

FILED

June 14, 2011

1 KENNETH C. ESPELL, (SBN 178757)
2 Real Estate Counsel II
3 Department of Real Estate
4 P. O. Box 187007
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DEPARTMENT OF REAL ESTATE

By 

Telephone: (916) 227-0789
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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	H-11158 SF
)	
)	
12 LEONORA CAYETANO POMAR,)	<u>ACCUSATION</u>
)	
)	
13 Respondent.)	
)	

16 The Complainant, E. J. HABERER II, in his official capacity as a Deputy Real
17 Estate Commissioner of the State of California, for cause of Accusation against LEONORA
18 CAYETANO POMAR a.k.a. Leonora C. Pomar (hereinafter "Respondent"), is informed and
19 alleges as follows:

20 1

21 Respondent is presently licensed and/or has license rights under the Real Estate
22 Law (Part 1 of Division 4 of the Business and Professions Code) (hereinafter "the Code") as a
23 real estate salesperson.

24 2


25 On or about April 22, 2011, in United States District Court for the Northern
26 District of California, in case number CR-10-00142-001 SI, Respondent was convicted of
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1 violating 11 U.S.C. Section 1349 (Conspiracy to Commit Mail Fraud) a felony which bears a
2 substantial relationship under Section 2910, Title 10, California Code of Regulations
3 ("Regulations"), to the qualifications, functions, or duties of a real estate licensee.

4 3

5 Respondent's conviction as alleged in Paragraph 2, above, constitutes cause for
6 suspension or revocation of all licenses and license rights of Respondent under Sections 490
7 and 10177(b) of the Code.

8 WHEREFORE, Complainant prays that a hearing be conducted on the
9 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
10 disciplinary action against all licenses and license rights of Respondent under the Real Estate
11 Law (Part 1 of Division 4 of the Business and Professions Code), and for such other and further
12 relief as may be proper under the provisions of law.

13
14 
15 E. J. HABERER II
16 Deputy Real Estate Commissioner

17 Dated at Oakland, California,
18 this 8th day of June, 2011.

19 **DISCOVERY DEMAND:**

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