

FILED

SEP - 7 2017

BUREAU OF REAL ESTATE

By Al Delou

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10 BEFORE THE BUREAU OF REAL ESTATE

11 STATE OF CALIFORNIA

12 * * *

13 In the Matter of the Application of)

No.H-40734 LA

14 CHENG-LIN WU,)

STATEMENT OF ISSUES

15)
16 Respondent.)
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19 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
20 State of California, for Statement of Issues against CHENG-LIN WU (Respondent) is informed
21 and alleges in her official capacity as follows:

22 1. On or about August 2, 2016, Respondent applied to the Bureau of Real Estate
23 of the State of California for a real estate salesperson license.
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FIRST CAUSE FOR DENIAL

(CRIMINAL CONVICTIONS)

2. On or about April 5, 2005, in the Superior Court of California, County of Los Angeles, case no. PA049677, Respondent was convicted of violating Health and Safety Code section 11379(A) (sale/trans of control substance), a felony.

3. On or about May 18, 2004, in the Superior Court of California, County of Los Angeles, case no. LA045313, Respondent was convicted of violating Penal Code section 484E(D) (theft of access cards or account information), a felony.

SECOND CAUSE FOR DENIAL

(FAILURE TO REVEAL CONVICTIONS)

4. In response to Question 28 of said application, to wit, "Have you ever been convicted of any violation of the law at the misdemeanor or felony level?", Respondent answered "Yes". However, Respondent failed to reveal the conviction described in Paragraph 2 above. Respondent disclosed a 2004 conviction for violating Penal Code Section 484E(D). However, he listed a case number (LA047334) for which he had received a Certificate of Rehabilitation, instead of the case number listed in Paragraph 3 above (LA045313).

5. The matters alleged in Paragraphs 2 and 3 are substantially related to the duties, functions and qualifications of a real estate licensee.

6. The matters alleged in Paragraphs 2 and 3 are grounds to deny Respondent's application under Sections 480(a)(1) and 10177(b) of the California Business and Professions Code.

1 7. Respondent's failure to reveal the matters set forth in Paragraph 4 in said
2 application constitutes the attempt to procure a real estate license by fraud, misrepresentation or
3 deceit, or by making a material misstatement of fact or knowingly making a false statement of
4 fact required to be revealed in said application, which failure is cause for denying Respondent's
5 application for a real estate license under Sections 480(d) and 10177(a) of the Code.

6 The Statement of Issues is brought under the provisions of Section 10100,
7 Division 4 of the Business and Professions Code of the State of California and Sections 11500
8 through 11528 of the Government Code.

9 WHEREFORE, the Complainant prays that the above-entitled matter be set for
10 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
11 authorize the issuance of, and deny the issuance of, a real estate salesperson license to
12 Respondent, and for such other and further relief as may be proper in the premises.

13 Dated at San Diego, California,

14 this 5th day of September, 2017.

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18 V. Kilpatrick
19 VERONICA KILPATRICK
20 Supervising Special Investigator

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23 cc: Cheng-Lin Wu
24 Veronica Kilpatrick
25 Sacto.