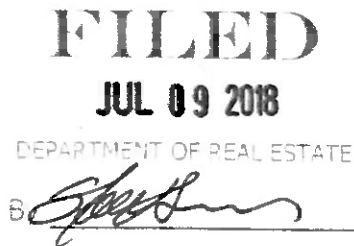


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9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Application of) No. H- 41038 LA
13 LEONEL ACEVES,) STATEMENT OF ISSUES
14 Respondent.) Mortgage Loan Originator
15) License Endorsement
16)

17 The Complainant, Chika Sunquist, a Supervising Special Investigator of the
18 State of California, for Statement of Issues against LEONEL ACEVES ("Respondent"), is
19 informed and alleges as follows:

20 1.

21 The Complainant, Chika Sunquist, acting in her official capacity as a
22 Supervising Special Investigator of the State of California, makes this Statement of Issues
23 against LEONEL ACEVES.

24 2.

25 Respondent is presently licensed under the Real Estate Law, part 1 of division 4
26 of the California Business and Professions Code ("Code"), as a restricted real estate broker.

27 3.

Statement of Issues of LEONEL ACEVES

1 On or about August 2, 2017, Respondent made application to the Department of
2 Real Estate ("Department") of the State of California for an individual mortgage loan originator
3 license endorsement ("MLO license endorsement").

4 FIRST CAUSE FOR DENIAL
5 (PRIOR LICENSE DISCIPLINE)

6 4.

7 On or about September 3, 2009, the Department completed an audit of the books
8 and records of Uniko Holding Inc. ("UHI"), a corporate real estate broker for which Respondent
9 served as a designated officer. On or about September 2, 2010, Joey Aiu, Deputy Real Estate
10 Commissioner for the Department, filed an Accusation in Case No. H-36791 LA against UHI,
11 Respondent individually, and Respondent as designated officer of UHI. On or about March 7,
12 2012, the parties entered into a Stipulation and Agreement. The parties stipulated that UHI's
13 conduct was in violation of Code sections 10085, 10145, 10146, and 10176, subdivision (e),
14 and sections 2831, 2831.1, 2831.2, 2970, and 2972 of title 10, chapter 6 of the California Code
15 of Regulations ("Regulations"). The parties further stipulated that UHI's conduct constituted a
16 basis for suspension or revocation pursuant to Code section 10177, subdivision (d). The parties
17 also stipulated that Respondent's conduct was in violation of Code section 10159.2 and
18 constituted grounds for suspension or revocation under subdivisions (d), (g), and (h) of Code
19 section 10177. The Stipulation and Agreement provided that all licenses and licensing rights of
20 Respondent and UHI were revoked but granted Respondent and UHI the right to the issuance of
21 restricted real estate broker licenses upon certain terms and conditions. On or about March 29,
22 2012, the Real Estate Commissioner ("Commissioner") adopted the Stipulation and Agreement
23 as the Commissioner's decision in Case No. H-36791 LA (the "Decision") and ordered that it
24 take effect on May 11, 2012.

25 5.

26 On or about January 17, 2013, the Commissioner issued an order finding
27 Respondent to be in violation of section 10177, subdivision (k), of the Code for failure to take

Statement of Issues of LEONEL ACEVES

1 and pass the Professional Responsibility Examination as prescribed by the Decision. The order
2 suspended Respondent's restricted real estate broker license until such time as Respondent
3 provided proof satisfactory to the Department of compliance with said condition. On or about
4 April 11, 2013, the Commissioner issued an amended order finding Respondent to be in
5 violation of Code section 10177, subdivision (k), for reasons including, but not limited to,
6 Respondent's failure to take and pass the Professional Responsibility Examination and to
7 submit satisfactory proof of completion of continuing education requirements as prescribed by
8 the Decision. The amended order suspended Respondent's restricted real estate broker license
9 until such time as Respondent provided proof satisfactory to the Department of compliance
10 with the aforementioned conditions. Respondent's restricted real estate broker license
11 remained so suspended through April 10, 2017.

12 6.

13 The facts alleged in Paragraphs 4 and 5 above constitute cause for denial of
14 Respondent's MLO license endorsement application under sections 10166.05, subdivision (c),
15 and 10166.051, subdivision (b), of the Code and section 2945.2 of the Regulations.

16 SECOND CAUSE FOR DENIAL

17 (MATERIAL MISSTATEMENTS)

18 7.

19 In response to Question (K)(4), under the Disclosure Questions section of his
20 application, to wit, "Has any State or federal regulatory agency or foreign financial regulatory
21 authority or self-regulatory organization (SRO) ever entered an order against you in connection
22 with a financial services-related activity?", Respondent answered "NO," and failed to disclose
23 the prior license discipline described in Paragraphs 4 and 5 above.

24 8.

25 In response to Question (K)(5), under the Disclosure Questions section of his
26 application, to wit, "Has any State or federal regulatory agency or foreign financial regulatory
27 authority or self-regulatory organization (SRO) ever revoked your registration or license?",

Statement of Issues of LEONEL ACEVES

1 Respondent answered "NO," and failed to disclose the prior license discipline described in
2 Paragraph 4 above.

3 9.

4 In response to Question (K)(9), under the Disclosure Questions section of his
5 application, to wit, "Has any State or federal regulatory agency or foreign financial regulatory
6 authority or self-regulatory organization (SRO) ever entered an order concerning you in
7 connection with any license or registration?", Respondent answered "NO," and failed to
8 disclose the prior license discipline described in Paragraphs 4 and 5 above.

9 10.

10 In response to Question (M), under the Disclosure Questions section of his
11 application, to wit, "Based upon activities that occurred while you exercised control over an
12 organization, has any State or federal regulatory agency or foreign financial regulatory authority
13 or self-regulatory organization (SRO) ever taken any of the actions listed in (K) through (L)
14 above against any organization?", Respondent answered "NO," and failed to disclose the prior
15 license discipline described in Paragraph 4 above.

16 11.

17 By answering "No" to the application questions set forth in Paragraphs 7
18 through 10 above, Respondent made material misstatements as to the existence of the prior
19 license discipline described in Paragraphs 4 and 5 above.

20 12.

21 The facts alleged in Paragraphs 7 through 10 above constitute cause for denial of
22 Respondent's application for a MLO license endorsement under Code section 10166.051,
23 subdivision (b).

24 13.


25 These proceedings are brought under the provisions of section 10100,
26 division 4 of the Business and Professions Code of the State of California, and sections 11500
27 through 11528 of the California Government Code.

Statement of Issues of LEONEL ACEVES

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WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a mortgage loan originator license endorsement to Respondent LEONEL ACEVES and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Sacramento, California
this 28th day of June, 2018


Chika Sunquist
Supervising Special Investigator

cc: LEONEL ACEVES
Chika Sunquist
Sacto.