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FILED

SEP 07 2018

DEPARTMENT OF REAL ESTATE

By

John C. Gair

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-40994 LA
JOSEPH ALBERT BLANCO,) FIRST AMENDED ACCUSATION
Respondent.)

This First Amended Accusation amends the Accusation filed on April 4, 2018.
The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, for cause of Accusation against JOSEPH ALBERT BLANCO alleges as follows:

1.

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, makes this Accusation in his official capacity.

2.

JOSEPH ALBERT BLANCO (hereinafter referred to as "Respondent")
presently has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter referred to as the "Code")

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3.

Respondent was licensed by the Department of Real Estate of the State of California as a real estate broker effective January 13, 2009.

4.

On or about September 22, 2016, in the County of San Bernardino, Superior Court of California, case No. 16CR-052395, a misdemeanor complaint was filed against Respondent charging him with one count of violating Labor Code section 3700.5 (doing business as an uninsured employer), a misdemeanor, and one count of violating Penal Code section 148(a)(1) (resist, obstruct, delay of peace officer or EMT), a misdemeanor. On or about April 18, 2017, in case No. 16CR-052395, Respondent was convicted of violating Labor Code section 3700.5 (doing business as an uninsured employer).

5.

The above referenced matter bears a substantial relationship to the qualifications, functions, or duties of a real estate licensee under Title 10, Chapter 6, Section 2910, of the California Code of Regulations.

6.

Respondent's failure to report the conviction, as alleged in Paragraph 4 above, to the Department subjects his real estate license to disciplinary action under Sections 10186.2 and 10177(d) of the Code.

7.

Respondent's conviction, as alleged in Paragraph 4, is cause under Sections 490 and 10177(b) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

8.

On or about January 20, 2017, Respondent submitted an application to renew his real estate broker license. In response to Question 17, under Background Information" of

1 Respondent's license renewal application, to wit, "ARE THERE CRIMINAL CHARGES
2 PENDING AGAINST YOU AT THIS TIME, OR ARE YOU CURRENTLY AWAITING
3 JUDGMENT AND SENTENCING FOLLOWING ENTRY OF A PLEA OR JURY
4 VERDICT? IF YES, COMPLETE ITEM 22," Respondent marked "NO" and failed to
5 disclose the pending criminal charges as alleged in Paragraph 4, above. Respondent left Item 22
6 blank.

8 9.

9 Respondent's failure to reveal his pending criminal charges, as set forth in
10 Paragraph 4 above, in his license renewal application is cause under Section 10177(a) of the
11 Code for the suspension or revocation of all licenses and license rights of Respondent under the
12 Real Estate Law.

14 10.

15 California Business and Professions Code section 10106, provides, in pertinent
16 part, that in any order issued in resolution of a disciplinary proceeding before the Department of
17 Real Estate, the Commissioner may request the administrative law judge to direct a licensee
18 found to have committed a violation of this part to pay a sum not to exceed the reasonable costs
19 of the investigation and enforcement of the case.

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1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all the licenses and license rights of Respondent JOSEPH ALBERT
4 BLANCO under the Real Estate Law, for the costs of investigation and enforcement as
5 permitted by law, and for such other and further relief as may be proper under other applicable
6 provisions of law.

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8 Dated at San Diego, California this 29 day of August, 2018.
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11 V. Kilpatrick
12 Veronica Kilpatrick
13 Supervising Special Investigator
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25 cc: JOSEPH ALBERT BLANCO
26 Veronica Kilpatrick
27 Sacto.