

FILED

JUN 20 2017

BUREAU OF REAL ESTATE

By *[Signature]*

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7
8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of) No. H- 40678 LA
12)
13 GLORIA VASQUEZ ENCINAS,) STATEMENT OF ISSUES
14)
15 Respondent.)
16)

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
17 State of California, acting in her official capacity, for Statement of Issues against GLORIA
18 VASQUEZ ENCINAS ("Respondent") alleges as follows:

19 1.

20 On or about August 22, 2014, Respondent made application to the Bureau of
21 Real Estate of the State of California for a real estate salesperson license.

22 2.

23 Unless otherwise specified, all references to the "Code" are to the California
24 Business and Professions Code, and all references to "Regulations" are to Title 10, Chapter 6,
25 California Code of Regulations.

26 3.

27 From on or about March 24, 2001 to October 31, 2008, Respondent was licensed

1 and/or had license right under the Real Estate Law, Part 1 of Division 4 of the Code, as a real
2 estate broker (license no. 01035204). Previously, from on or about July 9, 1989 to March 23,
3 2001, Respondent was licensed and/or had license right as a real estate salesperson.

4
5 (REAL ESTATE LAW VIOLATION AND PRIOR LICENSE DISCIPLINE)

6 4.

7 On or about March 25, 2008, the Bureau of Real Estate¹ filed a First Amended
8 Accusation, in case no. H-34194 LA, against Respondent based on an audit that revealed
9 multiple violations of the Code and Regulations. These violations include, but are not limited
10 to, a \$232,756.93 trust fund shortage as of August 31, 2006 in violation of Code section 10145
11 and Regulations sections 2832.1, 2950(d), 2950(g), and 2951; unauthorized trust fund
12 disbursements totaling \$221,256.93 that resulted in a check being returned to the sellers due to
13 non-sufficient funds in violation of Code sections 10145, 10176(i), and 10177(g) and
14 Regulations section 2950(g); use of unlicensed fictitious names in violation of Code section
15 10159.5 and Regulation section 2731; and failure to provide documentation relating to its
16 escrow operations available for audit pursuant to Code section 10148 and Regulations section
17 2950(e).

18 5.

19 On or about October 1, 2008, the Bureau of Real Estate filed a Decision,
20 effective October 31, 2008, approving the Stipulation and Agreement signed by Respondent
21 revoking Respondent's real estate broker license; provided, however, a restricted real estate
22 salesperson license be issued to Respondent pursuant to certain terms and conditions.

23 6.

24 Thereafter, Respondent failed to obtain a restricted real estate salesperson
25 license.

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27 ¹ At the time, the now-Bureau of Real Estate was known as the Department of Real Estate.

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7.

On or about July 26, 2013, an Order Denying Reinstatement of License was filed against Respondent. Therein, the Commissioner found Respondent neither disclosed nor provided proof of payment toward a 2007 civil judgment of approximately \$75,952 or a 2009 judgment lien of approximately \$29,241 pursuant to Regulations section 2911(j), Respondent did not provide proof of correction of business practices pursuant to Regulations section 2911(k), and Respondent did not have a change in attitude pursuant to Regulations section 2911(n)(1).


8.

The prior license discipline and Respondent's conduct, acts, and/or omissions underlying the prior license discipline are grounds for denial of the issuance of a license under California Business and Professions Code sections 10177(d) and 10177(f).

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 GLORIA VASQUEZ ENCINAS and for such other and further relief as may be proper under other applicable provisions of law.

Dated at San Diego, California: June 15, 2017.


Veronica Kilpatrick
Supervising Special Investigator

cc: GLORIA VASQUEZ ENCINAS
R M E G Realty Incorporated
Sacto