



(CRIMINAL CONVICTIONS)

3.

On or about May 4, 2021, in the Superior Court of California, County of Orange, case no. 19NM13539, Respondent was convicted of violating California Vehicle Code sections 23152(a) (driving under the influence of alcohol) and 23152(b) (driving with a blood alcohol level of 0.08 percent or more), both misdemeanors. These convictions were made with the admitted allegations that Respondent violated California Vehicle Code sections 23582(a) (driving 30 miles per hour or more over the speed limit), 23103 (reckless driving, to wit: driving on the sidewalk and hitting trash cans), and 23538(b)(2) (blood alcohol concentration of 0.20 percent or more). In part, Respondent was sentenced to pay restitution and various fines and fees. These crimes are substantially related to the qualifications, functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

4.

On May 4, 2021, in the Superior Court of California, County of Orange, case no. 20HM04020, Respondent was convicted of violating California Vehicle Code sections 23152(a) (driving under the influence of alcohol), 23152(b) (driving with a blood alcohol level of 0.08 percent or more), and 20002(a) (hit and run with property damage), all misdemeanors.<sup>1</sup> Respondent's convictions pursuant to California Vehicle Code sections 23152(a) and 23152(b) were made with the admitted allegation that Respondent violated California Vehicle Code section 23538(b) (blood alcohol concentration of 0.20 percent or more). In part, Respondent was sentenced to serve five (5) years of informal probation, serve 120 days in jail, attend and complete 18 months of Multiple Offender Alcohol Program, pay restitution, and pay various fines and fees. The underlying facts occurred on or about March 18, 2020. These crimes are substantially related to the qualifications, functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

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<sup>1</sup> Respondent was also convicted of violating California Vehicle Code section 16028(a) (failure to maintain insurance or proof of financial responsibility), an infraction.

1 5.

2 In aggravation, on or about April 24, 2007, in the Superior Court of California,  
3 Respondent was convicted of violating California Vehicle Code section 23103(a) (reckless  
4 driving), a misdemeanor.

5 6.

6 The crimes of which Respondent was convicted, as described in Paragraphs 3  
7 and 4, above, constitute cause under California Business and Professions Code sections 490  
8 and 10177(b) for the suspension or revocation of the license and license rights of Respondent  
9 under the Real Estate Law.

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11 (FAILURE TO REPORT CONVICTIONS)

12 7.

13 As of September 21, 2021, Respondent had failed to report the convictions, as  
14 described in Paragraphs 3 and 4, above, to the Department of Real Estate.

15 8.

16 Respondent's failure to report the convictions, as described in described in  
17 Paragraphs 3 and 4, above, constitutes cause under California Business and Professions Code  
18 section 10186.2 for the suspension or revocation of the license and license rights of Respondent  
19 under the Real Estate Law.

20 9.

21 These proceedings are brought under the provisions of Section 10100, Division  
22 4 of the Business and Professions Code of the State of California and Sections 11500 through  
23 11528 of the California Government Code.

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(COSTS)

10.

California Business and Professions Code section 10106 provides, in pertinent part, that 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 investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this First Amended Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and/or license rights (including, but not limited to, Mortgage Loan Originator ("MLO") license endorsement) under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code) of Respondent RAFAEL ESPINOZA PIMENTEL, for penalties pursuant to Code section 10139, 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: June 27, 2022

  
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Jason Parson  
Supervising Special Investigator

cc: RAFAEL ESPINOZA PIMENTEL  
America's Moneyline, Inc.  
Jason Parson  
Sacto.



(CRIMINAL CONVICTIONS)

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On May 4, 2021, in the Superior Court of California, County of Orange, case no. 20HM04020, Respondent was convicted of violating California Vehicle Code sections 23152(a) (driving under the influence of alcohol), 23152(b) (driving with a blood alcohol level of 0.08 percent or more), and 20002(a) (hit and run with property damage), all misdemeanors.<sup>1</sup> Respondent's convictions pursuant to California Vehicle Code sections 23152(a) and 23152(b) were made with the admitted allegation that Respondent violated California Vehicle Code section 23538(b) (blood alcohol concentration of 0.20 percent or more). In part, Respondent was sentenced to serve five (5) years of informal probation, serve 120 days in jail, attend and complete 18 months of Multiple Offender Alcohol Program, pay restitution, and pay various fines and fees. The underlying facts occurred on or about March 18, 2020. These crimes are substantially related to the qualifications, functions, or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

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(FAILURE TO REPORT CONVICTIONS)

6.

As of September 21, 2021, Respondent had failed to report the convictions, as described in Paragraphs 3 and 4, above, to the Department of Real Estate.

7.

Respondent's failure to report the convictions, as described in described in Paragraphs 3 and 4, above, constitutes cause under California Business and Professions Code section 10186.2 for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

8.

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

(COSTS)

9.

California Business and Professions Code section 10106 provides, in pertinent part, that 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 investigation and enforcement of the case.

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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 (including, but not limited to, Mortgage Loan Originator (“MLO”) license endorsement) under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code) of Respondent RAFAEL ESPINOZA PIMENTEL, for penalties pursuant to Code section 10139, 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 San Diego, California: May 4, 2022.

*V Kilpatrick*  
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Veronica Kilpatrick  
Supervising Special Investigator

cc: RAFAEL ESPINOZA PIMENTEL  
America’s Moneyline, Inc.  
Veronica Kilpatrick  
Sacto.