

**FILED**

MAY 27 2014

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3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105

DEPARTMENT OF REAL ESTATE

BY: 

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7  
8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of ) No. H- 39467 LA  
12 )  
13 WLEHYONNEH T. TOLES, ) STATEMENT OF ISSUES  
14 )  
15 Respondent. )

16 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the  
17 State of California, acting in her official capacity, for Statement of Issues against  
18 WLEHYONNEH T. TOLES aka Wlehyonneh Toles ("Respondent") alleges as follows:

19 1.

20 On or about August 23, 2013, Respondent made application to the Bureau of  
21 Real Estate ("Bureau") of the State of California for a real estate salesperson license.

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FIRST CAUSE FOR DENIAL  
(CRIMINAL CONVICTIONS)

2.

On or about November 15, 2005, in the Superior Court of California, County of Los Angeles, in Case No. 5WL13536, Respondent was convicted of violating Penal Code Section 484(a) (Petty Theft), a misdemeanor. Said crime bears a substantial relationship to the qualifications, functions or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

3.

On or about July 5, 2007, in the Superior Court of California, County of Los Angeles, in Case No. 7PY03321, Respondent was convicted of violating Penal Code Section 487(a) (Grand Theft), a misdemeanor. Said crime bears a substantial relationship to the qualifications, functions or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

4.

The crimes of which Respondent was convicted as alleged above, constitute cause for denial of Respondent's application for a real estate license under Business and Professions Code Sections 475(a)(2), 480(a), and 10177(b).

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1 SECOND CAUSE FOR DENIAL

2 (FAILURE TO DISCLOSE)

3 5.

4 In response to PART D, Question 1 of the license application, to wit: HAVE  
5 YOU EVER BEEN CONVICTED OF ANY VIOLATION OF LAW? ALL STATE AND  
6 FEDERAL MISDEMEANOR AND FELONY CONVICTIONS, AND ALL MILITARY AND  
7 FOREIGN CONVICTIONS, MUST BE DISCLOSED. **CONVICTIONS EXPUNGED**  
8 **UNDER PENAL CODE SECTION 1203.4 OR A SIMILAR STATUTE MUST STILL BE**  
9 **DISCLOSED.**”, Respondent marked the box denoted “No,” and failed to disclose the  
10 convictions described in paragraphs 2 and 3, above.

11 6.

12 Respondent’s failure to reveal the conviction set forth herein in paragraphs 2 and  
13 3, above, in his license application constitutes an attempt to procure a real estate license by  
14 fraud, misrepresentation, or deceit, or by making a material misstatement of fact, or by  
15 knowingly omitting to state a material fact in said application, which is grounds for denial of  
16 the issuance of a license under Business and Professions Code Sections 475(a)(1), 480(c),  
17 and/or 10177(a).

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19 These proceedings are brought under the provisions of Section 10100, Division  
20 4 of the Business and Professions Code of the State of California and Sections 11500 through  
21 11528 of the California Government Code.

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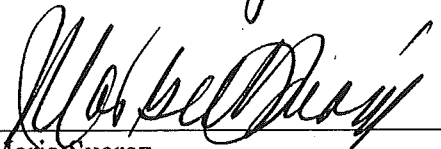
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1                    WHEREFORE, Complainant prays that the above-entitled matter be set for  
2 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to  
3 authorize the issuance of, and deny the issuance of, a real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

6                    Dated at Los Angeles, California: 21 May 2014.

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9                    \_\_\_\_\_  
10                    Maria Suarez  
11                    Deputy Real Estate Commissioner

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25 cc:    Wlehyonneh T. Toles  
26        Maria Suarez  
27        Sacto.