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FILED

AUG 26 2021

DEPT. OF REAL ESTATE

By 

10 **BEFORE THE DEPARTMENT OF REAL ESTATE**
11 **STATE OF CALIFORNIA**

12 * * *

13 In the Matter of the Application of) No. H-42067 LA
14 LESA ASHLEY DANIELSON,) STATEMENT OF ISSUES
15 Respondent.)
16 _____)

17 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of
18 California, for Statement of Issues against LESA ASHLEY DANIELSON, a.k.a. "Lesa
19 Danielson," "Lesa A. Danielson," and "Lesa Pollaro" ("Respondent"), is informed and alleges
20 in her official capacity as follows:

21 1.

22 On or about June 29, 2020, Respondent made application to the Department of Real
23 Estate of the State of California for a real estate salesperson exam and license.

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STATEMENT OF ISSUES

1 (CRIMINAL CONVICTIONS)

2 2.

3 On or about May 11, 2018, in the Superior Court of Arizona, County of Maricopa, Case
4 No. CR2016-150031-001, Respondent was convicted on pleas of guilty for violating the
5 following:

- 6 (a) Arizona Revised Statutes ("A.R.S.") sections 13-105, 13-1201, 28-3001, 28-
7 3304, 28-3305, 28-3306, 28-3315, 12-114.01, 12-116.04, 12-116.09, 12-269,
8 13-604, 13-610, 13-701, 13-702, and 13-801 (endangerment), a felony; and
9 (b) A.R.S. sections 28-1381(a)(1), 28-1381(i) and (j), 28-1387(b) and (c), 28-
10 1444, 28-1461, 28-3001, 28-3306, 28-3315, 28-3319, 12-116.01, 12-116.02,
11 12-116.04, 41-1723, 41-1651, 13-707, and 13-802 (driving or actual
12 physical control while under the influence of intoxicating liquor or drugs), a
13 misdemeanor.

14 The court suspended the imposition or execution of sentence and placed Respondent on
15 supervised probation for three (3) years under certain terms and conditions, including 30 days
16 in county jail, 30 hours of community restitution, completion of substance abuse evaluation and
17 treatment as directed, completion of mental health treatment as directed and take medications
18 as prescribed, and payment of fines and fees.

19 3.

20 On or about January 12, 2016, in the City Court of Scottsdale, County of Maricopa,
21 State of Arizona, Case No. TR2015018158, Respondent was convicted on a plea of guilty for
22 violating A.R.S. section 28-1381(a)(1) (First DUI liquor/drugs/vapors/combo), a misdemeanor.
23 The court sentenced Respondent to 10 days in jail and ordered her to attend an alcohol abuse
24 screening, complete all treatment as recommended, and pay fines and fees.

25 4.

26 On or about August 4, 2014, in the City Court of Scottsdale, County of Maricopa, State
27 of Arizona, Case No. SC2014007372, Respondent was convicted on a plea of guilty for

1 violating A.R.S. section 13-2908(a)(1) (criminal nuisance-endangers), a misdemeanor. The
2 court ordered Respondent to complete an alcohol program and to pay fines and fees.

3 5.

4 On or about December 2, 2013, in the Superior Court of Arizona, County of Maricopa,
5 Case No. CR2013-428666-001, Respondent was convicted on a plea of guilty for violating
6 A.R.S. sections 13-1002, 13-3401, 13-3407, 13-3418, 13-604, 13-701, 13-702, 13-707, 13-801,
7 13-802, and 13-901.01(a) and (d) (solicitation to commit possession or use of dangerous
8 drugs), a felony. The court suspended the execution of sentence and placed Respondent on 18
9 months of probation under certain terms and conditions, including payment of restitution, fines
10 and fees.

11 6.

12 The crimes of which Respondent was convicted, as described in Paragraphs 2 through 5
13 above, by their facts and circumstances, bear a substantial relationship under Section 2910,
14 Title 10, Chapter 6, of the California Code of Regulations to the qualifications, functions or
15 duties of a real estate licensee.

16 7.

17 The crimes of which Respondent was convicted, as described in Paragraphs 2 through 5
18 above, constitute cause for denial of Respondent's application for a real estate license under
19 California Business and Professions Code sections 475(a)(2), 480(a)(1) and 10177(b).

20 (IN AGGRAVATION)

21 8.

22 On or about May 11, 2009, in the Superior Court of Arizona, County of Maricopa, Case
23 No. TR2008171553, Respondent was convicted for violating A.R.S. section 28-1382(a)(1) for
24 extreme DUI with BAC of .15% or more.¹ Respondent failed to notify the Arizona Department
25 of real Estate in writing within ten (10) days of her May 11, 2009 conviction.

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27 ¹ According to the San Marcos Justice Court, said court records were purged on January 2, 2020.

1 On or about February 19, 2010, pursuant to an Accelerated Settlement Agreement
2 between the Arizona Department of Real Estate and Respondent in Case No. 10F-DI-849, a
3 Consent Order was issued which ordered Respondent to pay a civil penalty of \$600.

4 Respondent was subject to disciplinary action under A.R.S. section 32-2153(a)(3) and
5 Arizona Administrative Code ("A.A.C.") sections R4-28-301(f) and R4-28-303(d), for failing
6 to notify the Arizona Department of Real Estate in writing within ten (10) days of
7 Respondent's
8 May 11, 2009 misdemeanor conviction for driving under the influence.

9 9.

10 These proceedings are brought under the provisions of Section 10100, Division
11 4 of the Business and Professions Code of the State of California and Sections 11500 through
12 11528 of the California Government Code.

13 WHEREFORE, the Complainant prays that the above-entitled matter be set for
14 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
15 authorize the issuance of, and deny the issuance of, a real estate salesperson license to
16 Respondent LESA ASHLEY DANIELSON and for such other and further relief as may be
17 proper under other applicable provisions of law.

18
19 Dated at San Diego, California

20 this 26 day of July, 2021.

21
22 *Veronica Kilpatrick*

23 **Veronica Kilpatrick**
24 **Supervising Special Investigator**

25
26 cc: **LESA ASHLEY DANIELSON**
27 **Veronica Kilpatrick**
Sacto.