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DEPT. OF REAL ESTATE

By-

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of) No. H-43184 LA
)
TOMMY HERTENSTEIN,)
) STATEMENT OF ISSUES
Respondent.)
)
)

The Complainant, Ray Dagnino, a Supervising Special Investigator of the State of California, for Statement of Issues against TOMMY HERTENSTEIN, also known as Tommy Alejandro Hertenstein, ("Respondent") is informed and alleges in his official capacity as follows:

1.

On or about September 5, 2024, Respondent made application to the Department of Real Estate ("Department") of the State of California for a real estate salesperson license.

CONVICTIONS

2.

On or about October 2, 2019, in the Superior Court of California, County of Los Angeles, Case No. 9EM01124, Respondent was found guilty by a jury and convicted for violating Penal Code sections 273.5(a) (injuring a spouse, cohabitant, fiancé, boyfriend,

girlfriend, or child's parent) and 591.5 (interference with a wireless – communication device), misdemeanors. The court suspended the imposition of sentence and placed Respondent on probation for sixty (60) months under certain terms and conditions, including in part, serving one hundred and eighty (180) days in county jail, with custody and good behavior credit, payment of fees and assessments totaling \$7456.00, performing twenty-four (24) hours of community service, successfully completing a 52-week domestic violence counseling program, and obeying a protective order to stay one hundred (100) yards away from the victim.

3.

The crimes of which Respondent was convicted, as described in Paragraph 2 above, bear a substantial relationship under Section 2910, Title 10, Chapter 6, of the California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

4.

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

IN AGGRAVATION

5.

On or about November 20, 2012, in the Superior Court of California, County of San Bernardino, Case No. MWV1104355, Respondent was convicted on a plea of nolo contendere for violating Penal Code section 415(2) (disturbing the peace by loud and unreasonable noise), a misdemeanor. The court suspended the imposition of sentence and placed Respondent on probation for thirty-six (36) months under certain terms and conditions, including in part, attending a 52-week batterer's treatment program, serving seven (7) days in county jail with credit for time served, and staying away from the victim.

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6.

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.

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

Dated at Los Angeles, California this 22nd day of October, 2025.


Ray Dagnino
Supervising Special Investigator

cc: TOMMY HERTENSTEIN
Ray Dagnino
Sacto.