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FILED

JUN 18 2024

DEPT. OF REAL ESTATE

By—

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

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| In the Matter of the Application of |) | No. H-42868 LA |
| |) | |
| JOHN ELAM MPWO, |) | <u>STATEMENT OF ISSUES</u> |
| |) | |
| |) | |
| Respondent. |) | |

The Complainant, Jason Parson, a Supervising Special Investigator of the State of California, for Statement of Issues against JOHN ELAM MPWO ("Respondent") alleges as follows:

1.

The Complainant, Jason Parson, a Supervising Special Investigator of the State of California, makes this Statement of Issues in his official capacity.

2.

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

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STATEMENT OF ISSUES

1 3.

2 On or about May 18, 2023, Respondent made application to the Department of
3 Real Estate¹ ("Department") for a real estate salesperson license.

4 CAUSE FOR DISCIPLINE

5 (CRIMINAL CONVICTION)

6 4.

7 February 17, 2015; Unauthorized Use of Vehicle - Felony

8 a. On or about December 30, 2014, in the District Court of Harris County,
9 Texas, in Case No. **1453038**, entitled The State of Texas v. John Mpwo, a felony complaint
10 was filed against Respondent for unauthorized use of a vehicle, a felony.

11 b. On or about February 17, 2015, Respondent pled guilty to and was convicted
12 for unauthorized use of a vehicle, a felony.

13 c. Also, on or about February 17, 2015, the Court sentenced Respondent to 3
14 years community supervision, 180 hours community service, and payment of fines and fees.

15 d. On or about April 5, 2017, Respondent violated the terms of his community
16 supervision and was sentenced to 9 months jail.

17 5.

18 April 23, 2019; Nevada Revised Statute ("NRS") Section 197.190 - Misdemeanor

19 a. On or about November 28, 2017, in the Las Vegas Municipal Court, Clark
20 County, Nevada, in Case No. **C1184291A**, entitled The City of Las Vegas v. John Elam Mpwo,
21 Respondent pled no contest to and was convicted for violation of NRS Section 203.010
22 (disturbing the peace), a misdemeanor.

23 b. Also on or about November 28, 2017, the Court sentenced Respondent to, in
24 part, 20 days jail.

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27 ¹ 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.

6.

April 23, 2019; Nevada Revised Statute ("NRS") Section 197.190 - Misdemeanor

a. On or about April 23, 2019, in the Justice Court, Las Vegas Township, Clark County, Nevada, in Case No. **18M02899X**, entitled The State of Nevada v. John Elam Mpwo, Respondent was found guilty, after a bench trial, and was convicted for violation of NRS Section 197.190 (giving false statement/obstructing public officer), a misdemeanor.

b. Also on or about April 23, 2019, the Court sentenced Respondent to, in part, stay out of trouble and impulse control counseling.

7.

The crimes of which Respondent were convicted, as set forth in Paragraphs 4, 5, and 6 above, by their facts and circumstances, bear a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

8.

The crimes of which Respondent were convicted, as set forth in Paragraphs 4, 5, and 6 above, by their facts and circumstances, constitute cause under **Code Sections 480, 490 and 10177(b)** for the denial of Respondent's application for a real estate license under the Real Estate Law.

9.

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.

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1 PRAYER

2 WHEREFORE, the Complainant prays that the above-entitled matter be set for
3 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
4 authorize the issuance of, and deny the issuance of, a real estate salesperson license to
5 Respondent JOHN ELAM MPWO and for such other and further relief as may be proper under
6 other applicable provisions of law.

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8 Dated at Los Angeles, California this 17th day of June, 2024.

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10 _____
11 Jason Parson
12 Supervising Special Investigator

13 cc: JOHN ELAM MPWO
14 Jason Parson
15 Sacto.
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