

FILED

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DEPT. OF REAL ESTATE

By Carla Selous

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation against) No. H-05139 SD
)
ASTON C. ORIHUELA,) ACCUSATION
)
Respondent.)
_____)

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, for cause of Accusation against ASTON C. ORIHUELA, also known as Aston Carlo Orihuela, ("Respondent") alleges as follows:

1.

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, makes this Accusation in her official capacity.

2.

Respondent presently 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 (License ID 01745309). Respondent's license is set to expire on May 25, 2022, unless renewed.

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ACCUSATION

(CRIMINAL CONVICTION)

3.

On or about June 21, 2018, in the Superior Court of California, County of San Diego, Case No. CS298688, Respondent was convicted on a plea of guilty for violation of Vehicle Code section 20001(a) (hit and run with injury), a misdemeanor pursuant to Penal Code 17(b). The court suspended the imposition of sentence and placed Respondent on summary probation for three (3) years under certain terms and conditions, including in part, serving one hundred and eighty (180) days in county jail, or in lieu of custody, completion of the County Parole and Alternative Custody ("CPAC") program.

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.

(FAILURE TO REPORT CONVICTION)

6.

Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "the conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or misdemeanor" to the Department of Real Estate ("Department") within thirty (30) days of the conviction. Respondent failed to report in writing to the Department the conviction described in Paragraph 3 above, within thirty (30) days of the conviction date.

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ACCUSATION

7.

Respondent's failure to timely report the conviction described in Paragraph 3 above constitutes cause under Section 10186.2 of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

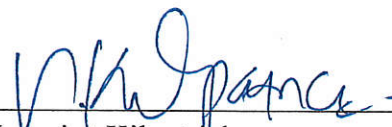
(COSTS OF INVESTIGATION AND ENFORCEMENT)

8.

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.

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 ASTON C. ORIHUELA 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 San Diego, California this 10 day of March, 2020.


Veronica Kilpatrick
Supervising Special Investigator

cc: ASTON C. ORIHUELA
Veronica Kilpatrick
Sacto.