

facts file

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FILED

JAN 26 2012

DEPARTMENT OF REAL ESTATE
R. The Robert

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of) No. H- 37812 LA
12 ROBERT PAUL ESPARZA, JR.,) STATEMENT OF ISSUES
13 Respondent.)
14 _____)

15 The Complainant, Robin Trujillo, a Deputy Real Estate
16 Commissioner of the State of California, acting in her official
17 capacity, for Statement of Issues against ROBERT PAUL ESPARZA,
18 JR. aka Robert Paul Esparza ("Respondent") alleges as follows:

19 1.

20 On or about October 12, 2010, Respondent made
21 application to the Department of Real Estate of the State of
22 California for a real estate salesperson license.

23
24 (CRIMINAL CONVICTIONS)

25 2.

26 On or about January 26, 2006, in the Superior Court of
27 California, County of Riverside, Case No. RIM472741, Respondent

1 was convicted of violating California Penal Code Section
2 273.6(a) (intentionally violating a protective order), a
3 misdemeanor. Said crime bears a substantial relationship to the
4 qualifications, functions, or duties of a real estate licensee
5 under Section 2910, Title 10, Chapter 6, California Code of
6 Regulations.

7 3.

8 On or about September 27, 2007, in the Superior Court
9 of California, County of San Bernardino, Case No. MB700973,
10 Respondent was convicted of violating California Health and
11 Safety Code Section 12677 (possession of dangerous fireworks
12 without permit), a misdemeanor. Said crime bears a substantial
13 relationship to the qualifications, functions, or duties of a
14 real estate licensee under Section 2910, Title 10, Chapter 6,
15 California Code of Regulations.

16 4.

17 The crimes of which Respondent was convicted as
18 alleged in Paragraphs 2 and 3, herein, constitute cause for
19 denial of Respondent's application for a real estate license
20 under California Business and Professions Code Sections
21 475(a)(2), 480(a), and 10177(b).

22
23 (FAILURE TO REVEAL CONVICTIONS)

24 5.

25 In response to Part D - Item 1 of his license
26 application, to wit: "HAVE YOU EVER BEEN CONVICTED OF ANY
27 VIOLATION OF LAW? CONVICTIONS EXPUNGED UNDER PENAL CODE SECTION

1 1203.4 MUST BE DISCLOSED. HOWEVER, YOU MAY OMIT MINOR TRAFFIC
2 CITATIONS WHICH DO NOT CONSTITUTE A MISDEMEANOR OR FELONY. IF
3 YES, COMPLETE ITEM 5," Respondent failed to answer. In response
4 to Part D - Item 5, Respondent revealed the conviction described
5 in Paragraph 2, herein, but failed to reveal the conviction
6 described in Paragraph 3, herein.

7 6.

8 Respondent's failure to reveal this conviction in his
9 license application constitutes knowingly making a false
10 statement of material fact required to be revealed in said
11 application, which is grounds for denial of the issuance of a
12 license under California Business and Professions Code Sections
13 475(a)(1), 480(c), and 10177(a).

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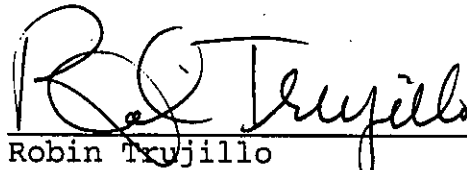
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1 These proceedings are brought under the provisions of
2 Section 10100, Division 4 of the California Business and
3 Professions Code and Sections 11500 through 11528 of the
4 California Government Code.

5 WHEREFORE, the Complainant prays that the above-
6 entitled matter be set for hearing and, upon proof of the
7 charges contained herein, that the Commissioner refuse to
8 authorize the issuance of, and deny the issuance of, a real
9 estate salesperson license to Respondent, ROBERT PAUL ESPARZA,
10 JR., and for such other and further relief as may be proper
11 under other applicable provisions of law.

12 Dated at Los Angeles, California: January 23,
13 2012.

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16 
17 Robin Trujillo
18 Deputy Real Estate Commissioner
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25 cc: ROBERT PAUL ESPARZA, JR.
26 Carlos Antonio Alvarado
27 Robin Trujillo
Sacto