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**FILED**

FEB 28 2022

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-42216 LA  
13 JEREMY RYAN BURAGLIA, )  
14 Respondent. ) ACCUSATION  
15 )

16 The Complainant, Maria Suarez, acting in her official capacity as a Supervising  
17 Special Investigator of the State of California, for cause of Accusation against JEREMY  
18 RYAN BURAGLIA ("Respondent"), is informed alleges as follows:

19 1.

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

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27 DRE Accusation against Jeremy Ryan Buraglia, H-42216 LA

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2 **DEPARTMENT OF REAL ESTATE ("DRE") LICENSE HISTORY**

3 2.

4 Respondent is presently licensed and/or has license rights under the Real Estate  
5 Law (Part 1 of Division 4 of the Code) as a real estate salesperson ("RES"), Department of  
6 Real Estate ("DRE") license ID 02102833.

7 3.

8 According to DRE records to date, Respondent was originally licensed on or  
9 about January 9, 2020 and is affiliated with real estate broker ("REB") Side, Inc., DRE license  
10 ID 02014153.

11 4.

12 Respondent's DRE license will expire on January 8, 2024.

13 **FACTS DISCOVERED BY THE DEPARTMENT**

14 (CRIMINAL CONVICTION)

15 5.

16 August 4, 2020 Conviction in Superior Court of California, Orange County Case No.

17 20CF1589 (OCSO 19-018813)

18 On or about June 17, 2020, in the Superior Court of California, Orange County,  
19 in Case No. OCSO 19-018813, The People of the State of California vs. Jeremy Ryan Buraglia  
20 [and one co-defendant], a Felony Complaint was filed that charged Respondent with violation  
21 of: Penal Code ("PC") Section 529(a)(2) (false personation) as Count 1; PC Section 529(a)(2)  
22 (false personation) as Count 2; and PC Section 182(a)(5) (conspiracy to commit act injurious to  
23 public) as Count 3.

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27 DRE Accusation against Jeremy Ryan Buraglia, H-42216 LA

1 6.

2 On or about August 4, 2020, by Plea Agreement, Respondent pled guilty and  
3 admitted to violation of PC 529(a)(2) (Counts 1 and 2) and PC 182(a)(5) (Count 3).

4 7.

5 On or about August 7, 2020, Respondent was convicted for violation of  
6 PC 529(a)(2) (Counts 1 and 2) and PC 182(a)(5) (Count 3) and sentenced to three (3) years  
7 informal probably and ordered to perform 200 hours of community service and to pay fines and  
8 court fees.

9 (FAILURE TO REPORT)

10 8.

11 Respondent did not report in writing to the Department, the aforementioned  
12 Felony Complaint filed against Respondent in Orange County Case No. OCSO 19-018813, The  
13 People of the State of California vs. Jeremy Ryan Buraglia [and one co-defendant], as  
14 described above in Paragraph 5, within thirty (30) days of said June 17, 2020 Felony Complaint  
15 filing date.

16 9.

17 Respondent did not report in writing to the Department, the aforementioned  
18 guilty plea of August 4, 2020 or conviction and sentence of August 7, 2020 in Orange County  
19 Case No. OCSO 19-018813, The People of the State of California vs. Jeremy Ryan Buraglia  
20 [and one co-defendant], as described above in Paragraphs 6 and 7, within thirty (30) days of the  
21 sentencing on August 7, 2020.

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1 this section establishes an independent basis for a board to impose discipline upon a licensee,  
2 and that the amendments to this section made by Chapter 33 of the Statutes of 2008 do not  
3 constitute a change to, but rather are declaratory of, existing law.”

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5 11.

6 Regulation 2910

7 Pursuant to Regulation 2910 *Criteria of Substantial Relationship*:

8 “(a) When considering whether a license should be denied, suspended or  
9 revoked on the basis of the conviction of a crime, or on the basis of an act described in Section  
10 480(a)(2) or 480(a)(3) of the Code, the crime or act shall be deemed to be substantially related  
11 to the qualifications, functions or duties of a licensee of the Bureau within the meaning of  
12 Sections 480 and 490 of the Code if it involves:

- 13 (1) The fraudulent taking, obtaining, appropriating or retaining of funds  
14 or property belonging to another person.  
15 (2) Counterfeiting, forging or altering of an instrument or the uttering of  
16 a false statement.  
17 (3) Willfully attempting to derive a personal financial benefit through the  
18 nonpayment or underpayment of taxes, assessments or levies duly  
19 imposed upon the licensee or applicant by federal, state, or local  
20 government.  
21 (4) The employment of bribery, fraud, deceit, falsehood or  
22 misrepresentation to achieve an end.  
23 (5) Sexually related conduct affecting a person who is an observer or  
24 non-consenting participant in the conduct or convictions which require  
25 registration pursuant to the provisions of Section 290 of the Penal Code.  
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(6) Willfully violating or failing to comply with a provision of Division 4 of the Business and Professions Code of the State of California.

(7) Willfully violating or failing to comply with a statutory requirement that a license, permit or other entitlement be obtained from a duly constituted public authority before engaging in a business or course of conduct.

(8) Doing of any unlawful act with the intent of conferring a financial or economic benefit upon the perpetrator or with the intent or threat of doing substantial injury to the person or property of another.

(9) Contempt of court or willful failure to comply with a court order.

(10) Conduct which demonstrates a pattern of repeated and willful disregard of law.

(11) Two or more convictions involving the consumption or use of alcohol or drugs when at least one of the convictions involve driving and the use or consumption of alcohol or drugs.

(b) The conviction of a crime constituting an attempt, solicitation or conspiracy to commit any of the above enumerated acts or omissions is also deemed to be substantially related to the qualifications, functions or duties of a licensee of the department.

(c) If the crime or act is substantially related to the qualifications, functions or duties of a licensee of the department, the context in which the crime or acts were committed shall go only to the question of the weight to be accorded to the crime or acts in considering the action to be taken with respect to the applicant or licensee.”

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12.

Code Section 10177

(selected portions)

Pursuant to Code Section 10177 *Further Grounds for Disciplinary Action:*

“The commissioner may suspend or revoke the license of a real estate licensee, delay the renewal of a license of a real estate licensee, or deny the issuance of a license to an applicant, who has done any of the following, or may suspend or revoke the license of a corporation, delay the renewal of a license of a corporation, or deny the issuance of a license to a corporation, if an officer, director, or person owning or controlling 10 percent or more of the corporation’s stock has done any of the following:

(a) Procured, or attempted to procure, a real estate license or license renewal, for themselves or a salesperson, by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in an application for a real estate license, license renewal, or reinstatement.

(b) (1) Entered a plea of guilty or no contest to, or been found guilty of, or been convicted of, a felony, or a crime substantially related to the qualifications, functions, or duties of a real estate licensee, and the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal, irrespective of an order granting probation following that conviction, suspending the imposition of sentence, or of a subsequent order under Section 1203.4 of the Penal Code allowing that licensee to withdraw that licensee’s plea of guilty and to enter a plea of not guilty, or dismissing the accusation or information.

1 (2) Notwithstanding paragraph (1), and with the recognition that  
2 sentencing may not occur for months or years following the entry  
3 of a guilty plea, the commissioner may suspend the license of a  
4 real estate licensee upon the entry by the licensee of a guilty plea  
5 to any of the crimes described in paragraph (1). If the guilty plea  
6 is withdrawn, the suspension shall be rescinded and the license  
7 reinstated to its status prior to the suspension. The department  
8 shall notify a person whose license is subject to suspension  
9 pursuant to this paragraph of that person's right to have the issue  
10 of the suspension heard in accordance with Section 10100..."

11 13.

12 Code Section 10186.2

13 Pursuant to Code Section 10186.2 *Reporting of Convictions, Indictments and*  
14 *License Disciplinary Actions:*

15 "(a) (1) A licensee shall report any of the following to the department:

16 (A) The bringing of a criminal complaint, information, or indictment  
17 charging a felony against the licensee.

18 (B) The conviction of the licensee, including any verdict of guilty, or  
19 plea of guilty or no contest, of any felony or misdemeanor.

20 (C) Any disciplinary action taken by another licensing entity or authority  
21 of this state or of another state or an agency of the federal government.

22 (2) The report required by this subdivision shall be made in writing within 30  
23 days of the date of the bringing of the indictment or the charging of a  
24 felony, the conviction, or the disciplinary action.

25 (b) Failure to make a report required by this section shall constitute a cause for  
26 discipline."

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14.

Code Section 10106

(Costs)

Pursuant to Code Section 10106 *Cost Recovery of Investigations*:

“(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before the department, the commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

(b) In the case of a disciplined licensee that is a corporation or a partnership, the order may be made against the licensed corporate entity or licensed partnership.

(c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the commissioner or the commissioner’s designated representative, shall be prima facie evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the Attorney General.

(d) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The finding of the administrative law judge with regard to costs shall not be reviewable by the commissioner to increase the cost award. The commissioner may reduce or eliminate the cost award, or remand to the administrative law judge where the proposed decision fails to make a finding on costs requested pursuant to subdivision (a).

(e) Where an order for recovery of costs is made and timely payment is not made as directed in the commissioner’s decision, the commissioner may enforce the order for

1 repayment in any appropriate court. This right of enforcement shall be in addition to any other  
2 rights the commissioner may have as to any licensee to pay costs.

3 (f) In any action for recovery of costs, proof of the commissioner's decision  
4 shall be conclusive proof of the validity of the order of payment and the terms for payment.

5 (g) (1) Except as provided in paragraph (2), the department shall not renew or  
6 reinstate the license of any licensee who has failed to pay all of the costs ordered under this  
7 section.

8 (2) The department may, in its discretion, conditionally renew or reinstate  
9 for a maximum of one year the license of any licensee who demonstrates  
10 financial hardship and who enters into a formal agreement with the  
11 department to reimburse the department within that one-year period for the  
12 unpaid costs.

13 (h) All costs recovered under this section shall be considered a reimbursement  
14 for costs incurred and shall be deposited in the Real Estate Fund to be available,  
15 notwithstanding Section 10451, upon appropriation by the Legislature.

16 (i) Nothing in this section shall preclude the department from including the  
17 recovery of the costs of investigation and enforcement of a case in any stipulated settlement.

18 **FIRST CAUSE FOR DISCIPLINE**

19 **(SUBSTANTIALLY RELATED CRIME)**

20 15.

21 The crimes of which Respondent was convicted, as described above in  
22 Paragraphs 5 through 7 in Orange County Case No. OCSO 19-018813, The People of the State  
23 of California vs. Jeremy Ryan Buraglia [and one co-defendant], by their facts and  
24 circumstances, bear a substantial relationship under Section 2910, Title 10, Chapter 6,  
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1 California Code of Regulations to the qualifications, functions or duties of a real estate  
2 licensee.

3 16.

4 The crimes of which Respondent was convicted, as described above in  
5 Paragraphs 5 through 7, in Orange County Case No. OCSO 19-018813, The People of the State  
6 of California vs. Jeremy Ryan Buraglia [and one co-defendant], constitute cause under **Code**  
7 **Sections 490 and 10177(b)** for the suspension or revocation of Respondent's RES license,  
8 license rights and any associated license endorsements under the Real Estate Law.

9 **SECOND CAUSE FOR DISCIPLINE**  
10 **(FAILURE TO REPORT FELONY INDICTMENT)**

11 17.

12 Respondent's failure to report the June 17, 2020 Felony Complaint in Orange  
13 County Case No. OCSO 19-018813, The People of the State of California vs. Jeremy Ryan  
14 Buraglia [and one co-defendant], as described above in Paragraphs 5 and 8, constitute cause  
15 for discipline under **Code Section 10186.2** of the RES license, license rights and any associated  
16 license endorsements of Respondent under the Real Estate Law.

17 17.

18 Respondent's failure to report the August 4, 2020 guilty plea and August 7,  
19 2020 conviction and sentencing in Orange County Case No. OCSO 19-018813, The People of  
20 the State of California vs. Jeremy Ryan Buraglia [and one co-defendant], as described above in  
21 Paragraphs 5, 6, 7, and 9 constitute cause for discipline under **Code Section 10186.2** of the  
22 RES license, license rights and any associated license endorsements of Respondent under the  
23 Real Estate Law.

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1 COSTS

2 18.

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

7 WHEREFORE, Complainant prays that a hearing be conducted on the  
8 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing  
9 disciplinary action against all licenses and/or license rights and/or associated license  
10 endorsements under the Real Estate Law (Part 1 of Division 4 of the California Business and  
11 Professions Code) of JEREMY RYAN BURAGLIA, for the cost of investigation and  
12 enforcement as permitted by law, and for such other and further relief as may be proper under  
13 applicable provisions of law.

14 Dated at Los Angeles, California

15 this 16<sup>th</sup> day of February, 2022.

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18 M. Suarez by RSD

19 Maria Suarez  
20 Supervising Special Investigator

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23 cc: Jeremy Ryan Buraglia  
24 Enforcement – Maria Suarez  
25 Side, Inc., c/o D.O. Hilary Kristina Saunders and D.O. Casey Michael McLeod  
26 Sacto.

27 DRE Accusation against Jeremy Ryan Buraglia, H-42216 LA