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FILED
JUN 28 2002
DEPARTMENT OF REAL ESTATE

By *K. Miederholtz*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of	)	No. H-29376 LA
CARLOS BOCHE,	)	
Respondent.	)	

DISMISSAL

On June 13, 2002, respondent withdrew his application for a real estate salesperson license and his Notice of Defense requesting a hearing. The Statement of Issues herein filed on January 29, 2002, against Respondent CARLOS BOCHE is dismissed.

IT IS SO ORDERED this 24th day of June, 2002.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner

Paula Reddish Zinnemann

File

**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

FILED
DEPARTMENT OF REAL ESTATE
2002

In the Matter of the Application of

CARLOS BOCHE,

By *R. Miedorhoff*

Case No. H-29376 LA

OAH No. L-2002040641

Respondent

NOTICE OF HEARING ON APPLICATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 320 West Fourth Street, Ste. 630, Los Angeles, CA on June 13, 2002, at the hour of 10:00 a.m., or as soon thereafter as the matter can be heard, upon the Statement of Issues served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearing within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay for his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: April 30, 2002

By *C. J. C.*

Counsel

cc: Carlos Boche
Prudential VP Corporation
Sacto
OAH
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*Boche
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ELLIOTT MAC LENNAN, SBN 66674
Department of Real Estate
320 West 4th Street, Ste. 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6911 (direct)
-or- (213) 576-6982 (office)

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JAN 29 2002
DEPARTMENT OF REAL ESTATE

By K. Niederholt

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of
CARLOS BOCHE,
Respondent.

No. H-29376 LA

STATEMENT OF ISSUES

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against CARLOS BOCHE aka Carlos Roberto Boche aka Pablo Arevalo. (respondent) is informed and alleges in his official capacity as follows:

1

Respondent made application to the Department of Real Estate of the State of California for a real estate salesperson license on or about June 22, 2000, subject to Section 10153.4(c) under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code) (Code) with the knowledge and understanding that any license issued as a result

1 of said application would be subject to the conditions of Section
2 10153.4 California Business and Professions Code) (Code).

3 2

4 In response to Question 25 of said license application,
5 to wit: "Have you ever been convicted of any violation of law?
6 (You may omit convictions for drunk driving, reckless driving,
7 and minor traffic citation which do not constitute a misdemeanor
8 or felony offense)." Respondent checked the box denoting "No".
9 Respondent failed to disclose the conviction set forth below.

10 3

11 On August 4, 1992, in the Los Angeles Superior Court,
12 County of Los Angeles, State of California, respondent using the
13 name "Pablo Arevalo" was convicted upon a guilty plea to
14 violating one count of Section 496(1) (grand theft of property),
15 a felony crime.

16 4

17 Respondent's failure to reveal the conviction in his
18 application, constitutes an attempt to procure a real estate
19 license by fraud, misrepresentation or deceit or by making a
20 material misstatement of fact on his application, which is cause
21 for denial of respondent's application for a real estate
22 salesperson's license under Code Sections 475(a), 480(c) and
23 10177(a).

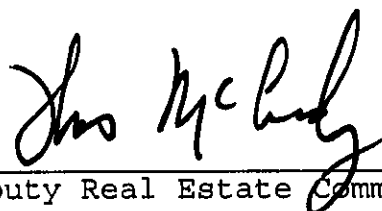
The crime set forth above constitutes cause for denial of respondent's application for a real estate license under Sections 480(a) and 10177(b) of the Code.

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

WHEREFORE, Complainant prays that the above-entitled matter be set for hearing and, that upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to Respondent CARLOS BOCHE and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 29th day of January, 2002



Deputy Real Estate Commissioner

cc: Carlos Boche
Sacto
EE/RJ
Prudential VP Corporation