

BEFORE THE BUREAU OF REAL ESTATE

FILED

STATE OF CALIFORNIA

DEC 11 2014

BUREAU OF REAL ESTATE

In the Matter of the Accusation of)
)
JOSE LUIS CUAUTLE,)
)
Respondent.)
_____)

NO. H-39551 LA

By *[Signature]*

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 October 31, 2014, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1.

On July 14, 2014, Maria Suarez made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed by certified mail, return receipt requested, to Respondent at her address of record on July 24, 2014. On or about August 8, 2014, the certified mail was returned to the Bureau of Real Estate ("Bureau") as not deliverable. Thereafter, on or about October 1, 2014, service was again attempted by regular mail.

On October 31, 2014, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2.

Respondent was originally issued a real estate salesperson license by the Bureau on February 28, 2005. The license will expire on February 27, 2017.

3.

On or about January 17, 2013, in the Superior Court of California, County of Los Angeles, in Case No. 3DY00207, Respondent was convicted of violating Penal Code Section 484(a) (Petty Theft), a misdemeanor.

4.

The evidence established that the crime of which Respondent was convicted, as set forth above, is substantially related to the qualifications, functions and duties of a real estate licensee.

DETERMINATION OF ISSUES

1.

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 490 and 10177(b).

2.

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

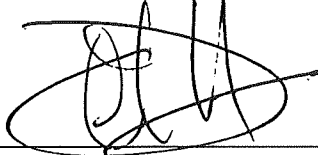
ORDER

The license and license rights of Respondent, JOSE LUIS CUAUTLE, 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 DEC 31 2014.

DATED: NOV 24 2014.

REAL ESTATE COMMISSIONER

A handwritten signature in black ink, appearing to be 'J. Mason', written over a horizontal line.

By: JEFFRY MASON
Chief Deputy Commissioner

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OCT 31 2014

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By 

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)

JOSE LUIS CUAUTLE,)

Respondent.)

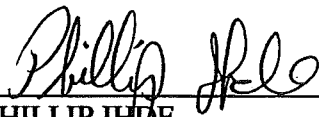
) NO. H-39551 LA

) DEFAULT ORDER

Respondent, JOSE LUIS CUAUTLE, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED OCTOBER 31, 2014.

Real Estate Commissioner

By: 
PHILLIP HYDE
Regional Manager