ANDREA BENTLER, Counsel (SBN 319369) 1 Department of Real Estate 320 West 4th Street, Suite 350 Los Angeles, California 90013-1105 Telephone: (213) 576-6982 3 Direct: (213) 576-6905 4 Fax: (213) 576-6917 Attorney for Complainant 5 6 7 8



BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-42740 LA
EDWARD MARTIN POLANCO,)	ACCUSATION
Respondent.)	
)	

The Complainant, Jason Parson, a Supervising Special Investigator of the State of California, for cause of Accusation against EDWARD MARTIN POLANCO ("Respondent"), also known as Edward Polanco and Edward M. Polanco, alleges as follows:

1.

The Complainant, Jason Parson, a Supervising Special Investigator of the State of California, makes this Accusation in his official capacity.

2.

Respondent presently has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real estate salesperson (License ID 01895276). Respondent's license is scheduled to expire on July 2, 2027, unless renewed.

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FIRST CAUSE OF ACCUSATION

(CRIMINAL CONVICTIONS)

3.

On or about September 30, 2021, in the Superior Court of California, County of Los Angeles, Case No. PA096680, Respondent was convicted on a plea of nolo contendere for Count 3: violation of Penal Code section 25400(a)(1) (having concealed firearm in vehicle), a misdemeanor, and Count 4: violation of Penal Code section 415(1) (disturbing the peace: fighting or challenging another to a fight in a public place), a misdemeanor. As to Count 3, Respondent was placed on summary probation for twelve (12) months, on certain terms and conditions, including, in part, performing thirty (30) days of Cal Trans. As to Count 4, Respondent was placed on summary probation for one (1) year, on certain terms and conditions, including, in part, performing thirty (30) days of Cal Trans, completion of weekly psychological counseling, and payment of fines as fees. Summary probation and Cal Trans as to Counts 3 and 4 are to run concurrently.

4.

In aggravation, on or about July 6, 2011, in the Superior Court of California, County of Los Angeles, Case No. 1NW02048, Respondent was convicted on a plea of nolo contendere for violation of Vehicle Code section 23152(b) (driving with a blood alcohol content of 0.08 percent or higher), a misdemeanor. Respondent was placed on summary probation for thirty-six (36) months, on certain terms and conditions, including, in part, enrolling in an AB1353 program, completion of the Victim Impact Program of Mothers Against Drunk Driving, and payment of fines and fees.

5.

In aggravation, on or about October 31, 2012, in the Superior Court of California, County of Los Angeles, Case No. 2NW01992, Respondent was convicted on a plea of nolo contendere for violation of Vehicle Code section 14601.5(a) (driving while license suspended or revoked), a misdemeanor. Respondent was placed on summary probation for

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thirty-six (36) months, on certain terms and conditions, including, in part, payment of fines and fees.

6.

In aggravation, on or about July 8, 2013, in the Superior Court of California, County of Los Angeles, Case No. 3NW00498, Respondent was convicted on a plea of nolo contendere for violation of Vehicle Code section 14601.1(a) (driving while license suspended or revoked), a misdemeanor. Respondent was placed on summary probation for thirty-six (36) months, on certain terms and conditions, including, in part, payment of fines and fees.

7.

In aggravation, on or about April 22, 2014, in the Superior Court of California, County of Los Angeles, Case No. PA074700, Respondent was convicted on a plea of nolo contendere for violation of Penal Code section 487(a) (grand theft of personal property), a misdemeanor. Respondent was placed on summary probation for two (2) years on certain terms and conditions, including, in part, performing ten (10) days of Cal Trans, and payment of fines and fees. On or about March 13, 2018, the conviction was dismissed pursuant to Penal Code sections 1203.4/1203.4a.

8.

The convictions, as described in Paragraph 3, bear 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.

9.

The crimes of which Respondent was convicted, as described in Paragraph 3 above, constitute cause under Sections 490 and 10177(b) of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

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SECOND CAUSE OF ACCUSATION

(FAILURE TO REPORT CONVICTIONS)

10.

Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "the conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or misdemeanor" to the Department within thirty (30) days of the conviction.

Respondent failed to report in writing to the Department the convictions described in Paragraph 3 above, within thirty (30) days of the conviction date.

11.

Respondent's failure to timely report the convictions constitute cause under Section 10186.2 of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

(COSTS OF INVESTIGATION AND ENFORCEMENT)

12.

California Business and Professions Code section 10106, provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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ACCUSATION

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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of Respondent EDWARD MARTIN POLANCO under the Real Estate Law, for the costs of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California this 26th day of September , 2023.

Jason Parson Supervising Special Investigator

cc: EDWARD MARTIN POLANCO
PG & Associates Inc
Jason Parson
Sacto.

ACCUSATION