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FILED

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BUREAU OF REAL ESTATE

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By John C. Guille

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-39844 LA
)	
GREG FONSECA,)	<u>A C C U S A T I O N</u>
)	
Respondent.)	
_____)	

The Complainant, Veronica Kilpatrick, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against GREG FONSECA, a.k.a. Gregory Fonseca, Gregorio Fonseca, ("Respondent"), alleges as follows:

1.

The Complainant, Veronica Kilpatrick, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

2.

Respondent presently has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real estate broker.

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Accusation of Greg Fonseca

1 FIRST CAUSE OF ACTION

2 (CRIMINAL CONVICTION)

3 3.

4 On or about January 27, 2014, in the United States District Court for the Central
5 District of California, Case No. CR12-00190, Respondent was convicted for violation of Title
6 18 of the United States Code Section 1344 (bank fraud), a felony. Respondent was placed on
7 supervised release for 2 years. In addition, Respondent was prohibited from engaging as whole
8 or partial owner, employee, or otherwise, in any business involving mortgage brokering of any
9 kind, real estate loan programs, or any business involving real estate or escrow without the prior
10 approval of the probation officer. Furthermore, Respondent was prohibited from employment as
11 a mortgage broker, loan officer or at a position within the mortgage field without the advanced
12 approval of the probation officer. This conviction bears a substantial relationship under Section
13 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or
14 duties of a real estate licensee.

15 4.

16 The crime of which Respondent was convicted, as described in Paragraph 3
17 above, constitutes cause under Sections 490, 10177(b), and 10177(j) of the Code for the
18 suspension or revocation of the license and license rights of Respondent under the Real Estate
19 Law.

20 SECOND CAUSE OF ACTION

21 (FAILURE TO REVEAL)

22 5.

23 On or about January 30, 2013, Respondent filed a Broker Renewal Application.
24 In response to Question 5 of his application, to wit, "ARE THERE CRIMINAL CHARGES
25 PENDING AGAINST YOU AT THIS TIME?" Respondent answered "NO" and failed to
26
27

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1 reveal the Information filed against him on August 9, 2012, that resulted in the conviction as
2 described in Paragraph 3 above.

3 6.

4 Respondent's failure to reveal the Information in his Broker Renewal
5 Application constitutes knowingly making a false statement of material fact required to be
6 revealed in said application, which is grounds for revoking a license under California Business
7 and Professions Code sections 498 and 10177(a).

8 7.

9 California Business and Professions Code Section 10106, provides, in pertinent
10 part, that in any order issued in resolution of a disciplinary proceeding before the Bureau of
11 Real Estate, the Commissioner may request the administrative law judge to direct a licensee
12 found to have committed a violation of this part to pay a sum not to exceed the reasonable costs
13 of the investigation and enforcement of the case.

14 WHEREFORE, Complainant prays that a hearing be conducted on the
15 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
16 disciplinary action against all the licenses and license rights of Respondent GREG FONSECA
17 under the Real Estate Law for the cost of investigation and enforcement as permitted by law,
18 and for such other and further relief as may be proper under other applicable provisions of law.

19
20 Dated at San Diego, California

21 this 8 day of May, 2015

22
23 
24 Veronica Kilpatrick
25 Deputy Real Estate Commissioner

26 cc: GREG FONSECA
27 Veronica Kilpatrick
Sacto.

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