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FILED

MAY 24 2012

DEPARTMENT OF REAL ESTATE
By *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 SERGIO CEJA)
13 Respondent.)

No. H-2750 FR
STATEMENT OF ISSUES

14 The Complainant, PHILLIP IHDE, acting in his official capacity as a Deputy
15 Real Estate Commissioner of the State of California, for Statement of Issues against SERGIO
16 CEJA (herein "Respondent"), alleges as follows:

17 1.

18 On or about November 17, 2010, Respondent made application to the
19 Department of Real Estate of the State of California (herein "the Department") for a real estate
20 salesperson license.

21 FAILURE TO DISCLOSE CONVICTION AND ARREST

22 2.

23 In response to Part D, Question 1 of said application, to wit: HAVE YOU EVER
24 BEEN CONVICTED OF A MISDEMEANOR OR FELONY? **CONVICTIONS EXPUNGED**
25 **UNDER PENAL CODE SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU**
26 **MAY OMIT TRAFFIC CITATIONS WHICH DO NOT CONSTITUTE A**
27 **MISDEMEANOR OR FELONY,"** Respondent concealed and failed to disclose the

1 convictions for violating sections 14601.1 and 31 of the Vehicle Code described below in
2 Paragraph 5 and failed to disclose the conviction described below in Paragraph 6.

3 3.

4 In response to Part D, Question 24 of said application, to wit: "ARE THERE
5 CRIMINAL CHARGES PENDING AGAINST YOU AT THIS TIME," Respondent concealed
6 and failed to disclose the charges pending against him at the time that lead to the conviction
7 described below in Paragraph 7.

8 CRIMINAL CONVICTIONS

9 4.

10 On or about May 12, 2009, in the Superior Court of the State of California,
11 County of Monterey, Case No. MS260529A, Respondent was convicted of violating section
12 14601.1 of the Vehicle Code (driving on a suspended or revoked license), a misdemeanor which
13 bears a substantial relationship under section 2910, title 10, California Code of Regulations
14 (herein "the Regulations"), to the qualifications, functions or duties of a real estate licensee.

15 5.

16 On or about May 12, 2009, in the Superior Court of the State of California,
17 County of Monterey, Case No. MS276240A, Respondent was convicted of violating Vehicle
18 Code sections 23152(a) (driving while under the influence of alcohol), 14601.1 (driving on a
19 suspended or revoked license) and 31 (providing false information to a police officer),
20 misdemeanors which bear a substantial relationship under section 2910 of the Regulations to the
21 qualifications, functions or duties of a real estate licensee.

22 6.

23 On or about June 5, 2009, in the Superior Court of the State of California,
24 County of Monterey, Case No. MS258336A, Respondent was convicted of violating section
25 14601.1 of the Vehicle Code (driving on a suspended or revoked license), a misdemeanor which
26 bears a substantial relationship under section 2910 of the Regulations to the qualifications,
27 functions or duties of a real estate licensee.

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7.

On or about August 22, 2011, in the Superior Court of the State of California, County of Monterey, Case No. CC761852, Respondent was convicted of violating section 647(f) of the Penal Code (drunk in public), a misdemeanor which bears a substantial relationship under section 2910 of the Regulations to the qualifications, functions or duties of a real estate licensee.

 GROUND FOR DENIAL

8.

In failing to reveal the convictions and charges pending against him as described above in Paragraphs 2 and 3, Respondent procured or attempted to procure a real estate license by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in said application, which constitutes grounds under sections 480(c) and 10177(a) of the Business and Professions Code (herein "the Code") for the denial of Respondent's application for a real estate license.

9.

Respondent's criminal convictions, as described above in Paragraphs 4 through 7, constitute grounds under sections 480(a) and 10177(b) of the Code for the denial of Respondent's application for a real estate license.

WHEREFORE, 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 real estate salesperson license to Respondent, and for such other and further relief as may be proper in the premises.


PHILLIP IHDE
Deputy Real Estate Commissioner

Dated at Los Angeles, California,
this 8TH day of May, 2012.