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**FILED**

**JUN 2 0 2012**

DEPARTMENT OF REAL ESTATE
BY: _____

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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| In the Matter of the Application of )<br><br>    TODD A. DEHERRERA,                )<br><br>                    Respondent.      )<br>_____ ) | No.  H- 38210 LA<br><br>STATEMENT OF ISSUES |

The Complainant, Robin Trujillo, a Deputy Real Estate
Commissioner of the State of California, acting in her official
capacity, for Statement of Issues against TODD A. DEHERRERA aka
Todd Allen DeHerrera ("Respondent") alleges as follows:

1.

On or about July 25, 2011, Respondent made application
to the Department of Real Estate of the State of California for
a real estate salesperson license.


(CRIMINAL CONVICTIONS)

2.

On or about August 18, 2000, in the Superior Court of
California, County of Santa Barbara, Case No. 1011629,
Respondent was convicted of violating California Vehicle Code

- 1 -

1  Section 23152(a) (driving under the influence), a misdemeanor.

2  Said crime bears a substantial relationship to the

3  qualifications, functions, or duties of a real estate licensee

4  under Section 2910, Title 10, Chapter 6, California Code of

5  Regulations.

6                                  3.

7        On or about October 18, 2004, in the Superior Court of

8  California, County of Los Angeles, Case No. 4PN01821, Respondent

9  was convicted of violating California Health and Safety Code

10  Section 11550(a) (under the influence of a controlled

11  substance), a misdemeanor.  Said crime bears a substantial

12  relationship to the qualifications, functions, or duties of a

13  real estate licensee under Section 2910, Title 10, Chapter 6,

14  California Code of Regulations.

15                                 4.

16        The crimes of which Respondent was convicted as

17  alleged herein constitute cause for denial of Respondent's

18  application for a real estate license under California Business

19  and Professions Code Sections 475(a)(2), 480(a), and 10177(b).

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21        (PRIOR LICENSE DISCIPLINE: DEPARTMENT OF INSURANCE)

22                                 5.

23        On or about October 9, 2008, the State of California,

24  Department of Insurance, in file no. LBB 4636-AP (AR), denied

25  Respondent's application for an unrestricted license to act as a

26  life-only agent and as an accident and health agent, and issued

27  a restricted license to act as a life-only agent and as an

1 accident and health agent pursuant to the provisions of

2 California Insurance Code Section 1742 and subject to certain

3 conditions and restrictions and all statutory and regulatory

4 requirements.  As more fully set forth in the Decision for the

5 above-mentioned case, the Department of Insurance established

6 that grounds existed for the denial of Respondent's application

7 based on the Special Notice of Defense and the allegations

8 contained in the Statement of Issues.  Said allegations include

9 convictions for driving under the influence, driving with a

10 suspended or revoked license, and using or being under the

11 influence of a controlled substance.

6.

13 The prior license action against Respondent as alleged

14 in Paragraph 5, above, constitutes cause for denial of

15 Respondent's application for a real estate license under

16 California Business and Professions Code Section 10117(f).

17 These proceedings are brought under the provisions of

18 Section 10100, Division 4 of the California Business and

19 Professions Code and California Government Code Sections 11500

20 through 11528.

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1    WHEREFORE, the Complainant prays that the above-

2 entitled matter be set for hearing and, upon proof of the

3 charges contained herein, that the Commissioner refuse to

4 authorize the issuance of, and deny the issuance of, a real

5 estate salesperson license to Respondent, TODD A. DEHERRERA, and

6 for such other and further relief as may be proper under other

7 applicable provisions of law.

8    Dated at Los Angeles, California: June 18, 2012.

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11 Robin Trujillo
   Deputy Real Estate Commissioner

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25 CC:   TODD A. DEHERRERA
      Sterling Properties & Estates, Inc.
26    Robin Trujillo
      Sacto
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- 4 -