

FILED

FEB 10 2021

DEPT. OF REAL ESTATE

By *John Aziz*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	DRE No. H-41791 LA
)	
MAX PETER CALVILLO,)	
)	
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 January 14, 2021 and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, MAX PETER CALVILLO (“Respondent”); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses and/or license rights on grounds of conviction of a crime that is substantially related to the qualifications, functions or duties of a real estate licensee.

Pursuant to Government Code Section 11521, the California Department of Real Estate (“the Department”) may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department’s power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner’s Criteria of Rehabilitation are attached hereto for the information of respondent.

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FINDINGS OF FACT

1.

On October 8, 2020, Maria Suarez made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Request for Discovery, 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 October 13, 2020.

2.

On November 18, 2020, Maria Suarez made the First Amended Accusation in her official capacity as a Supervising Special Investigator of the Department. The First Amended Accusation was mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on November 18, 2020.

3.

On January 14, 2021, 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.

4.

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 ("the Code") as a real estate broker. On May 11, 2023, Respondent's license is set to expire, unless renewed.

5.

To date, the Department has incurred investigation costs of \$1,119.30.

6.

Attached as Exhibit "A" is a true and correct copy of the First Amended Accusation filed on November 18, 2020, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

The crime for which Respondent was convicted, as described in the First Amended Accusation Paragraph 3, constitutes cause under Code sections 490 and 10177(b) for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

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2.

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

ORDER

All licenses and licensing rights of Respondent MAX PETER CALVILLO 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 MAR 02 2021.

DATED: 2.2.21

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

Douglas R. McCauley

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Department of Real Estate
320 West Fourth St, Ste 350
Los Angeles, CA, 90013

FILED

JAN 14 2021

DEPT. OF REAL ESTATE

By: *John Aguirre*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:)	DRE NO. H-41791 LA
)	
MAX PETER CALVILLO,)	<u>DEFAULT ORDER</u>
)	
Respondent.)	
)	

Respondent MAX PETER CALVILLO, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED JAN 14 2021

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

By: *Chika Sunquist*
CHIKA SUNQUIST
Assistant Commissioner, Enforcement

1 KATHY YI, Counsel (SBN 236736)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6982
6 Direct: (213) 576-6940
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8 *Attorney for Complainant*

FILED
NOV 18 2020
DEPT. OF REAL ESTATE
By John Ayala

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-41791 LA
13)
14 MAX PETER CALVILLO,) FIRST AMENDED ACCUSATION
15)
16 Respondent.)
17)

18 This Accusation amends the Accusation filed on October 13, 2020. The
19 Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for
20 cause of Accusation against MAX PETER CALVILLO ("Respondent") alleges as follows:

21 1.

22 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
23 of California, makes this Accusation in her official capacity.

24 2.

25 Respondent presently has license rights under the Real Estate Law, Part 1 of
26 Division 4 of the California Business and Professions Code ("Code"), as a real estate broker
27 (License ID 01166076). Respondent's license is set to expire on May 11, 2023, unless
renewed.

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(CRIMINAL CONVICTION)

3.

On or about December 5, 2017, in the Superior Court of California, County of Contra Costa, Case No. 01-179847-9, Respondent was convicted on a plea of no contest for violation of Civil Code section 2945.4 (mortgage consultant violation/unlawful foreclosure practice), a misdemeanor. The court suspended the imposition of sentence and placed Respondent on summary probation for 3 years, under certain terms and conditions, including in part, payment of fines and fees.

4.

The conviction, as described in Paragraph 3 above, bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

5.

The crime for which Respondent was convicted, as described in Paragraph 3 above, constitutes cause under Code sections 490 and 10177(b) for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

(COSTS OF INVESTIGATION AND ENFORCEMENT)

6.

California Business and Professions Code section 10106, provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

7.

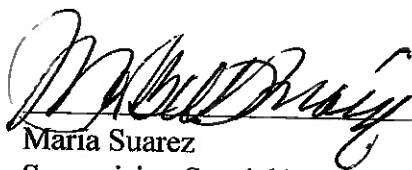
These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the California Government Code.

ACCUSATION

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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 MAX PETER CALVILLO under the Real Estate Law, for the costs of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California
this 18th day of November, 2020.



Maria Suarez
Supervising Special Investigator

cc: MAX PETER CALVILLO
Maria Suarez
Sacto.