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DEPT. OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

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In the Matter of the Accusation of)
ANDRONICO MALAGAR PELEN,) NO. H-41692 LA
Respondent.)

ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE

TO: ANDRONICO MALAGAR PELEN, Respondent
30170 Via Las Palmas
Thousand Palms, CA 92276

On February 11, 2021, a restricted real estate salesperson license was issued by the Department of Real Estate to Respondent on the terms, conditions and restrictions set forth in the Real Estate Commissioner's Decision of January 7, 2021, in Case No. H-41692 LA. This Order provided that the right to a restricted real estate salesperson license was subject to the provisions of Section 10156.7 of the California Business and Professions Code (hereinafter "Code"), and to enumerated limitations, conditions, and restrictions imposed under authority of section 10156.6 of that Code. Those limitations, conditions, and restrictions include, but are not limited, to the following:

1. Respondent shall, within nine months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

Cause exists to suspend and/or revocation of Respondent's real estate salesperson license based on his failure to meet the above conditions, limitations, and restrictions based on the following:

(1) On September 9, 2021, the Department of Real Estate, Licensing and Examinations, sent Respondent a letter stating "Department of Real Estate records reflect that, effective 02/11/2021, your real estate license was revoked with the right to a restricted license on terms and conditions, one of which requires that you submit within nine (9) months from the aforementioned effective date, evidence of having completed 45 hours of approved continuing education offerings as set forth in Section 10170, et seq., of the Real Estate Law...Our records indicate that you have not, as yet, satisfied this conviction. If you fail to submit evidence of your completion of the continuing education requirement on or about 11/11/2021, your license will be suspended, pending an administrative hearing. No other notices will be sent to you regarding this requirement and at this time you will not be given an additional extension of time to complete the courses. If compliance is not achieved prior to your license expiration date, you may not have the right to renew your restricted license."

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1 (2) As of December 13, 2021, the Sacramento Flag Section had not received a
2 response to their September 9, 2021 correspondence.

3 NOW, THEREFORE, IT IS ORDERED under the authority of Section 10186.1 of
4 the California Business and Professions Code ("Code") that the real estate license heretofore
5 issued to Respondent, and the exercise of any privileges, is hereby suspended automatically until
6 such time as Respondent provides proof satisfactory to the Commissioner that Respondent has
7 met their continuing education requirements, or pending final determination made after hearing
8 (see "Hearing Rights" set forth below).

9 IT IS FURTHER ORDERED that all license certificates and identification
10 cards issued by the Department which are in the possession of Respondent be immediately
11 surrendered by personal delivery or by mailing via the enclosed, self-addressed envelope to:

12 Department of Real Estate
13 Attn: Flag Section
14 P. O. Box 137007
15 Sacramento, CA 95818-7007

16 HEARING RIGHTS: Pursuant to the provisions of Section 10186.1(d) of
17 the Code, you have the right to a hearing to contest the automatic suspension imposed by the
18 Commissioner. If you desire a hearing, you must submit a written request. The request may be in
19 any form, as long as it is in writing and indicates that you want a hearing. Unless a written
20 request for a hearing, signed by or on behalf of you, is delivered or mailed to the Department at:

21 Department of Real Estate
22 Legal Section
23 Attn: Andrea Bentler
24 320 West 4th Street, Suite 350
25 Los Angeles, CA 90013

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1 within 20 days after the date that this Order was mailed to or served on you, the Department will
2 not be obligated or required to provide you with a hearing.

3 This Order is effective immediately.

4 DATED: 3.7.22.

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6 DOUGLAS R. McCAULEY
7 REAL ESTATE COMMISSIONER

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