

FLAG

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916) 227-0789

FILED

NOV 04 2011

DEPARTMENT OF REAL ESTATE

By L. Frost

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Bar Order Against:)
12 JORGE RICHARD DE LA SIERRA,) DRE NO. H-11096 SF
13 Respondent,) BAR ORDER
14) (B&P Code § 10087)

15 Pursuant to section 10087(b) of the California Business and Professions Code
16 (hereinafter "the Code"), you, Respondent, were notified on May 20, 2011 of the intention of
17 the California Real Estate Commissioner (hereinafter "Commissioner") to issue a Bar Order
18 pursuant to section 10087(a) of the Code. You did not file a timely request for a hearing under
19 section 10087(b).

20 Pursuant to the authority granted by section 10087 of the Code, and after review
21 and consideration of the following facts, the Commissioner makes the following:

22 FINDINGS OF FACT

- 23 1. On or about August 24, 2004, the California Department of Real Estate
24 (herein "the Department") issued Respondent a real estate salesperson license.
- 25 2. On or about April 2, 2010, in the Superior Court of the State of California,
26 County of Santa Clara, Case No. CC828682, Respondent was convicted of violating section
27 532a(1) of the California Penal Code (filing a false financial statement), a misdemeanor which

1 bears a substantial relationship under section 2910, title 10, California Code of Regulations to the
2 qualification, functions or duties of a real estate licensee and constitutes grounds under section
3 490 and 10177(b) of the Code for the suspension or revocation of all licenses and license rights
4 of Respondent under Part 1 of Division 4 of the Code (herein "the Real Estate Law").

5 3. The events and circumstances leading to the above conviction are that
6 Respondent knowingly caused the home of his client to be deeded to Respondent without the
7 client's true knowledge or consent for Respondent's own benefit. Respondent's actions, as listed
8 above, constitute a crime involving dishonesty, fraud, deceit, and/or is reasonably related to the
9 qualifications, functions or duties of a person engaged in the real estate business in accordance
10 with the provision of the Real Estate Law.

11 4. On or about March 18, 2011, Respondent signed a Declaration under
12 penalty of perjury declaring that he freely and voluntarily agreed to surrender his licenses and
13 license rights under the Real Estate Law.

14 5. On or about April 12, 2011, the Commissioner approved the Order
15 Accepting Voluntary Surrender of Real Estate License regarding Respondent.

16 CONCLUSIONS OF LAW

17 Based on the findings set forth above, the Commissioner has determined that
18 Respondent has been convicted of a crime involving an offense involving fraud or deceit.

19 ORDER

20 NOW, THEREFORE, IT IS ORDERED, pursuant to the authority of section
21 10087 of the Code, that you, JORGE RICHARD DE LA SIERRA, are hereby barred and
22 prohibited for a period of thirty-six (36) months from the effective date of this Bar Order, from
23 engaging in any of the following activities in the State of California:

24 (A) Holding any position of employment, management, or control in a real
25 estate business;

26 (B) Participating in any business activity of a real estate salesperson or a real
27 estate broker;

1 (C) Engaging in any real estate related business activity on the premises where

2 a real estate salesperson or real estate broker is conducting business; and
3 participating in any real estate related business activity of a finance lender;
4 residential mortgage lender, bank, credit union, escrow company, title
5 company, or underwritten title company;

6 (D) Engaging in any business activity involving real estate that is subject to

7 regulation under this division.

8
9 THIS BAR ORDER IS EFFECTIVE IMMEDIATELY.

10 IT IS SO ORDERED

9/12/11

11 BARBARA J. BIGBY
12 Acting Real Estate Commissioner

13 
14 _____

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MAR 23 2011

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187000
3 Sacramento, CA 95818-7000
4 Telephone: (916) 227-0789

DEPARTMENT OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of:) NO. H-11096 SF
12)
13 JORGE RICHARD DE LA SIERRA,) NOTICE OF INTENTION
14) TO ISSUE BAR ORDER
15 Respondent.)

16
17 TO: JORGE RICHARD DE LA SIERRA
18 1550 S. Winchester Blvd.
19 Campbell, CA 95008
20

21 Pursuant to section 10087 of the California Business and Professions Code (herein
22 "the Code"), you, Respondent, are hereby notified of the intention of the California Real Estate
23 Commissioner (herein "Commissioner") to issue a Bar Order pursuant to Section 10087(a)(2) of
24 the Code on the following grounds:

25 On or about April 2, 2010, in the Superior Court of the State of California, County
26 of Santa Clara, Case No. CC828682, Respondent was convicted of violating section 532a(1) of
27 the California Penal Code (filing a false financial statement), a misdemeanor which bears a
substantial relationship under section 2910, title 10, of the California Code of Regulations to the
qualifications, functions, or duties of a real estate licensee and constituted grounds under sections
490 and 10177(b) of the Code for the suspension or revocation of all licenses and license rights

1 of Respondent under Part 1 of Division 4 of the Business and Professions Code (herein "the Real
2 Estate Law").

3 The events and circumstances leading to the above conviction are that Respondent
4 knowingly caused the home of his client to be deeded to Respondent without the client's true
5 knowledge or consent for Respondent's own benefit. Respondent's action as listed above
6 constitute a crime involving dishonesty, fraud, deceit, and/or is reasonably related to the
7 qualifications, functions or duties of a person engaged in the real estate business in accordance
8 with the provisions of the Real Estate Law.

9 Please take notice that the Commissioner seeks to bar and prohibit you for a
10 period of thirty-six (36) months from the effective date of the Bar Order from engaging in any of
11 the following activities in the State of California:

- 12 (A) Holding any position of employment, management, or control in a real estate
13 business;
- 14 (B) Participating in any business activity of a real estate salesperson or a real
15 estate broker;
- 16 (C) Engaging in any real estate related business activity on the premises where a
17 real estate salesperson or real estate broker is conducting business; and,
- 18 (D) Participating in any real estate related business activity of a finance lender,
19 residential mortgage lender, bank credit union, escrow company, title
20 company, or underwritten title company.

21
22 NOTICE OF RIGHT AND OPPORTUNITY FOR A HEARING

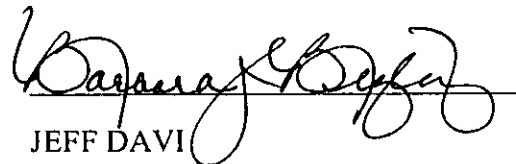
23 Pursuant to Section 10087 of the Code, you have the right to request a hearing under
24 the California Administrative Procedure Act (Chapter 4.5 – commencing with Section 11400 of the
25 Government Code). If you desire a hearing, you must submit a written request within fifteen (15)
26 days after the mailing or service of this "Notice of Intention to Issue Bar Order." The request
27 may be in any form provided it is in writing, includes your current return address, indicates that you

1 want a hearing, is signed by you or on your behalf, and is mailed to the Department of Real Estate,
2 P. O. Box 187007, Sacramento, California 95818-7007, attention: Legal Section; or, delivered
3 personally to the offices of the Department of Real Estate, 2201 Broadway, Sacramento,
4 California.

5 If no hearing is requested within said fifteen (15) day time period, your failure to
6 request a hearing shall constitute a waiver of the right to a hearing.

7 YOU ARE IMMEDIATELY PROHIBITED FROM ENGAGING IN ANY
8 BUSINESS ACTIVITY INVOLVING REAL ESTATE THAT IS SUBJECT TO
9 REGULATION UNDER THE REAL ESTATE LAW.

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11 It is so ordered this 21st day of March, 2011.

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13 
14 JEFF DAVI

15 Real Estate Commissioner

16 BY: Barbara J. Bigby
17 Chief Deputy Commissioner
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