

1 RICHARD K. UNO, Counsel III (SBN 98275)
2 Department of Real Estate
3 P. O. Box 137007
4 Sacramento, CA 95813-7007

5 Telephone: (916) 576-8700
6 (916) 576-7848 (Direct)
7 Email: Richard.Uno@dre.ca.gov



8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of
12 LEANDRO PONCE,
13 Respondent.

No. H- 7152 SAC
STATEMENT OF ISSUES

14 The Complainant, TRICIA D. PARKHURST, a Supervising Special Investigator
15 of the State of California, for Statement of Issues against LEANDRO PONCE (Respondent),
16 alleges as follows:

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18 Complainant makes this Statement of Issues in her official capacity.

19 2

20 On or about December 14, 2021, Respondent made application to the Department
21 of Real Estate of the State of California (Department) for a real estate salesperson license.

22 3


23 On or about April 15, 2019, in the Superior Court of the State of California,
24 County of Napa, Case No. 19CR000115, Respondent was convicted of violating Section
25 23153(a) of the California Vehicle Code (driving under the influence of alcohol or a drug
26 causing death/bodily injury) and Section 23153(b) of the California Vehicle Code (driving under
27 the influence of alcohol with blood alcohol over .08 causing bodily injury), both felonies and

1 crimes which bear a substantial relationship under Section 2910, Title 10, California Code of
2 Regulations to the qualifications, functions or duties of a real estate licensee.

3 4

4 Respondent's criminal convictions, as described in Paragraph 3, above, constitute
5 cause for denial of his application for a real estate license under Sections 10177(b) (further
6 grounds for disciplinary action-conviction of crime) and 480(a) (conviction of crime) of the
7 Code.

8 WHEREFORE, Complainant prays that the above-entitled matter be set for
9 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
10 authorize the issuance of, and deny the issuance of, a real estate salesperson license to
11 Respondent and for such other and further relief as may be proper in the premises.

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14 TRICIA D. PARKHURST
Supervising Special Investigator

15 Dated at Sacramento, California,
16 this 24th day of June, 2022.

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19 DISCOVERY DEMAND

20 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
21 Department hereby makes demand for discovery pursuant to the guidelines set forth in the
22 *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the
23 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
24 Administrative Hearings deems appropriate.