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FILED

APR 20 2022

DEPT. OF REAL ESTATE

By *Kevin H. Sun*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-05298 SD
	)	
SHERYL LUONGO,	)	<u>ACCUSATION</u>
	)	
Respondent.	)	
	)	

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, for cause of Accusation against SHERYL LUONGO also known as "Sheryl Ann Henning", "Sheryl Luongo-Henning", "Sheryl Ann Luongo", and "Sheryll Ann Henning" ("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.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

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ACCUSATION

1 LICENSE HISTORY

2 3.

3 a. Respondent is currently licensed and/or has license rights under the Real
4 Estate Law, Part 1 of Division 4 of the California Business and Professions Code, as a real
5 estate salesperson ("RES"), Department of Real Estate¹ ("Department") license ID 00955446.

6 b. The Department originally issued Respondent's RES license on or about
7 March 17, 1987.

8 c. Respondent's RES license scheduled to expire on April 16, 2025, unless
9 renewed.

10 CAUSE FOR DISCIPLINE

11 (CRIMINAL CONVICTION)

12 4.

13 November 20, 2020; Penal Code ("PC") Section 417(a)(2)(a) - Misdemeanor

14 a. On or about May 22, 2019, in the Superior Court of California, San Diego
15 County, in Case No. **CD281792**, The People of the State of California v. Sheryl Ann Luongo et.
16 al., a felony complaint was brought against Respondent, among others, for violation of (1) PC
17 Section 550(a)(1) (insurance – present false claim), a felony, (2) PC Section 550(b)(1)
18 (insurance – present false information supporting claim), a felony, (3) PC Section 550(b)(2)
19 (insurance – make false statement supporting claim), a felony, (4) PC Section 550(b)(3)
20 (insurance – conceal event affecting claim), a felony, and (5) PC 186.10(a) (money laundering),
21 a felony.

22 b. On or about September 16, 2019, Respondent pled guilty to and was
23 convicted for violation of PC Section 550(b)(1) (insurance – present false information
24 supporting claim), a misdemeanor.

25
26
27 ¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate
under the Department of Consumer Affairs.

1 c. Also on or about September 16, 2019, the Court suspended the imposition of
2 sentence and placed Respondent on summary probation for 3 years under certain terms and
3 conditions, including, in part, 1 day jail, payment of restitution to victim in the amount of
4 \$4,456.42, and payment of fines and fees.

5 5.

6 The crime of which Respondent was convicted, by its facts and circumstances,
7 bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of
8 Regulations to the qualifications, functions or duties of a real estate licensee and constitutes
9 cause under **Code Sections 490 and 10177(b)** for the suspension or revocation of the license
10 and license rights of Respondent under the Real Estate Law.

11 SECOND CAUSE FOR DISCIPLINE

12 (FAILURE TO REPORT)

13 6.

14 Respondent did not report in writing to the Department of a felony complaint
15 being brought against her within thirty (30) days (May 22, 2019).

16 7.

17 Respondent did not report in writing to the Department of her conviction within
18 thirty (30) days of the conviction dates (September 16, 2019).

19 8.

20 Respondent's failure to report the felony complaint against her and her
21 conviction constitute causes for discipline under **Code Section 10186.2²** of the license and
22 license rights of Respondent under the Real Estate Law.

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24 _____
25 ² Pursuant to Business and Professions Code 10186.2: (a)(1) A licensee shall report any of the following to the
26 department: (A) The bringing of an indictment or information charging a felony against the licensee. (B) The
27 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or
misdemeanor. (c) Any disciplinary action taken by another licensing entity or authority of this state or of another
state or an agency of the federal government. (2)The report required by this subdivision shall be made in writing
within 30 days of the date of the bringing of the indictment or the charging of a felony, the conviction, or the
disciplinary action. (b) Failure to make a report required by this section shall constitute a cause for discipline.

1 9.

2 These proceedings are brought under the provisions of Section 10100, Division
3 4 of the Business and Professions Code of the State of California and Sections 11500 through
4 11528 of the California Government Code.

5 COSTS

6 10.

7 **Code Section 10106** provides, in pertinent part, that in any order issued in
8 resolution of a disciplinary proceeding before the Department, the Commissioner may request
9 the administrative law judge to direct a licensee found to have committed a violation of this part
10 to pay a sum not to exceed the reasonable costs of investigation and enforcement of the case .

11 PRAYER

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

18
19 Dated at San Diego, California this 18 day of April, 2022 .

20
21 
22 Veronica Kilpatrick
23 Supervising Special Investigator

24 cc: SHERYL LUONGO
25 Veronica Kilpatrick
26 Sacto.
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