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FILED

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DEPT. OF REAL ESTATE

By—

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation against)	No. H-43002 LA
)	
BANGICH BOL BOL,)	ACCUSATION
)	
Respondent.)	

The Complainant, Jason Parson, acting in his official capacity as a Supervising Special Investigator of the State of California, for cause of Accusation against BANGICH BOL BOL a.k.a. Bangich B. Bol (Respondent), is informed and alleges as follows:

1.

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.

DEPARTMENT OF REAL ESTATE (DRE) LICENSE HISTORY

2.

According to DRE records to date and publicly accessible online at the DRE's website (https://www2.dre.ca.gov/PublicASP/pplinfo.asp?License_id=02164664), Respondent is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4

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1 of the Code) as a real estate salesperson (RES), Department of Real Estate (DRE) license ID
2 02164664.

3 3.

4 According to DRE records to date and publicly accessible online at the
5 aforementioned DRE website, Respondent was originally licensed on or about January 21,
6 2022.

7 4.

8 According to DRE records to date and publicly accessible online at the
9 aforementioned DRE website, Respondent's mailing address of record is 12256 Orizaba Ave.,
10 Downey, California 90242, and Respondent's license is presently affiliated with responsible
11 real estate broker (REB) of record BPO Homes Inc, DRE license ID 02190813.

12 5.

13 According to DRE records to date and publicly accessible online at the
14 aforementioned DRE website, Respondent's DRE license has no prior history of disciplinary
15 action and will expire on January 20, 2026. Upon license expiration and pursuant to Code
16 Section 10201, Respondent retains renewal rights, and pursuant to Code Section 10103, the
17 DRE retains jurisdiction.

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1 **FACTS DISCOVERED BY THE DEPARTMENT**

2 **CRIMINAL CONVICTION**

3 6.

4 November 15, 2023 Misdemeanor Conviction for

5 Violation of Vehicle Code Section 23153(B)

6 (Los Angeles County Case No. 3BL00985)

7 According to certified court records (certified on December 28, 2023), on or
8 about April 28, 2023, in the Superior Court of California, Los Angeles County, in Case
9 No. 3BL00985, The People of the State of California v. Bangich B. Bol, a Misdemeanor
10 Complaint was filed that charged Respondent with violation of: California Vehicle Code (VC)
11 Section 23153(A) (driving under the influence of an alcoholic beverage causing injury) (Count
12 1); VC Section 23153(B) (driving with a 0.08% blood alcohol content causing injury) (Count
13 2); and VC Section 20001(B)(1) (hit and run driving resulting in injury to another person)
14 (Count 3).

15 7.

16 According to the aforementioned certified court records, on or about November
17 15, 2023, in Los Angeles County Case No. 3BL00985, Respondent pled no contest to Count 2.

18 8.

19 According to the aforementioned certified court records, also on or about
20 November 15, 2023, in Los Angeles County Case No. 3BL00985, the court sentenced
21 Respondent to five (5) days in Los Angeles County Jail and three (3) years summary probation,
22 and ordered Respondent to complete a Hospital and Morgue (HAM) Program and an AB-541
23 Program. In addition, Respondent was also ordered to pay: restitution to the victim in an
24 amount to be determined, a restitution fine, and court fines and assessments. Respondent was
25 also ordered to perform five (5) days of community labor.

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1 probation is made suspending the imposition of sentence, irrespective of a subsequent order
2 under Section 1203.4 of the Penal Code.

3 (d) The Legislature hereby finds and declares that the application of this section
4 has been made unclear by the holding in *Petropoulos v. Department of Real Estate* (2006) 142
5 Cal.App.4th 554, and that the holding in that case has placed a significant number of statutes
6 and regulations in question, resulting in potential harm to the consumers of California from
7 licensees who have been convicted of crimes. Therefore, the Legislature finds and declares that
8 this section establishes an independent basis for a board to impose discipline upon a licensee,
9 and that the amendments to this section made by Chapter 33 of the Statutes of 2008 do not
10 constitute a change to, but rather are declaratory of, existing law.”

11 11.

12 Regulation 2910

13 (Substantial Relationship)

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

15 “(a) When considering whether a license should be denied, suspended or
16 revoked on the basis of the conviction of a crime, or on the basis of an act described in Section
17 480(a)(2) or 480(a)(3) of the Code, the crime or act shall be deemed to be substantially related
18 to the qualifications, functions or duties of a licensee of the Bureau within the meaning of
19 Sections 480 and 490 of the Code if it involves:

20 (1) The fraudulent taking, obtaining, appropriating or retaining of funds
21 or property belonging to another person.

22 (2) Counterfeiting, forging or altering of an instrument or the uttering of
23 a false statement.

24 (3) Willfully attempting to derive a personal financial benefit through the
25 nonpayment or underpayment of taxes, assessments or levies duly
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1 imposed upon the licensee or applicant by federal, state, or local
2 government.

3 (4) The employment of bribery, fraud, deceit, falsehood or
4 misrepresentation to achieve an end.

5 (5) Sexually related conduct affecting a person who is an observer or
6 non-consenting participant in the conduct or convictions which require
7 registration pursuant to the provisions of Section 290 of the Penal Code.

8 (6) Willfully violating or failing to comply with a provision of Division 4
9 of the Business and Professions Code of the State of California.

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

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

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

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

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

23 (b) The conviction of a crime constituting an attempt, solicitation or conspiracy
24 to commit any of the above enumerated acts or omissions is also deemed to be substantially
25 related to the qualifications, functions or duties of a licensee of the department.
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1 (c) If the crime or act is substantially related to the qualifications, functions or
2 duties of a licensee of the department, the context in which the crime or acts were committed
3 shall go only to the question of the weight to be accorded to the crime or acts in considering the
4 action to be taken with respect to the applicant or licensee.”

5 12.

6 Code Section 10177

7 (Selected Portions)

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

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

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

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

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

13 13.

14 Code Section 10186.2

15 (Reporting)

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

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

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

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

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

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

3 (b) Failure to make a report required by this section shall constitute a cause for
4 discipline.”

5 14.

6 Code Section 10106

7 (Costs)

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

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

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

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

21 (d) The administrative law judge shall make a proposed finding of the amount of
22 reasonable costs of investigation and prosecution of the case when requested pursuant to
23 subdivision (a). The finding of the administrative law judge with regard to costs shall not be
24 reviewable by the commissioner to increase the cost award. The commissioner may reduce or
25

1 eliminate the cost award, or remand to the administrative law judge where the proposed
2 decision fails to make a finding on costs requested pursuant to subdivision (a).

3 (e) Where an order for recovery of costs is made and timely payment is not
4 made as directed in the commissioner's decision, the commissioner may enforce the order for
5 repayment in any appropriate court. This right of enforcement shall be in addition to any other
6 rights the commissioner may have as to any licensee to pay costs.

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

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

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

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

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

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FIRST CAUSE FOR DISCIPLINE
(SUBSTANTIALLY RELATED CRIME)

15.

The crime of which Respondent was convicted in Los Angeles County Case No. 3BL00985, as described above in Paragraphs 6 through 8, by its facts and circumstances, bears 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.

16.

The crime of which Respondent was convicted in Los Angeles County Case No. 3BL00985, as described above in Paragraphs 6 through 8, constitutes cause under **Code Sections 490 and 10177(b)** for the suspension or revocation of Respondent's RES license, license rights and associated license endorsements, if any, under the Real Estate Law.

SECOND CAUSE FOR DISCIPLINE
(FAILURE TO REPORT)

17.

Respondent's failure to report his conviction in Los Angeles County Case No. 3BL00985, as described above in Paragraph 8, constitutes cause for discipline under **Code Section 10186.2** of the RES license, license rights and associated license endorsements, if any, of Respondent under the Real Estate Law.

COSTS

18.

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

1 part to pay a sum not to exceed the reasonable costs of investigation and enforcement of the
2 case.

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

10 Dated at Los Angeles: November 6, 2024.

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15 Supervising Special Investigator

16 cc: Bangich Bol Bol
17 BPO Homes Inc
18 LA Enforcement – J. Parson
19 Sacto.
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