

1 Department of Real Estate  
2 320 W. 4<sup>th</sup> Street, Suite 350  
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

**FILED**

JUN 30 2010

DEPARTMENT OF REAL ESTATE  
BY: 

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of

12 GREGORY LEDEZMA,

14 Respondent.

) No. H-36631 LA

) STIPULATION AND WAIVER

15  
16 I, GREGORY LEDEZMA, respondent herein, do hereby affirm that I have applied to the  
17 Department of Real Estate for a real estate salesperson license and that to the best of my knowledge  
18 I have satisfied all of the statutory requirements for the issuance of the license, including the  
19 payment of the fee therefor.

20 I acknowledge that I have received and read the Statement of Issues and the Statement to  
21 Respondent filed by the Department of Real Estate on May 10, 2010, in connection with my  
22 application for a real estate salesperson license. I understand that the Real Estate Commissioner  
23 may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my  
24 honesty and truthfulness and to prove other allegations therein, or that he may in his discretion  
25 waive the hearing and grant me a restricted real estate salesperson license based upon this  
26 Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the  
27 Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet

1 all the requirements for issuance of a real estate salesperson license. I further understand that by  
2 entering into this stipulation and waiver I will be stipulating that the Real Estate Commissioner has  
3 found that I have failed to make such a showing, thereby justifying the denial of the issuance to me  
4 of an unrestricted real estate salesperson license.

5 I hereby admit that the allegations of the Statement of Issues filed against me are true and  
6 correct and request that the Real Estate Commissioner in his discretion issue a restricted real estate  
7 salesperson license to me under the authority of Section 10156.5 of the Business and Professions  
8 Code.

9 I am aware that by signing this Stipulation and Waiver, I am waiving my right to a hearing  
10 and the opportunity to present evidence at the hearing to establish my rehabilitation in order to  
11 obtain an unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by  
12 the Real Estate Commissioner. However, I am not waiving my right to a hearing and to further  
13 proceedings to obtain a restricted or unrestricted license if this Stipulation and Waiver is not  
14 accepted by the Commissioner.

15 I further understand that the following conditions, limitations and restrictions will attach to  
16 a restricted license issued by the Department of Real Estate pursuant hereto:

17 1. The license shall not confer any property right in the privileges to be exercised including  
18 the right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right  
19 to exercise any privileges granted under this restricted license in the event of:

- 20 a. The conviction of respondent (including a plea of nolo contendere) to a crime which  
21 bears a substantial relationship to respondent's fitness or capacity as a real estate  
22 licensee; or  
23 b. The receipt of evidence that respondent has violated provisions of the California  
24 Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate  
25 Commissioner or conditions attaching to this restricted license.

26 ///

27 ///

- 1           2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor  
2           the removal of any of the conditions, limitations or restrictions attaching to the  
3           restricted license until two years have elapsed from the date of issuance of the  
4           restricted license to me.
- 5           3. With the application for license, or with the application for transfer to a new employing  
6           broker, I shall submit a statement signed by the prospective employing broker on a  
7           form approved by the Department of Real Estate wherein the employing broker shall  
8           certify as follows:
- 9           a. That broker has read the Statement of Issues which is the basis for the issuance  
10          of the restricted license; and
- 11          b. That broker will carefully review all transaction documents prepared by the  
12          restricted licensee and otherwise exercise close supervision over the licensee's  
13          performance of acts for which a license is required.
- 14          4. Six months after the issuance of the restricted license, and at six month intervals  
15          thereafter during the term of any restricted license issued pursuant to this Decision, Respondent  
16          shall provide proof acceptable to the Real Estate Commissioner that, during the preceding six  
17          months, Respondent has, each and every week, attended one or more sessions of Alcoholics  
18          Anonymous or similar 12 Step or substance abuse program, or that such attendance in any week  
19          was impractical due to travel for work, the illness of Respondent or a member of Respondent's  
20          family, vacation, incarceration, residential treatment for substance abuse, extreme personal  
21          hardship for Respondent or a member of Respondent's family, or family emergency. Respondent  
22          shall submit proof to the Los Angeles Crisis Response Team Manager of the Department of Real  
23          Estate. The Commissioner may suspend the restricted license issued to Respondent pending a  
24          hearing held in accordance with Section 11500, et seq., of the Government Code, if such proof is  
25          not timely submitted as provided for herein, or as provided for in a subsequent agreement between  
26          the Respondent and the Commissioner. The suspension shall remain in effect until such proof is  
27          submitted or until Respondent enters into an agreement satisfactory to the Commissioner to provide

1 such proof, or until a decision providing otherwise is adopted following a hearing held pursuant to  
2 this condition.

3 Respondent can signify acceptance and approval of the terms and conditions of this  
4 Stipulation and Waiver by faxing a copy of its signature page, as actually signed by respondent, to  
5 the Department at the following telephone/fax number: (213) 576-6917. Respondent agrees,  
6 acknowledges and understands that by electronically sending to the Department a fax copy of his  
7 actual signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the  
8 Department shall be as binding on respondent as if the Department had received the original signed  
9 Stipulation an Waiver:

10 5-26-10

11 Dated

12   
13 GREGORY LEDEZMA, Respondent

14 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver  
15 signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as  
16 to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to  
17 the public interest to issue a restricted real estate salesperson license to Respondent.

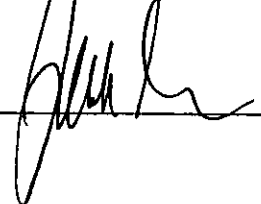
18 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be  
19 issued to Respondent GREGORY LEDEZMA if Respondent has otherwise fulfilled all of the  
20 statutory requirements for licensure. The restricted license shall be limited, conditioned and  
21 restricted as specified in the foregoing Stipulation and Waiver.

22 This Order is effective immediately.

23 IT IS SO ORDERED

24 6/23/2010.

25 JEFF DAVI  
26 Real Estate Commissioner

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*Sath*

1 AMELIA V. VETRONE, Counsel (SBN 134612)  
2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982  
6 (Direct) (213) 576-6940

**FILED**

MAY 10 2010

DEPARTMENT OF REAL ESTATE  
BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11	In the Matter of the Application of )	No. H-36631 LA
12	GREGORY LEDEZMA, )	<u>STATEMENT OF ISSUES</u>
13	Respondent. )	
14	_____ )	

15  
16 The Complainant, Joseph D. Aiu, a Deputy Real Estate  
17 Commissioner of the State of California, acting in his official  
18 capacity, for Statement of Issues against GREGORY LEDEZMA aka  
19 GREGORIO LEDEZMA("Respondent"), is informed and alleges as  
20 follows:

21 1.

22 On or about October 28, 2008, Respondent made  
23 application to the Department of Real Estate of the State of  
24 California for a real estate salesperson license.

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26 ///  
27 ///

1 FIRST CAUSE FOR DENIAL

2 (CRIMINAL CONVICTIONS)

3 2.

4 On or about February 3, 1999, in the Superior Court of  
5 California, County of San Bernardino, Case No. FVA010581,  
6 Respondent was sentenced and convicted of violating Penal Code  
7 Section 664/487(c) (Attempted Grand Theft from a Person), a  
8 felony. Said crime bears a substantial relationship to the  
9 qualifications, functions or duties of a real estate licensee  
10 under Section 2910, Title 10, Chapter 6, California Code of  
11 Regulations.

12 3.

13 On or about June 3, 2002, in the Superior Court of  
14 California, County of Riverside, Case No. RIM381102, Respondent  
15 was convicted of violating Penal Code Section 853.7 (Failure to  
16 Appear upon Written Promise), a misdemeanor. Said crime bears a  
17 substantial relationship to the qualifications, functions or  
18 duties of a real estate licensee under Section 2910, Title 10,  
19 Chapter 6, California Code of Regulations.

20 4.

21 On or about March 23, 2006, in the Superior Court of  
22 California, County of Riverside, Case No. SWM046671, Respondent  
23 was convicted of violating of Vehicle Code Sections  
24 23152(a) (Driving Under the Influence), and 23152(b) (Driving  
25 Under the Influence with Blood Alcohol .08 or Higher), both  
26 misdemeanors. Said crimes bear a substantial relationship to  
27 the qualifications, functions or duties of a real estate

1 licensee under Section 2910, Title 10, Chapter 6, California  
2 Code of Regulations.

3 5.

4 On or about January 22, 2010, in the Superior Court of  
5 California, County of Riverside, Case No. RIM536859, Respondent  
6 was convicted of violating of Vehicle Code Section  
7 23152(a) (Driving Under the Influence), a misdemeanor. Said  
8 crime bears a substantial relationship to the qualifications,  
9 functions or duties of a real estate licensee under Section  
10 2910, Title 10, Chapter 6, California Code of Regulations.

11 6.

12 The crimes of which Respondent was convicted as  
13 alleged in paragraphs 2, 3, 4 and 5, above, constitute cause for  
14 denial of Respondent's application for a real estate license  
15 under Business and Professions Code Sections 475(a)(2), 480(a),  
16 and 10177(b).

17 SECOND CAUSE FOR DENIAL

18 (FAILURE TO DISCLOSE)

19 7.

20 In response to Part D, Question 1 of the license  
21 application, to wit: "HAVE YOU EVER BEEN CONVICTED OF A  
22 MISDEMEANOR OR FELONY? **CONVICTIONS EXPUNGED UNDER PENAL CODE**  
23 **SECTION 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT TRAFFIC**  
24 **CITATIONS WHICH DO NOT CONSTITUTE A MISDEMEANOR OR FELONY."**,  
25 Respondent marked the box denoted "Yes," but only revealed the  
26 conviction described in Paragraph 2 above. Respondent failed to  
27

1 disclose the convictions described in Paragraphs 3, and 4,  
2 above.

3 8.

4 Respondent's failure to reveal the convictions set  
5 forth herein in Paragraphs 3, and 4, in his license application  
6 constitutes an attempt to procure a real estate license by  
7 fraud, misrepresentation, or deceit, or by making a material  
8 misstatement of fact, or by knowingly omitting to state a  
9 material fact in said application, which is grounds for denial  
10 of the issuance of a license under Business and Professions Code  
11 Sections 475(a)(1), 480(c), and/or 10177(a).

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

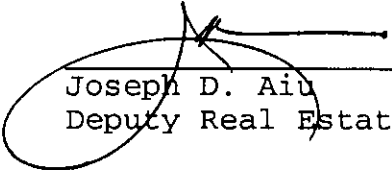
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WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license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

Dated at San Diego, California: 3 May, 2010.

  
\_\_\_\_\_  
Joseph D. Aiu  
Deputy Real Estate Commissioner

cc: GREGORY LEDEZMA  
Juan Eduardo Franco  
Joseph D. Aiu  
Sacto