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**FILED**

**DEC 17 2019**

**DEPT. OF REAL ESTATE**

By 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of ) No. H-41561 LA  
)  
TAYLOR ANTHONY ZAPPULLA, ) STATEMENT OF ISSUES  
)  
Respondent. )  
\_\_\_\_\_ )

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for Statement of Issues against TAYLOR ANTHONY ZAPPULLA ("Respondent") alleges as follows:

1.

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, makes this Statement of Issues in her official capacity.

2.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

3.

On or about February 4, 2019, Respondent made application to the Department of Real Estate of the State of California for a real estate salesperson license.

STATEMENT OF ISSUES

1 FIRST CAUSE FOR DENIAL

2 (LICENSE DISCIPLINE BY ANOTHER AGENCY)

3 4.

4 March 22, 2019; Bureau of Automotive Repair Case No. 79/17-20391

5 On or about March 22, 2019, Department of Consumer Affairs, Bureau of  
6 Automotive Repair ("BAR") revoked, via a Stipulated Revocation of License and Order  
7 ("Stipulation and Order"), Respondent's Smog Check Inspector ("SCI") license in Case No.  
8 79/17-20391. On or about May 28, 2018, an accusation was filed against Respondent for the  
9 following causes of action: (1) untrue or misleading statement, (2) violation of motor vehicle  
10 inspection program, (3) failure to comply with regulations pursuant to the motor vehicle  
11 inspection program, (4) dishonesty, fraud, or deceit, (5) violation of motor vehicle inspection  
12 program, (6) failure to comply with regulations pursuant to the motor vehicle inspection  
13 program, and (7) dishonesty, fraud, or deceit. In the Stipulation and Order, Respondent  
14 admitted "the truth of each and every charge and allegation in the Accusation."

15 5.

16 The facts of the case, pursuant to the accusation, are as follows: Respondent was issued  
17 his SCI license, No. EO 637331, by BAR. From January 2017 to December 2017, Respondent  
18 conducted smog inspections/checks on motored vehicles. Upon an inspection by BAR, it was  
19 discovered that on six (6) occasions, Respondent generated fraudulent Smog Certificate of  
20 Compliance for vehicles through clean plugging/piping. Respondent used the information from  
21 another vehicle during a smog inspection to issue a smog certificate for a vehicle that would not  
22 have otherwise passed the inspection.

23 6.

24 The prior license denial against Respondent, as alleged in Paragraphs 4 and 5  
25 above, constitutes cause for the denial of Respondent's application for a real estate license  
26 under Business and Professions Code section 10177(f).

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1 7.

2 These proceedings are brought under the provisions of Section 10100, Division  
3 4 of the Business and Professions Code of the State of California and Sections 11500 through  
4 11528 of the California Government Code.

5 PRAYER

6 WHEREFORE, the Complainant prays that the above-entitled matter be set for  
7 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to  
8 authorize the issuance of, and deny the issuance of, a real estate salesperson license to  
9 Respondent TAYLOR ANTHONY ZAPPULLA and for such other and further relief as may be  
10 proper under other applicable provisions of law.

11  
12 Dated at Los Angeles, California this 12th day of December, 2019.

13  
14   
15 Maria Suarez  
16 Supervising Special Investigator  
17  
18  
19

20 cc: TAYLOR ANTHONY ZAPPULLA  
21 Maria Suarez  
22 Sacto.  
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