

FILED

JAN 12 2022

DEPT. OF REAL ESTATE

By

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-05261 SD
)	
MARTA QUIROZ JAVIER,)	<u>A C C U S A T I O N</u>
)	
Respondent.)	
_____)	

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California for cause of Accusation against MARTA QUIROZ JAVIER ("Respondent") alleges as follows:

1.

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

2.

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 as a real estate salesperson (license no. 01809390).

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1 (CRIMINAL CONVICTION)

2 3.

3 On or about August 27, 2013, in the Superior Court of California, County of San
4 Diego, case no. SCN293983, Respondent was convicted of California Penal Code section
5 550(b)(1) (presenting an insurance claim with false facts), a misdemeanor. In part, Respondent
6 was sentenced to serve three (3) years of probation, perform fifty (50) hours of volunteer work,
7 and pay various fines and fees. This crime is substantially related to the qualifications,
8 functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California
9 Code of Regulations.

10
11 (FAILURE TO REPORT CONVICTION)

12 4.

13 As of on or about August 1, 2021, Respondent had failed to report the
14 convictions, as described in Paragraph 3, above, to the Department of Real Estate.

15 5.

16 Respondent's failure to report the conviction, as described in described in
17 Paragraph 3, above, constitutes cause under California Business and Professions Code section
18 10186.2 for the suspension or revocation of the license and license rights of Respondent under
19 the Real Estate Law.

20
21 (FAILURE TO REVEAL CONVICTION)

22 6.

23 On or about June 13, 2019, Respondent filed a Salesperson Renewal
24 Application. In response to Question 13 of her license renewal application, to wit: "WITHIN
25 THE SIX-YEAR PERIOD PRIOR TO FILING THIS APPLICATION, HAVE YOU EVER
26 BEEN CONVICTED (SEE PARAGRAPH ON PAGE 1) OF ANY VIOLATION OF THE
27 LAW AT THE MISDEMEANOR OR FELONY LEVEL? IF YES, COMPLETE ITEM 19

1 WITH INFORMATION ON EACH CONVICTION,” Respondent answered, “No,” and failed
2 to reveal the conviction described in Paragraph 3, above.

3 7.

4 In aggravation, on or about July 11, 2015, Respondent filed a Salesperson
5 Renewal Application. In response to Question 13 of her license renewal application, to wit:
6 “WITHIN THE SIX-YEAR PERIOD PRIOR TO FILING THIS APPLICATION, HAVE YOU
7 EVER BEEN CONVICTED (SEE PARAGRAPH ON PAGE 1) OF ANY VIOLATION OF
8 THE LAW AT THE MISDEMEANOR OR FELONY LEVEL? IF YES, COMPLETE ITEM
9 19 WITH INFORMATION ON EACH CONVICTION,” Respondent answered, “No,” and
10 failed to reveal the conviction described in Paragraph 3, above.

11 8.

12 Respondent’s failure to reveal the conviction on her 2019 license renewal
13 application constitutes knowingly making a false statement of material facts required to be
14 revealed in said application, which is grounds for denial of the issuance of a license under
15 California Business and Professions Code sections 475(a)(1), 480(d), and 10177(a).

16 9.

17 These proceedings are brought under the provisions of Section 10100, Division
18 4 of the Business and Professions Code of the State of California and Sections 11500 through
19 11528 of the California Government Code.


20
21 (COSTS)

22 10.

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

1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of
4 Division 4 of the California Business and Professions Code) of Respondent MARTA QUIROZ
5 JAVIER for the cost of investigation and enforcement as permitted by law, and for such other
6 and further relief as may be proper under applicable provisions of law.

7 Dated at Los Angeles, California: January 10, 2022.

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10 Maria Suarez
11 Supervising Special Investigator
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24 cc: MARTA QUIROZ JAVIER
25 New Palace Realty & Investments, Inc.
26 Veronica Kilpatrick
27 Maria Suarez
Sacto.