

FILED

AUG 15 2023

DEPT. OF REAL ESTATE
By _____

1 LAURENCE D. HAVESON, Counsel (SBN 152631)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6982
6 Direct: (213) 576-6854
7 Fax: (213) 576-6917
8 Email: Laurence.Haveson@dre.ca.gov
9 *Attorney for Complainant*

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

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In the Matter of the Application of:

No. H-42695-LA

ROBERTO GONZALEZ VIRAMONTES,

STATEMENT OF ISSUES

Respondent.

Complainant, Jason Parson, a Supervising Special Investigator for the Department of Real Estate ("Department" or "DRE") of the State of California, for cause of Statement of Issues against ROBERTO GONZALEZ VIRAMONTES ("GONZALEZ"), also known as Robert Gonzalez Viramontes, Jr., Roberto Gonzalez Viramontes, Jr., Robert Gonzalez Jr., and Robert Gonzalez-Viramontes ("Respondent"), is informed and alleges in his official capacity as follows:

1. On or about December 20, 2022, Respondent made application to the Department for a real estate salesperson license.

PREVIOUS LICENSE HISTORY

2. Respondent was previously licensed by the Department, first as a real estate salesperson ("RES") from on or about April 12, 1991, to on or about January 17, 1995, and then as a real estate broker ("REB"), License ID 01107842, from on or about January 18, 1995, through on or about November 10, 2016, at which time Respondent's license was revoked for violations of the Real Estate Law.

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1 b. Respondent’s MLO license under California Financial Code section 22714
2 was revoked.

3 c. Respondent’s application for a finance lender license was denied.

4 6. The DFPI Commissioner adopted the findings of the ALJ that, among other things:

5 a. In May 2017 Respondent’s application for an MLO license with the DFPI
6 under the California Financing Law (“CFL”), Financial Code section 22105.1, using form
7 MU4 through the Nationwide Mortgage Licensing System & Registry (“NMLS”), and in his
8 subsequent MU4 and MU2 applications, Respondent failed to disclose the DRE’s Decision
9 in DRE Case No. H-40061-LA that revoked Respondent’s REB license, and failed to
10 disclose that he had filed for bankruptcy in 2015.

11 b. In Respondent’s June 2017 application for a finance lending license using
12 form MU1, Respondent falsely answered “No” to regulatory disclosure questions about prior
13 discipline imposed by state regulatory agencies, failed to disclose the DRE’s Decision in
14 DRE Case No. H-40061-LA that revoked Respondent’s REB license, and falsely answered
15 “No” to whether the applicant or a control affiliate had been the subject of a bankruptcy
16 petition.

17 c. Cause existed under Financial Code section 22169 to bar Respondent from
18 any position of employment, management, or control of any finance lender, broker, or
19 mortgage loan originator. The DRE’s Decision in DRE Case No. H-40061-LA established
20 that Respondent committed acts involving dishonesty, fraud, or deceit reasonably related to
21 the qualifications, functions, or duties of a person engaged in the business in accordance
22 with the provisions of the CFL.

23 7. Based on the DFPI’s Decision in DFPI Case No. 60DBO072891, Respondent’s MLO
24 license, issued by the DFPI, was revoked, and Respondent received an order of debarment, for acts
25 that, if done by a real estate licensee, would be grounds for the suspension or revocation of a
26 California real estate licensee under Code sections 10176(a) (substantial misrepresentation),
27 10176(i) (fraud or dishonest dealing), and 10177(a) (procured license by fraud, misrepresentation,
28 deceit, or material misstatement).

1 8. The prior license action against Respondent, as alleged in Paragraphs 5 through 7
2 above, constitutes cause for the denial of Respondent's application for a real estate salesperson
3 license pursuant to Code section 10177(f).

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

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

12 Dated at Los Angeles, California on August 15, 2023.

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14 Jason Parson
15 Supervising Special Investigator

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17 cc: ROBERTO GONZALEZ VIRAMONTES
18 Benny Juarez
19 Jason Parson
20 Sacto.

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