

FILED

AUG 22 2013

BUREAU OF REAL ESTATE

By Norman Simon

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

11 In the Matter of the Application of) NO. H-39011 LA
)
 12 ABELARDO SIMON DIAZ,) STATEMENT OF ISSUES
)
 13 Respondent.)
 14 _____)

16 The Complainant, Robin Trujillo, a Deputy Real Estate
 17 Commissioner of the State of California, for Statement of Issues
 18 against ABELARDO SIMON DIAZ aka Abelardo Diaz and Abe Diaz
 19 ("Respondent"), is informed and alleges in her official capacity
 20 as follows:

1. 21

22 On or about September 28, 2012, Respondent submitted
 23 an application for a real estate salesperson license to the
 24 Bureau of Real Estate (formerly Department of Real Estate) of
 25 the State of California.

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27 ///

1 CAUSE FOR DENIAL

2 2.

3 On or about October 31, 2006, before the Superior
4 Court of California, County of Los Angeles, Case No. SA057683,
5 Respondent pled nolo contendere to and was convicted of
6 violating California Penal Code Section 422 (threaten with
7 intent to terrorize), a felony. Respondent was sentenced to 36
8 months formal probation, 365 days jail, restitution, fines, and
9 completion of a 52-week domestic violence counseling program.
10 On April 26, 2012, the conviction was set aside, reduced to a
11 misdemeanor and dismissed pursuant to Penal Code Section 1203.4.

12 3.

13 The circumstances surrounding the crime alleged above
14 in Paragraph 2 are substantially related under Title 10,
15 Chapter 6, Section 2910, California Code of Regulations, to the
16 qualifications, functions or duties of a real estate licensee.

17 4.

18 The crime of which Respondent was convicted, as
19 alleged above in Paragraph 2, constitutes cause for the denial
20 of Respondent's application for a real estate salesperson
21 license under Business and Professions Code Sections 475(a)(2),
22 475(a)(3), 480(a)(1), 480(a)(2), and 10177(b).

23 5.

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

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WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, 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, ABELARDO SIMON DIAZ, and for such other and further relief further relief as may be proper under applicable provisions of law.

Dated at Los Angeles, California
this 15 day of August, 2013.


ROBIN TRUJILLO
Deputy Real Estate Commissioner

cc: Abelardo Simon Diaz
Robin Trujillo
Sacto.