

FILED

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BUREAU OF REAL ESTATE

By *John Aljink*

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7 BEFORE THE BUREAU OF REAL ESTATE
8 STATE OF CALIFORNIA

9 * * *

10 In the Matter of the Accusation of) CalBRE No. H-40355 LA
11)
SHARON KATE JIMENEZ,)
12) ACCUSATION
Respondent.)
13)

14 The Complainant, Maria Suarez, a Supervising Special Investigator for the Bureau of
15 Real Estate ("Bureau") of the State of California, for cause of Accusation against SHARON
16 KATE JIMENEZ ("Respondent"), is informed and alleges as follows:

17 1.

18 The Complainant, Maria Suarez, a Supervising Special Investigator for the Bureau,
19 makes this Accusation in her official capacity.

20 2.

21 Respondent is presently licensed and/or has license rights under the Real Estate Law
22 (Part 1 of Division 4 of the California Business and Professions Code, "Code").

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1 3.

2 From July 23, 2005, through the present, Respondent has been licensed by the Bureau as
3 a real estate salesperson, License ID 01701327.

4 CAUSE OF ACCUSATION

5 Failure to Disclose

6 4.

7 On November 30, 2014, Respondent submitted a Salesperson Renewal Application to
8 the Bureau. Respondent replied "No" in response to Question 4 of the application, to wit,
9 "WITHIN THE SIX-YEAR PERIOD PRIOR TO FILING THIS APPLICATION, HAVE YOU
10 BEEN CONVICTED OF A MISDEMEANOR OR FLEONY? **CONVICTIONS EXPUNGED**
11 **UNDER PENAL CODE SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU**
12 **MAY OMIT TRAFFIC CITATIONS WHICH DO NO CONSTITUTE A**
13 **MISDEMEANOR OR FELONY."** [emphasis in original]. Respondent failed to disclose the
14 convictions set forth below in Paragraphs 6, 7, and 8.

15 5.

16 In aggravation, on May 15, 2009, Respondent submitted a Salesperson Renewal
17 Application to the Bureau. Respondent replied "No" in response to Question 3 of the
18 application, to wit, "WITHIN THE PAST FOUR YEAR PERIOD, HAVE YOU BEEN
19 CONVICTED OF ANY VIOLATION OF LAW? **CONVICTIONS EXPUNGED UNDER**
20 **PENAL CODE SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY**
21 **ONLY OMIT TRAFFIC CITATIONS WHICH DO NO CONSTITUTE A**
22 **MISDEMEANOR OR FELONY."** [emphasis in original]. Respondent failed to disclose the
23 conviction set forth below in Paragraph 8.

1 duties of a real estate licensee under Section 2910 of the Regulations of the Real Estate
2 Commissioner, Title 10, Chapter 6, California Code of Regulations.

3 11.

4 Respondent's failure to disclose the convictions set forth above in Paragraphs 6, 7, and 8,
5 in her 2014 real estate salesperson license renewal application constitutes the procurement of a
6 real state license by misrepresentation, fraud or deceit, or by making a material misstatement of
7 fact in said application which is cause for the suspension or revocation of all licenses and license
8 rights of Respondent pursuant to Code sections 475, subdivision (a), and 10177, subdivision (a).

9 COST RECOVERY

10 12.

11 Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a
12 disciplinary proceeding before the Bureau, the Commissioner may request the Administrative
13 Law Judge to direct a licensee found to have committed a violation of this part to pay a sum not
14 to exceed the reasonable costs of the investigation and enforcement of the case.

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