which Respondent was convicted, as described in Paragraphs 3 and 4 above, constitute cause under Sections 490 and 10177(b) of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate 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 the licenses and license rights of Respondent, ALBERTO PRECIADO, under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

June 12, 2009.


Maria Suarez
Deputy Real Estate Commissioner

cc: ALBERTO PRECIADO
Westside Mortgage, Inc.
Maria Suarez
Sacto.