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FILED

AUG - 1 2016

BUREAU OF REAL ESTATE

By *[Signature]*

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of)	No. H-40336 LA
)	
ALAN JOSEPH HOEKSTRA,)	<u>STATEMENT OF ISSUES</u>
)	
Respondent.)	
_____)	

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for Statement of Issues against ALAN JOSEPH HOEKSTRA ("Respondent"), is informed and alleges in her official capacity as follows:

1.

On or about May 8, 2015, Respondent made application to the Bureau of Real Estate of the State of California for a real estate salesperson license.

(CRIMINAL CONVICTIONS)

2.

On or about November 30, 2007, in the Superior Court of California, County of Orange, Case No. 07CM11114, Respondent pled guilty to and was convicted for violation of California Vehicle Code Section 23152(a) (driving under the influence of alcohol), a misdemeanor. Respondent was placed on informal probation for 3 years. In addition,

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1 Respondent was ordered to complete 3 months of a Level 1 First Offender Alcohol Program
2 and to complete Mother's Against Drunk Driving Victim's Panel. This conviction bears a
3 substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations
4 to the qualifications, functions or duties of a real estate licensee.

5 3.

6 On or about February 13, 2007, in the Superior Court of California, County of
7 Orange, Case No. 06HF1160, Respondent pled guilty to and was convicted for violation of
8 California Penal Code Sections 243(3)(1) (domestic violence battery) and 422 (criminal
9 threats), misdemeanors. Respondent was placed on formal probation for 3 years and ordered to
10 serve 45 days in county jail. In addition, Respondent was ordered to complete Domestic
11 Violence Batterers' Treatment Program and 45 days of labor with the California Department of
12 Transportation. These convictions bear a substantial relationship under Section 2910, Title 10,
13 Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real
14 estate licensee.

15 4.

16 The crimes of which Respondent was convicted, as alleged in Paragraphs 2 and
17 3 above, constitute cause for denial of Respondent's application for a real estate license under
18 California Business and Professions Code Sections 475(a)(2), 480(a)(1), and 10177(b).

19 (FAILURE TO REVEAL CONVICTIONS)

20 5.

21 In response to Question 32 of Respondent's license application, to wit, "HAVE
22 YOU EVER BEEN CONVICTED...OF ANY VIOLATION OF THE LAW AT THE
23 MISDEMEANOR OR FELONY LEVEL? IF YES, COMPLETE ITEM 38 WITH
24 INFORMATION ON EACH CONVICTION," Respondent marked "NO" and failed to reveal
25 the convictions as alleged in Paragraphs 2 and 3 above.

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27 ///

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6.

Respondent's failure to reveal these convictions, as set forth in Paragraphs 2 and 3 above, in his license application constitutes an attempt to procure a real estate license by fraud, misrepresentation, deceit, making a false statement of material fact, or by omitting to state a material fact required to be revealed in said application, which is grounds for denial of the issuance of a license under California Business and Professions Code Sections 475(a)(1) and 10177(a).

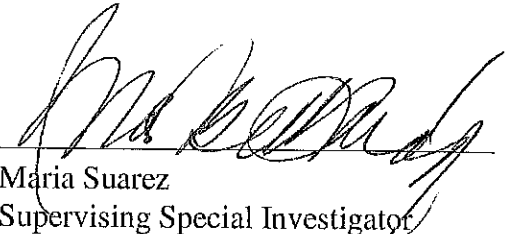
7.

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

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 ALAN JOSEPH HOEKSTRA and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 26th day of July, 2016


Maria Suarez
Supervising Special Investigator

cc: ALAN JOSEPH HOEKSTRA
Maria Suarez
Sacto.

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