

FILED

JUL 31 2013

DEPARTMENT OF REAL ESTATE

BEFORE THE BUREAU OF REAL ESTATE

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STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)
) No. H-38825 LA
 CELIA GALLARDO,)
)
 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 July 9, 2013, 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 April 15, 2012, Robin Trujillo 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 and regular mail, to Respondent's last known mailing address on file with the Bureau by certified mail on April 23, 2012.

On July 9, 2013, 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 (hereinafter "Code") as a real estate salesperson.

III

On or about October 10, 2012, in the United States District Court, Central District of California, in Case No. CR 12-640-DDP, Respondent pled guilty to violating 18 U.S.S. §1343 (wire fraud), a felony.

IV

Respondent did not report in writing to the Bureau of Real Estate ("Bureau"), the bringing of the indictment charging the aforementioned felony against her, within 30 days of the bringing of the indictment (filed July 10, 2012); neither did Respondent report in writing to the Bureau her plea of guilty to the aforementioned felony (entered October 10, 2012). Respondent's failure to report the indictment and/or guilty plea constitutes cause for discipline under Business and Professions Code Section 10186.2 of the license and license rights of Respondent under the Real Estate Law.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Section 10186.2.

II

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

ORDER

The licenses and license rights of Respondent CELIA GALLARDO 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

~~August 20, 2013~~

DATED:

July 23, 2013

REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy Commissioner

