

**FILED**

**JAN 20 2022**

**DEPT. OF REAL ESTATE**

By 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of: ) DRE No. H-42022 LA  
JOHN ANTHONY LOPEZ, )  
Respondent(s). )

---

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on December 20, 2021, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, JOHN ANTHONY LOPEZ (“Respondent”); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses and/or license rights on grounds of conviction of crimes that are substantially related to the qualifications, functions or duties of a real estate licensee and Respondent’s failure to timely report said convictions.

Pursuant to Government Code Section 11521, the California Department of Real Estate (“the Department”) may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department’s power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On May 18, 2021, Maria Suarez made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to Respondent,

and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on June 01, 2021.

2.

On December 20, 2021 no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

3.

Respondent has license rights as a restricted real estate broker license ID 01037267. The Department originally issued Respondent's RREB license on or about February 8, 1995. Respondent's RREB license is scheduled to expire on May 20, 2023, unless renewed. Pursuant to Code Section 10103, the Department retains jurisdiction.

4.

The Department has incurred investigation costs of \$2,126.88.

5.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on June 01, 2021, which is incorporated herein as part of this Decision.

#### DETERMINATION OF ISSUES

1.

The allegations contained in the Accusation, constitute cause under Sections 490 and 10177(b) (conviction of a crime substantially related to the qualifications, functions or duties of a real estate licensee) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

2.

Respondent did not report in writing to the Department of his arrest (Case No. **17CR13290**) being brought against him within seventy-two (72) hours (November 24, 2017). Respondent's failure to report his arrest constitutes grounds for suspension or revocation of his RREB license, per the Stipulation and Agreement in Case No. H-39717 LA.

3.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

///

ORDER

All licenses and licensing rights of Respondent JOHN ANTHONY LOPEZ under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on FEB 21 2022.

DATED: 1.18.22.

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER

Douglas R. McCauley 7

1 Department of Real Estate  
2 320 West Fourth St, Ste 350  
3 Los Angeles, CA, 90013

**FILED**

**DEC 20 2021**

**DEPT. OF REAL ESTATE**

By 

4  
5  
6  
7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of: ) DRE NO. *H-42022 LA*  
12 )  
13 JOHN ANTHONY LOPEZ, ) DEFAULT ORDER  
14 )  
Respondent. )

15 Respondent JOHN ANTHONY LOPEZ, having failed to file a Notice of  
16 Defense within the time required by Section 11506 of the Government Code, is now in  
17 default. It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED \_\_\_\_\_

19 DOUGLAS R. McCAULEY  
20 REAL ESTATE COMMISSIONER

21  
22 By: 

23 CHIKA SUNQUIST  
24 Assistant Commissioner, Enforcement  
25  
26  
27

# **EXHIBIT A**

1 Kevin H. Sun, Counsel (SBN 276539)  
2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105  
5 Telephone: (213) 576-6982  
6 Fax: (213) 576-6917  
7 Email: Kevin.Sun@dre.ca.gov  
8 *Attorney for Complainant*

**FILED**  
JUN 01 2021  
DEPT. OF REAL ESTATE  
By *[Signature]*

9 BEFORE THE DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of ) No. H-42022 LA  
13 JOHN ANTHONY LOPEZ, ) ACCUSATION  
14 Respondent. )

15  
16 The Complainant, Maria Suarez, a Supervising Special Investigator of the State  
17 of California, for cause of Accusation against JOHN ANTHONY LOPEZ, also known as  
18 "Jonathan Lopez", ("Respondent") alleges as follows:

19 1.

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

22 2.

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

25 ///  
26 ///  
27 ///

1 LICENSE HISTORY

2 3.

3 a. Respondent has license rights under the Real Estate Law, Part 1 of Division 4  
4 of the California Business and Professions Code, as a restricted real estate broker ("RREB"),  
5 Department of Real Estate<sup>1</sup> ("Department") license ID 01037267.

6 b. The Department originally issued Respondent's RREB license on or about  
7 February 8, 1995.

8 c. Respondent's RREB license is scheduled to expire on May 20, 2023, unless  
9 renewed.

10 (PRIOR DISCIPLINE)

11 (H-35926 LA)

12 4.

13 On or about May 6, 2009, the Department filed an Accusation, in Case No. H-  
14 35926 LA, for violation of (1) Code Section 10159.5 and Regulations Section 2731 (a) (use of  
15 unauthorized fictitious business name), and (2) Code Section 10162 and Regulations 2715  
16 (failure to maintain business and mailing address).

17 5.

18 On or about December 21, 2009, the Real Estate Commissioner issued an Order  
19 adopting the proposed decision of the Administrative Law Judge in Case No. H-35926 LA  
20 (OAH No. 2009061196), suspending Respondent's license for 90 days.

21 (H-39717 LA)

22 6.

23 On or about December 1, 2014, the Real Estate Commissioner issued an Order  
24 adopting the Stipulation and Agreement in Case No. H-39717 LA, revoking Respondent's real  
25

26  
27 <sup>1</sup> Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate  
under the Department of Consumer Affairs.

1 estate broker license, but with the right to a RREB license. The Stipulation and Agreement  
2 require that Respondent inform the Department of his arrest within 72 hours.

3 (SUSPENSION FOR FAMILY CODE SECTION 17520)

4 7.

5 On or about January 18, 2018, Respondent's RREB license was suspended for  
6 failure to comply with Family Code Section 17520 (compliance with a judgement or order for  
7 family support). On March 14, 2018, Respondent's suspension was released.

8 8.

9 On or about March 21, 2020, Respondent's RREB license was suspended for  
10 failure to comply with Family Code Section 17520 (compliance with a judgement or order for  
11 family support). On May 28, 2020, Respondent's suspension was released.

12 CAUSE FOR DISCIPLINE

13 (CRIMINAL CONVICTION)

14 9.

15 July 19, 2018; Penal Code ("PC") Sections 273.5(a) and 273A - Felonies

16 a. On or about December 26, 2017, in the Superior Court of California, Santa  
17 Barbara County, in Case No. 17CR13290, The People of the State of California v. Jonathan  
18 Lopez, a felony complaint was brought against Respondent for violation of (1) PC Section  
19 273.5(a) (corporal injury to spouse/cohabitant/former cohabitant/child's parent), a felony, with  
20 special allegations for great bodily injury under PC Section 12022.7(e) and  
21 serious/violent/registerable sex offense felony, (2) Vehicle Code ("VC") Section 2800.2(a)  
22 (evading an officer, willful disregard), a felony, (3) five counts of PC Section 273A(a) (child  
23 abuse), a felony, (4) VC Section 23152(a) (driving under the influence of alcohol), a  
24 misdemeanor, and (5) VC Section 23153(b) (driving with blood alcohol .08% or more causing  
25 bodily injury), a misdemeanor.

26 b. On or about July 19, 2018, Respondent pled guilty to and was convicted of  
27 violation of (1) PC Section 273.5(a) (corporal injury to spouse/cohabitant/former



1 cohabitant/child's parent), a felony, with special allegations for great bodily injury under PC  
2 Section 12022.7(e) and serious/violent/registerable sex offense felony, (2) VC Section  
3 2800.2(a) (evading an officer, willful disregard), a felony, (3) one count of PC Section 273A(a)  
4 (child abuse), a felony, (4) VC Section 23153(b) (driving with blood alcohol .08% or more  
5 causing bodily injury), a misdemeanor, with an enhancement for BAC over .15% per VC  
6 23598.

7 c. On or about August 23, 2018, the Court suspended the imposition of sentence  
8 and placed Respondent on supervised probation for 5 years under certain terms and conditions,  
9 including, in part, 365 days jail, pay restitution, enroll and complete 1 year Batterer's  
10 Intervention Program, driver's license suspended for 6 months, attend and complete 20 hours of  
11 public service work, enter and complete 52-week child abuser's treatment counseling program,  
12 enroll and complete a 9 month State licensed alcohol and drug program, and payment of fines  
13 and fees.

14 (IN AGGRAVATION)

15 10.

16 August 27, 2013; PC Section 602(k)- Misdemeanor

17 a. On or about August 27, 2013, in the Superior Court of California, Los  
18 Angeles County, in Case No. 3WA00554, Respondent pled no contest to and was convicted of  
19 violation of PC Section 602(k) (trespassing), a misdemeanor.

20 b. Also on or about August 27, 2013, the Court suspended the imposition of  
21 sentence and placed Respondent on summary probation for 12 months under certain terms and  
22 conditions, including, in part, payment of fines and fees.

23 11.

24 March 29, 2000; PC Section 602(k)- Misdemeanor

25 a. On or about March 29, 2000, in the Superior Court of California, Los Angeles  
26 County, in Case No. OMT02934, Respondent pled no contest to and was convicted of violation  
27 of VC Section 23123(b) (driving with blood alcohol .08% or more), a misdemeanor.

1 b. Also on or about March 29, 2000, the Court suspended the imposition of  
2 sentence and placed Respondent on summary probation for 36 months under certain terms and  
3 conditions, including, in part, payment of fines (13 days jail or 12 days Cal Trans in lieu of  
4 payment of fines), restricted driver's license, enroll and complete a 3 month first offender  
5 alcohol and other drug education and counseling program, 169 hours of community service, and  
6 payment of fees.

7 12.

8 The crimes of which Respondent was convicted, as set forth in Paragraph 9  
9 above, by their facts and circumstances, bear substantial relationship under Section 2910, Title  
10 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real  
11 estate licensee and constitute cause under **Code Sections 490 and 10177(b)** for the suspension  
12 or revocation of the license and license rights of Respondent under the Real Estate Law.

13 SECOND CAUSE FOR DISCIPLINE

14 (FAILURE TO REPORT)

15 13.

16 Respondent did not report in writing to the Department of his arrest (Case No.  
17 **17CR13290**) being brought against him within seventy-two (72) hours (November 24, 2017).  
18 Respondent's failure to report his arrest constitutes grounds for suspension or revocation of his  
19 RREB license, per the Stipulation and Agreement in Case No. H-39717 LA.

20 COSTS

21 14.

22 **Code Section 10106** provides, in pertinent part, that in any order issued in  
23 resolution of a disciplinary proceeding before the Department, the Commissioner may request  
24 the administrative law judge to direct a licensee found to have committed a violation of this part  
25 to pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.

26 ///

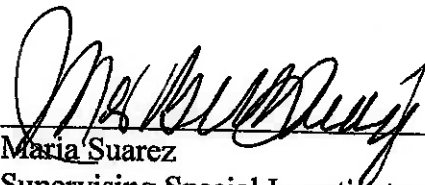
27 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

PRAYER

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code) of Respondent JOHN ANTHONY LOPEZ, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under applicable provisions of law.

Dated at Los Angeles, California this 18<sup>th</sup> day of May, 2021.

  
\_\_\_\_\_  
Maria Suarez  
Supervising Special Investigator

cc: JOHN ANTHONY LOPEZ  
Maria Suarez  
Sacto.