

**FILED**

JUL 17 2013

DEPARTMENT OF REAL ESTATE  
BY: CR

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \*

|                                    |   |                |
|------------------------------------|---|----------------|
| In the Matter of the Accusation of | ) |                |
|                                    | ) | No. H-38654 LA |
| ERICK GIOVONNI BURTON,             | ) |                |
|                                    | ) |                |
| Respondent.                        | ) |                |
| _____                              | ) |                |

DEFAULT DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on March 14, 2013, and the findings of fact set forth herein are based on one or more of the following: (1) Respondents' express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

1. On or about November 1, 2012, Robin Trujillo made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California.

(a) On January 15, 2013, the Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent ERICK GIOVONNI BURTON at his last known mailing address on file with the Department of Real Estate ("Department"). The package was returned to the Department marked "Return to sender, attempted not known." An additional mailing by regular mail to the same address was also returned to the Department as not deliverable.

(b) No Notice of Defense has been received from Respondent.

(c) Respondent's Default was entered on March 14, 2013.

2. Respondent ERICK GIOVONNI BURTON ("Respondent"), is presently licensed, and/or has license rights under the Business and Professions Code as a real estate broker. Respondent has been licensed by the Department as a real estate broker since July 23, 2002, and was licensed as a salesperson before that time.

3. Respondent has also been the designated broker-officer of the following expired corporate real estate broker licensees: 1<sup>st</sup> Financial Services Inc., Lumen Capital Group Inc., Lumen Real Estate Inc.

4. At all times relevant herein, the main office address and location of the principal place of business maintained by Respondent with the Department was and is 1 World Trade Center, 8<sup>th</sup> Floor, Long Beach, CA 90831. Respondent's mailing address was and is P.O. Box 3088, Long Beach, CA 90853.

5. On February 7, 2012 and April 13, 2012, representatives of the Department attempted to contact Respondent at his main office address on record with the Department, at 1 World Trade Center, 8<sup>th</sup> Flr., Long Beach, CA 90831. On February 7, 2012, a representative of the Department mailed a letter to Respondent at his main office address. This letter was returned by the post office marked, "Attempted not known. Unable to forward." On April 13, 2012, representatives of the Department visited Respondent's main office address. At that time, the representatives discovered that Respondent never inhabited or used 1 World Trade Center, 8<sup>th</sup> Flr., Long Beach, CA 90831, and did not maintain an office out of which he conducted real estate activities at that location.

6. Beginning on or before February 7, 2012, and continuing to the present time, Respondent failed to maintain on file with the Department an address for an office constituting his principal place of business, in California. In addition, the information he provided to the Department was false and misleading.

#### DETERMINATION OF ISSUES

1. The standard of proof applied was clear and convincing proof to a reasonable certainty.

2. Respondent's conduct, acts and/or omissions, in failing to maintain on file with the Department an address for an office constituting his principal place of business in California, was in violation of Title 10, Chapter 6 of the California Code of Regulations, Regulation 2715 and Business and Professions Code Section 10162, and constitutes cause for the suspension or revocation of Respondent's license and license rights under the provisions of Business and Professions Code Sections 10165 and 10177(d), and 10176(i).

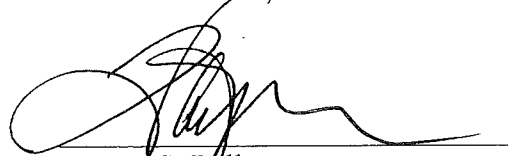
ORDER

All licenses and license rights of Respondent ERICK GIOVONNI BURTON under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on August 6, 2013.

DATED: 7/13/2013

REAL ESTATE COMMISSIONER



Wayne S. Bell

1 Department of Real Estate  
2 320 West Fourth Street, Suite 350  
3 Los Angeles, CA 90013

4 (213) 576-6982

**FILED**  
MAR 14 2013  
DEPARTMENT OF REAL ESTATE

By: Laura B. Olson

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of ) NO. H-38654 LA  
12 )  
13 ERICK GIOVONNI BURTON, ) DEFAULT ORDER  
14 )  
15 )  
16 Respondent. )

17 Respondent ERICK GIOVONNI BURTON, having failed to  
18 file a Notice of Defense within the time required by Section  
19 11506 of the Government Code, is now in default. It is,  
20 therefore, ordered that a default be entered on the record in  
21 this matter.

22 IT IS SO ORDERED MARCH 14, 2013.

23 Wayne S. Bell  
24 Real Estate Commissioner

25 By:

Phillip Ihde  
26 PHILLIP IHDE  
27 Regional Manager