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**FILED**

**MAY 19 2016**

**BUREAU OF REAL ESTATE**

By John Aguirre

8 BEFORE THE BUREAU OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of ) No. H-40259 LA  
12 )  
13 EDUARDO VASQUEZ, ) STATEMENT OF ISSUES  
14 )  
15 Respondent. )  
\_\_\_\_\_ )

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the  
17 State of California, for Statement of Issues against EDUARDO VASQUEZ (“Respondent”), is  
18 informed and alleges in her official capacity as follows:

19 1.

20 On or about May 8, 2013, Respondent made application to the Bureau of Real  
21 Estate of the State of California for a real estate salesperson license.

22 (CRIMINAL CONVICTIONS)

23 2.

24 On or about October 9, 2013, in the Superior Court of California, County of Los  
25 Angeles, Case NO. 2CP06762, Respondent was convicted for violation of California Vehicle  
26 Code Section 14601.1(a) (driving while privilege suspended or revoked), a misdemeanor.

27 Respondent was placed on summary probation for 36 months and ordered to perform 10 days of

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1 community service and to pay various fines and fees. This conviction bears a substantial  
2 relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the  
3 qualifications, functions or duties of a real estate licensee.

4 3.

5 On or about November 10, 2003, in the Superior Court of California, County of  
6 Los Angeles, Case No. KA063508, Respondent pled *nolo contendere* to and was convicted for  
7 violation of California Vehicle Code Section 23152(a) (driving under the influence of alcohol  
8 with 3 prior convictions for the same or similar offense), a felony. Respondent was ordered to  
9 serve 16 months in state prison and to pay various fines and fees. In addition, Respondent was  
10 ordered to complete a multiple offender driving under the influence program. This conviction  
11 bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of  
12 Regulations to the qualifications, functions or duties of a real estate licensee.

13 4.

14 On or about June 2, 2003, in the Superior Court of California, County of San  
15 Diego, Case No. S174396, Respondent pled guilty to and was convicted for violation of  
16 California Vehicle Code Sections 14601.2(a) (driving while privilege suspended or revoked  
17 with prior convictions) and 23103(a) (reckless driving), misdemeanors. Respondent was placed  
18 on summary probation for 3 years and ordered to serve 60 days in jail. In addition, Respondent  
19 was ordered to complete 3 months of First Conviction Program and to pay various fines and  
20 fees. These convictions bear a substantial relationship under Section 2910, Title 10, Chapter 6,  
21 California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

22 5.

23 On or about December 13, 2001, in the Superior Court of California, County of  
24 Los Angeles, Case No. 1JM09125, Respondent pled guilty to and was convicted for violation of  
25 California Vehicle Code Section 14601.2(a) (driving while privilege suspended or revoked with  
26 2 prior convictions), a misdemeanor. Respondent was placed on summary probation for 3 years  
27 and ordered to serve 45 days in jail. This conviction bears a substantial relationship under

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1 Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications,  
2 functions or duties of a real estate licensee.

3 6.

4 On or about December 13, 2001, in the Superior Court of California, County of  
5 Los Angeles, Case No. 1JM09907, Respondent pled *nolo contendere* to and was convicted for  
6 violation of California Vehicle Code Section 14601.1(a) (driving while privilege suspended or  
7 revoked), a misdemeanor. Respondent was placed on summary probation for 3 years. This  
8 conviction bears a substantial relationship under Section 2910, Title 10, Chapter 6, California  
9 Code of Regulations to the qualifications, functions or duties of a real estate licensee.

10 7.

11 On or about March 2, 2001, in the Superior Court of California, El Monte  
12 Courthouse, County of Los Angeles, Case No. 0RH04709, Respondent pled *nolo contendere* to  
13 and was convicted for violation of California Vehicle Code Sections 23152(b) (driving with  
14 0.08% or more of blood alcohol content) and 14601.2(a) (driving while privilege suspended or  
15 revoked with 2 prior convictions), misdemeanors. Respondent was placed on summary  
16 probation for 3 years and ordered to serve 45 days in county jail. In addition, Respondent was  
17 ordered to complete 40 hours of community service at the Los Angeles County Morgue and to  
18 pay various fines and fees. These convictions bear a substantial relationship under Section  
19 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or  
20 duties of a real estate licensee.

21 8.

22 On or about July 3, 2000, in the Superior Court of California, County of San  
23 Bernardino, Case No. TWV28968, Respondent pled guilty to and was convicted for violation of  
24 California Vehicle Code Section 23152(a) (driving under the influence of alcohol), a  
25 misdemeanor. Respondent was placed on conditional and revocable release for 36 months and  
26 ordered to serve 5 days in county jail. This conviction bears a substantial relationship under  
27

1 Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications,  
2 functions or duties of a real estate licensee.

3 9.

4 On or about January 26, 1999, in the Superior Court of California, West Covina  
5 Courthouse, County of Los Angeles, Case No. 9JM00476, Respondent pled *nolo contendere* to  
6 and was convicted for violation of California Vehicle Code Section 14601.1(a) (driving while  
7 privilege suspended or revoked), a misdemeanor. Respondent was placed on summary  
8 probation for 3 years and ordered to serve 40 days in jail. This conviction bears a substantial  
9 relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the  
10 qualifications, functions or duties of a real estate licensee.

11 10.

12 On or about October 20, 1998, in the Superior Court of California, West Covina  
13 Courthouse, County of Los Angeles, Case No. 8JM03425, Respondent pled *nolo contendere* to  
14 and was convicted for violation of California Vehicle Code Section 14601.1(a) (driving while  
15 privilege suspended or revoked), a misdemeanor. Respondent was placed on summary  
16 probation for 3 years and ordered to serve 40 days in jail. This conviction bears a substantial  
17 relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the  
18 qualifications, functions or duties of a real estate licensee.

19 11.

20 On or about July 20, 1998, Superior Court of California, Long Beach  
21 Courthouse, County of Los Angeles, Case No. 8LM05680, Respondent pled *nolo contendere* to  
22 and was convicted for violation of Long Beach Municipal Code Section 3.80.210 (failure to pay  
23 business license tax), a misdemeanor. Respondent was placed on summary probation for 1 year  
24 and ordered to serve 4 days in jail. This conviction bears a substantial relationship under  
25 Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications,  
26 functions or duties of a real estate licensee.

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12.

On or about January 2, 1996, in the Superior Court of California, El Monte Courthouse, County of Los Angeles, Case No. 95M09273, Respondent pled *nolo contendere* to and was convicted for violation of California Vehicle Code Section 12500(a) (driving without a valid driver's license), a misdemeanor. Respondent was placed on summary probation for 2 years and ordered to serve 10 days in county jail and to pay various fines and fees. This conviction bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

13.

On or about December 28, 1995, in the Superior Court of California, West Covina Courthouse, County of Los Angeles, Case No. 95M17118, Respondent pled *nolo contendere* to and was conviction for violation of California Penal Code Section 243(e)(1) (battery upon cohabitant), a misdemeanor. Respondent was placed on summary probation for 3 years and ordered to serve 20 days in jail. In addition, Respondent was ordered to enroll in domestic violence counseling. This conviction bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

14.

The crimes of which Respondent was convicted, as alleged above, constitute cause for denial of Respondent's application for a real estate license under California Business and Professions Code Sections 475(a)(2), 480(a)(1), and 10177(b).

(FAILURE TO REVEAL CONVICTIONS)

15.

In response to Question 1 under "Background Information" of his license application, to wit: HAVE YOU EVER BEEN CONVICTED OF A MISDEMEANOR OR FELONY?" Respondent answered "YES," and disclosed the conviction in Case No. KA063508 for violation of California Vehicle Code Section 23152(a) as alleged in Paragraph 3, above.

1 Respondent, however, failed to reveal all his convictions as set forth in Paragraphs 2 and 4  
2 through 13, above.

3 16.

4 Respondent's failure to reveal these convictions, as set forth in Paragraphs 2 and  
5 4 through 13, above, in his license application constitutes an attempt to procure a real estate  
6 license by fraud, misrepresentation, or deceit, or by making a false statement of material fact  
7 required to be revealed in said application, which is grounds for denial of the issuance of a  
8 license under California Business and Professions Code Sections 475(a)(1), 480(d), and  
9 10177(a).

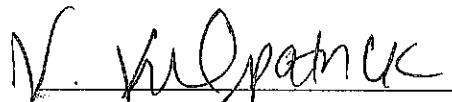
10 17.

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

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

19  
20 Dated at San Diego, California

21 this 9<sup>th</sup> day of May, 2016

22  
23   
24 Veronica Kilpatrick  
Supervising Special Investigator

25 cc: EDUARDO VASQUEZ  
26 Veronica Kilpatrick  
27 Sacto.

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