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FILED

APR 05 2019

DEPT. OF REAL ESTATE

By *John C. Gault*

10 BEFORE THE DEPARTMENT OF REAL ESTATE
11 STATE OF CALIFORNIA

12 * * *

13 In the Matter of the Application of) No. H-41333 LA
14)
15 LUIZ ALBERTO VELASCO,) STATEMENT OF ISSUES
16)
17 Respondent.)

18 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
19 State of California, for Statement of Issues against LUIZ ALBERTO VELASCO, also known
20 as Luis Alberto Velasco, Luis Velasco, Luiz Velasco, and Luiz A. Velasco (“Respondent”), is
21 informed and alleges in her official capacity as follows:

22 1.

23 On or about June 13, 2018, Respondent made application to the Department of
24 Real Estate (“Department”)¹ of the State of California for a real estate salesperson license.

25 //

26 _____
27 ¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate was known as the Bureau of Real Estate

1 FIRST CAUSE FOR DENIAL

2 (CRIMINAL CONVICTIONS)

3 2.

4 On or about June 19, 2009, in the Superior Court of California, County of
5 Riverside, Case No. SWM086096, Respondent was convicted on plea of guilty for violation of
6 Penal Code section 243(E)(1) (battery against a spouse, former spouse, or cohabitant), and
7 violation of Penal Code section 148(A)(1) (resisting or obstructing a public officer), both
8 misdemeanors. Respondent was placed on summary probation for 36 months on certain terms
9 and conditions, including commitment to the custody of the Riverside County Sheriff for 22
10 days, with credit for time served of 3 actual days, performing 20 hours of community service
11 through a volunteer center, enrollment in and completion of a 52-week Domestic Violence
12 Program, and payment of fines and fees.

13 3.

14 On or about October 24, 2011, in the Superior Court of California, County of
15 Riverside, Case No. SWM1107361, Respondent was convicted on a plea of guilty for violation
16 of Penal Code section 602.5(a) (entering a noncommercial dwelling without consent), violation
17 of Penal Code section 594(a) (defacing with graffiti and other inscribed material property that
18 was not his own), and violation of Vehicle Code section 12500(a) (driving without a license),
19 all misdemeanors. Respondent was placed on summary probation for 36 months on certain
20 terms and conditions, including commitment to the custody of the Riverside County Sheriff for
21 4 days, with credit given for time served of 2 actual days, plus 2 days pursuant to Penal Code
22 section 4019 for a total of four days, payment of victim restitution, and payments of fines and
23 fees.

24 4.

25 On or about July 7, 2014, in the Superior Court of California, County of
26 Riverside, Case No. SWF1400400, Respondent was convicted on a plea of guilty for violation
27 of Penal Code section 245(A)(4) (assault by means of force likely to produce great bodily

1 injury), a felony. Respondent was placed on 3 years formal probation on certain terms and
2 conditions, including commitment to the Riverside County Sheriff for 217 days, with credit for
3 time served of 109 actual days, plus 108 days pursuant to Penal Code section 4019 for a total of
4 217 days, staying 100 yards away from, and not entering the premises described as JC Penney's
5 in Temecula, and payment of fines and fees.

6 5.

7 The crimes of which Respondent was convicted, as described in Paragraphs 2-4
8 above, constitute cause for denial of Respondent's application for a real estate license under
9 California Business and Professions Code sections 480(a)(1) and 10177(b).

10
11 SECOND CAUSE FOR DENIAL

12 (FAILURE TO DISCLOSE CONVICTION)

13 6.

14 On or about June 13, 2018, Respondent submitted an application for a real estate
15 salesperson license. In response to Question 23, under "BACKGROUND INFORMATION," of
16 Respondent's license application, to wit, "HAVE YOU EVER BEEN CONVICTED (**SEE**
17 **PARAGRAPH ABOVE**) OF ANY VIOLATION OF THE LAW AT THE MISDEMEANOR
18 **OR FELONY LEVEL? IF YES, COMPLETE ITEM 29 WITH INFORMATION ON**
19 **EACH CONVICTION,**" Respondent marked "YES;" however, Respondent failed to disclose
20 the convictions as alleged in Paragraph 3 in Item 29 of the application.

21 7.

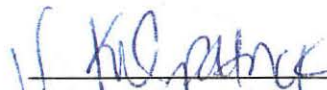
22 Respondent's failure to disclose the convictions, as set forth in Paragraph 3,
23 above in his license application constitutes an attempt to procure a real estate license by fraud,
24 misrepresentation, or deceit, or by making a material misstatement of fact in an application,
25 which is grounds for denial of the issuance of a license under California Business and
26 Professions Code Section 10177(a).

8.

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 LUIZ ALBERTO VELASCO and for such other and further relief as may be proper under other applicable provisions of law.

Dated at San Diego, California this 2nd day of April, 2019.



Veronica Kilpatrick
Supervising Special Investigator

cc: LUIZ ALBERTO VELASCO
Veronica Kilpatrick
Sacto.