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OCT - 4 2004

DEPARTMENT OF REAL ESTATE



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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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|-------------------------------------|---|----------------|
| In the Matter of the Application of |) | No. H-30506 LA |
| |) | |
| CHARLES RICHARD DIAZ, |) | |
| |) | |
| Respondent. |) | |

ORDER DENYING APPLICATION FOR A REAL ESTATE LICENSE

The Real Estate Commissioner, in conformity with Section 10152, Division 4, Business and Professions Code of the State of California, required further proof of the honesty and truthfulness of CHARLES RICHARD DIAZ (hereinafter Respondent) in connection with Respondent's application for a real estate salesperson license filed on June 21, 2002, and in relation thereto, filed a Statement of Issues on November 25, 2003.

Said Statement of Issues was properly served on Respondent on or about November 25, 2003. Respondent has, to date, failed to file a Notice of Defense, request a hearing or otherwise establish that he is entitled to the license sought.

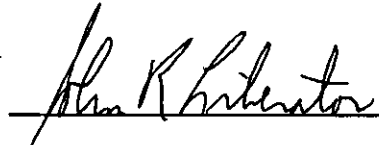
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IT IS THEREFORE ORDERED, pursuant to the authority
granted under Section 11520 of the Government Code of the State
of California, that the application of CHARLES RICHARD DIAZ for a
real estate salesperson license is hereby denied.

This Order is effective immediately.


DATED: September 2, 2004.

JOHN R. LIBERATOR
Acting Real Estate Commissioner



*SANNO
11/24/03*

1 JAMES R. PEEL, Counsel (SBN 47055)
2 Department of Real Estate
3 320 West Fourth Street, Ste. 350
4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6982
6 -or- (213) 576-6913 (Direct)

FILED
NOV 25 2003
DEPARTMENT OF REAL ESTATE
By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of) No. H-30506 LA
12 CHARLES RICHARD DIAZ,) STATEMENT OF ISSUES
13 Respondent.)
14

15 The Complainant, Janice A. Waddell, a Deputy Real
16 Estate Commissioner of the State of California, for Statement of
17 Issues against CHARLES RICHARD DIAZ (Respondent) is informed and
18 alleges in her official capacity as follows:

19 I

20 On or about June 21, 2002, Respondent applied to the
21 Department of Real Estate of the State of California for a real
22 estate salesperson license with the knowledge and understanding
23 that any license issued as a result of that application would be
24 subject to the conditions of Section 10153.4 of the California
25 Business and Professions Code.

26 ///

1 II

2 In response to Question 25 of said application, to wit,
3 "Have you ever been convicted of any violation of law?",
4 Respondent answered "No."

5 III

6 On or about August 7, 1974, in the Superior Court of
7 California, County of Los Angeles, Respondent was convicted of
8 violating Penal Code Section 647(f) (Possession of Drugs).

9 IV

10 On or about February 2, 1977, in the Superior Court of
11 California, County of Los Angeles, Respondent was convicted of
12 violating Vehicle Code Section 23105(a) (Driving Under the
13 Influence of a Drug).

14 V

15 On or about May 12, 1977, in the Superior Court of
16 California, County of Los Angeles, Respondent was convicted of
17 violating Penal Code Section 211 (Robbery).

18 VI

19 On or about June 23, 1978, in the Superior Court of
20 California, County of Los Angeles, Respondent was convicted of
21 violating Vehicle Code Section 23105(a) (Driving Under the
22 Influence of a Drug).

23 VII

24 Said crimes involve moral turpitude and are
25 substantially related to the qualifications, functions or duties
26 of a real estate licensee.
27

VIII

Respondent's convictions in the matters referred to in Paragraphs III, IV, V and VI are cause under Sections 480(a)(1) and 10177(b) of the Business and Professions Code for denying Respondent's application for a real estate license.

IX

Respondent's failure to reveal the matters set forth in Paragraphs III, IV, V and VI in said application constitutes the attempted procurement of a real estate license by fraud, misrepresentation or deceit, or by making a material misstatement of fact in said application, or by knowingly making a false statement of fact required to be revealed in said application, which failure is cause for denying Respondent's application for a real estate license under Sections 480(c) and 10177(a) of the Business and Professions Code of the State of California.

The Statement of Issues is 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 Government Code.

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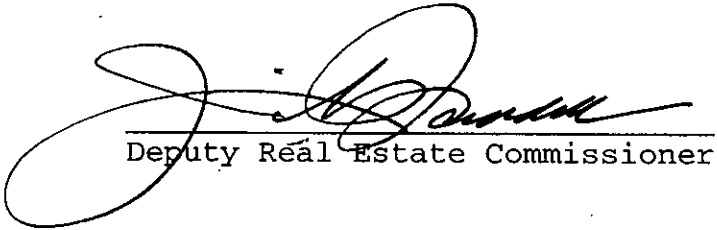
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WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to Respondent CHARLES RICHARD DIAZ and for such other and further relief as may be proper in the premises.

Dated at Los Angeles, California,
this 12th day of November, 2003.


Deputy Real Estate Commissioner

cc: Charles Richard Diaz
Sacto.
DKW