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FILED
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DEPT. OF REAL ESTATE
@S. Brown

10 BEFORE THE DEPARTMENT OF REAL ESTATE
11 STATE OF CALIFORNIA

12 * * *

13 In the Matter of the Application of) No. H-41985 LA
14)
15 ROBERTO GONZALEZ VIRAMONTES,) STATEMENT OF ISSUES
16)
17 Respondent.)

18 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
19 of California, for Statement of Issues against ROBERTO GONZALEZ VIRAMONTES
20 (“Respondent”), also known as Robert Gonzalez Jr., Roberto Gonzalez Viramontes Jr., Robert
21 Gonzalez Viramontes Jr., and Robert Gonzalez-Viramontes, is informed and alleges in her
22 official capacity as follows:

23 1.

24 On or about August 26, 2019, Respondent made application to the Department
25 of Real Estate (“Department”) of the State of California for a real estate salesperson license.

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2.

Respondent previously held a real estate broker license with the Department (License ID 01107842). On or about October 13, 2016, the Department revoked Respondent's license. After a hearing held on August 16, 2016, Case No. H-40061 LA, OAH No. 2016010248, Respondent was found to have violated Business and Professions Code sections 10148(a) for failure to maintain records pertaining to real estate transactions; 10148(a) for failure to produce records and make them available to the Department; 10145, 10176(a), 10176(e), 10176(i), 10177(d), and 10177(g) for failure to pay over loan proceeds and other monies entrusted to Gonzalez or a corporate broker for which he was the designated officer, and his use of it for other purposes, constituting conversion; 10085.5, 10145, 10176(a), 10176(e), 10176(i), 10177(d), and 10177(g) for taking an advanced fee when he had no approved advanced fee agreement, and by his failure to refund such fees on demand, which constituted a conversion of those funds.

(DISCIPLINARY ACTION)

3.

On or about November 19, 2020, before the Department of Financial Protection and Innovation, State of California, Agency No. 60DBO072891, OAH No. 2020010980, the Mortgage Loan Originator ("MLO") license issued to Respondent was ordered revoked, Respondent was barred from any position of employment, management, or control of any finance lender, broker, or mortgage loan originator, and the application of Respondent for a finance lender license was denied.

After a hearing held on July 13, 2020, in which Respondent did not appear, the Court found that cause existed to revoke Respondent's MLO license for violation of California Code of Regulations, sections 1422.6, 1409.1(a) and (c). The Court found that the DRE Decision was a disciplinary order under Financial Code section 22705.1(a) and constitutes a fact or condition that, had it existed at the time of the original MLO license application,

1 reasonably would have warranted the Commissioner’s denial of the application, and is therefore
2 grounds for revocation under Financial Code section 22714(a)(3).

3 The Court found that cause existed under Financial Code section 22169 to bar
4 Respondent from any position of employment, management, or control of any finance lender,
5 broker, or mortgage loan originator. The Court found that the DRE Decision establishes that
6 Respondent committed acts involving dishonesty, fraud, or deceit reasonably related to the
7 qualifications, functions, or duties of a person engaged in the business in accordance with the
8 provisions of the CFL.

9 The Court found that cause existed under Financial Code section 22109.1(a)(1),
10 (2), and (3) to deny Respondent’s California finance lending application because the DRE
11 Decision is evidence that Respondent has not demonstrated such financial responsibility,
12 character, and general fitness as to command the confidence of the community and to warrant a
13 determination that he will operate honestly, fairly, and efficiently consistent with the purposes
14 of the CFL.

15 4.

16 The allegations set forth in Paragraph 3 above constitute cause under Code
17 sections 10177(f) and 10177(j) for the denial of license to Respondent.

18 5.

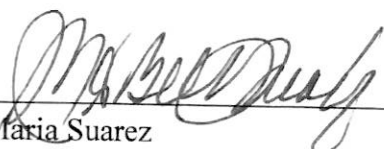
19 These proceedings are brought under the provisions of section 10100, Division 4
20 of the Business and Professions Code of the State of California and sections 11500 through
21 11528 of the California Government Code.

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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 ROBERTO GONZALEZ VIRAMONTES and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California this 30th day of April, 2021.



Maria Suarez
Supervising Special Investigator

cc: ROBERTO GONZALEZ VIRAMONTES
Maria Suarez
Sacto.