

**FILED**

**DEC 12 2019**

**DEPT. OF REAL ESTATE**

By 

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8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of ) No. H-41553 LA  
12 JEFFREY JAMES HELLIGAR, ) STATEMENT OF ISSUES  
13 Respondent. )

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15 The Complainant, Maria Suarez, a Supervising Special Investigator for the  
16 Department of Real Estate ("Department") of the State of California, for cause of for Statement  
17 of Issues against JEFFREY JAMES HELLIGAR ("Respondent"), is informed and alleges in her  
18 official capacity as follows:

19 1. On or about September 18, 2018, Respondent made application to the Department  
20 for a real estate salesperson license.

21 FIRST CAUSE FOR DENIAL  
22 (CRIMINAL CONVICTIONS)

23 2. On or about February 19, 1991, in the Ninth Judicial Circuit Court of Osceola  
24 County, Florida, Case No. CR 90-952, Respondent was convicted on a plea of guilty for violation  
25 of Florida Statute 784.045(1)(b) (aggravated battery), a felony in the second degree. The court  
26 sentenced Respondent to serve a 30-month prison sentence, with credit for one day, and ordered  
27 Respondent to pay restitution in the amount of \$9,355.63.

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1 3. On or about October 4, 1993, in the Circuit Court of Orange County, Florida, Case  
2 No. CR 93-5261, Respondent was convicted on a plea of nolo contendere to violation of Florida  
3 Statute 893.13(1)(a)(1) (delivery of cocaine), a felony in the second degree. The court sentenced  
4 Respondent to 1 day time served in the Orange County Jail, followed by one year of probation  
5 with conditions, and ordered Respondent to pay costs and fees.

6 4. On or about February 13, 1995, in the Circuit Court of Orange County, Florida,  
7 Case No. CR 94-11444, Respondent was convicted on a plea of nolo contendere to violation of  
8 Florida Statute 893.13(1)(a) (possession of cannabis with intent to sell), a felony in the third  
9 degree. The court placed Respondent on 2 years of supervised probation under the supervision of  
10 the Department of Corrections, and ordered Respondent to pay fines and costs.

11 5. The crimes for which Respondent was convicted, as described in Paragraphs 2  
12 through 4 above, by their facts and circumstances, bear a substantial relationship under Section  
13 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties  
14 of a real estate licensee.

15 6. The crimes for which Respondent was convicted, as described in Paragraphs 2  
16 through 4 above, constitute cause for denial of Respondent's application for a real estate license  
17 under California Business and Professions Code sections 480(a)(1) and 10177(b).

18 SECOND CAUSE FOR DENIAL

19 (FAILURE TO DISCLOSE CONVICTIONS)

20 7. On or about September 18, 2018, Respondent made application to the Department  
21 for a real estate salesperson license. In response to Question 28, under "BACKGROUND  
22 INFORMATION," of Respondent's license application, to wit, "HAVE YOU EVER BEEN  
23 CONVICTED (SEE PARAGRAPH ABOVE) OF ANY VIOLATION OF THE LAW AT THE  
24 MISDEMEANOR OR FELONY LEVEL? IF YES, COMPLETE ITEM 34 WITH  
25 INFORMATION ON EACH CONVICTION," Respondent marked "NO."


26 8. Respondent's failure to disclose the convictions, as set forth in Paragraphs 2  
27 through 4 above, in his license application constitutes an attempt to procure a real estate license by  
28 fraud, misrepresentation, or deceit, or by making a material misstatement of fact in an application,

1 which is grounds for denial of the issuance of a license under California Business and Professions  
2 Code Section 10177(a).

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

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

11 Dated at Los Angeles, California this 10<sup>th</sup> day of December, 2019.

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16 Maria Suarez  
17 Supervising Special Investigator  
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21 cc: JEFFREY JAMES HELLIGAR  
22 Maria Suarez  
23 Sacto.  
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