

*Sub. files*

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**FILED**

MAY 08 2012

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )	No. H- 38120 LA
12 JAHMALL B. ELLIS, )	<u>STATEMENT OF ISSUES</u>
13 Respondent. )	
14 _____ )	

15 The Complainant, Robin Trujillo, a Deputy Real Estate  
16 Commissioner of the State of California, acting in her official  
17 capacity, for Statement of Issues against JAHMALL B. ELLIS aka  
18 Jahmall Batiste Ellis aka Jahmall Batist Ellis ("Respondent")  
19 alleges as follows:

20 1.

21 On or about April 18, 2011, Respondent made  
22 application to the Department of Real Estate of the State of  
23 California for a real estate salesperson license.

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1 (CRIMINAL CONVICTIONS)

2 2.

3 On or about May 20, 1996, in the Municipal Court of  
4 West Los Angeles Courthouse Judicial District, County of Los  
5 Angeles, California, Case No. 95W05037, Respondent was convicted  
6 of violating California Penal Code Section 484(a) (petty theft),  
7 a misdemeanor. Said crime bears a substantial relationship to  
8 the qualifications, functions, or duties of a real estate  
9 licensee under Section 2910, Title 10, Chapter 6, California  
10 Code of Regulations.

11 3.

12 On or about March 26, 1997, in the Municipal Court of  
13 Torrance Courthouse Judicial District, County of Los Angeles,  
14 California, Case No. 7SB02417, Respondent was convicted of  
15 violating California Penal Code Section 484(a) (petty theft), a  
16 misdemeanor. Said crime bears a substantial relationship to the  
17 qualifications, functions, or duties of a real estate licensee  
18 under Section 2910, Title 10, Chapter 6, California Code of  
19 Regulations.

20 4.

21 On or about September 29, 1997, in the Municipal Court  
22 Court, Consolidated Fresno Judicial District, County of Fresno,  
23 California, Case No. 97905945-2, Respondent was convicted of  
24 violating California Penal Code Section 487(a) (grand theft), a  
25 felony. Said crime bears a substantial relationship to the  
26 qualifications, functions, or duties of a real estate licensee  
27

1 under Section 2910, Title 10, Chapter 6, California Code of  
2 Regulations.

3 5.

4 On or about May 5, 1998, in the Municipal Court of  
5 Long Beach Judicial District, County of Los Angeles, California,  
6 Case No. 8LL03536, Respondent was convicted of violating  
7 California Vehicle Code Section 14601.1(a) (driving with a  
8 suspended license), a misdemeanor. Said crime bears a  
9 substantial relationship to the qualifications, functions, or  
10 duties of a real estate licensee under Section 2910, Title 10,  
11 Chapter 6, California Code of Regulations.

12 6.

13 On or about September 21, 2000, in the Municipal Court  
14 of Beverly Hills Judicial District, County of Los Angeles,  
15 California, Case No. 0BH01351, Respondent was convicted of  
16 violating California Vehicle Code Section 23152(b) (driving with  
17 a blood alcohol level of 0.08 percent or more), a misdemeanor.  
18 Said crime bears a substantial relationship to the  
19 qualifications, functions, or duties of a real estate licensee  
20 under Section 2910, Title 10, Chapter 6, California Code of  
21 Regulations.

22 7.

23 On or about July 8, 2002, in the Superior Court of  
24 California, County of Los Angeles, Case No. 2WL12892, Respondent  
25 was convicted of violating California Vehicle Code Section  
26 14610(a)(1) (displaying a suspended or fictitious driver's  
27 license), a misdemeanor. Said crime bears a substantial

1 relationship to the qualifications, functions, or duties of a  
2 real estate licensee under Section 2910, Title 10, Chapter 6,  
3 California Code of Regulations.

4 8.

5 On or about June 4, 2003, in the Superior Court of  
6 California, County of Los Angeles, Case No. 3MT04665, Respondent  
7 was convicted of violating California Vehicle Code Section  
8 14601.1(a) (driving with a suspended license), a misdemeanor.  
9 Said crime bears a substantial relationship to the  
10 qualifications, functions, or duties of a real estate licensee  
11 under Section 2910, Title 10, Chapter 6, California Code of  
12 Regulations.

13 9.

14 On or about September 22, 2003, in the Superior Court  
15 of California, County of Los Angeles, Case No. 3SB06001,  
16 Respondent was convicted of violating California Penal Code  
17 Section 470b (displaying a driver's license with the intent of  
18 facilitating forgery), a misdemeanor. Said crime bears a  
19 substantial relationship to the qualifications, functions, or  
20 duties of a real estate licensee under Section 2910, Title 10,  
21 Chapter 6, California Code of Regulations.

22 10.

23 The crimes of which Respondent was convicted as  
24 alleged herein constitute cause for denial of Respondent's  
25 application for a real estate license under California Business  
26 and Professions Code Sections 475(a)(2), 480(a), and 10177(b).

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1 (FAILURE TO REVEAL CONVICTION)

2 11.

3 In response to Part D - Question 1 of his license  
4 application, to wit: "HAVE YOU EVER BEEN CONVICTED OF A  
5 MISDEMEANOR OR FELONY? CONVICTIONS EXPUNGED UNDER PENAL CODE  
6 SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT MINOR  
7 TRAFFIC CITATIONS WHICH DO NOT CONSTITUTE A MISDEMEANOR OR  
8 FELONY," Respondent answered "Yes," and failed to reveal the  
9 conviction described in Paragraph 5, above.

10 12.

11 Respondent's failure to reveal the conviction in his  
12 license application constitutes knowingly making a false  
13 statement of material fact required to be revealed in said  
14 application, which is grounds for denial of the issuance of a  
15 license under California Business and Professions Code Sections  
16 475(a)(1), 480(c), and 10177(a).

17  
18 (PRIOR LICENSE APPLICATION DENIAL)

19 13.

20 On or about February 7, 2007, in case no. H-33163 LA  
21 and L-2006100115, the Commissioner of the Department of Real  
22 Estate adopted the Proposed Decision dated January 17, 2007,  
23 thereby denying Respondent's application for a real estate  
24 salesperson license. As more fully set forth in the Decision  
25 for the above-mentioned case, Commissioner of the Department of  
26 Real Estate established that grounds existed for the denial of  
27 Respondent's application under California Business and

1 Professions Code Sections 10177(b), 480(a)(1), 10177(a), and  
2 480(c).

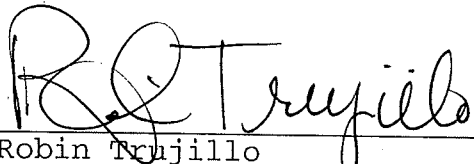
3 14.

4 The prior license action against Respondent as alleged  
5 in Paragraph 12, above, constitutes cause for denial of  
6 Respondent's application for a real estate license under  
7 California Business and Professions Code Section 10117(f).

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

12 WHEREFORE, the Complainant prays that the above-  
13 entitled matter be set for hearing and, upon proof of the  
14 charges contained herein, that the Commissioner refuse to  
15 authorize the issuance of, and deny the issuance of, a real  
16 estate salesperson license to Respondent, JAHMALL B. ELLIS, and  
17 for such other and further relief as may be proper under other  
18 applicable provisions of law.

19 Dated at Los Angeles, California: April 30,  
20 2012.

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23 Robin Trujillo  
24 Deputy Real Estate Commissioner

25 cc: JAHMALL B. ELLIS  
26 Cori Michelle Sampson  
27 Robin Trujillo  
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