

PUBLIC MATTER

FILED

DEC 23 2015

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

1 STATE BAR OF CALIFORNIA
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STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case Nos. 15-O-13125, 15-O-13479,
) 15-O-13793 & 15-O-13595
 14 WILLIAM ARTHUR VALLEJOS,)
 No. 140110,) NOTICE OF DISCIPLINARY CHARGES
 15)
 16 A Member of the State Bar)

NOTICE - FAILURE TO RESPOND!

IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL:

- 20 (1) **YOUR DEFAULT WILL BE ENTERED;**
- 21 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW;**
- 22 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND;**
- 23 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN ORDER RECOMMENDING YOUR DISBARMENT WITHOUT FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. William Arthur Vallejos (“Respondent”) was admitted to the practice of law in the
4 State of California on June 6, 1989, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 15-O-13125
8 Business & Professions Code section 6106.3
9 [Violation of Civil Code section 2944.7(a)(1) - Illegal Advanced Fee]

10 2. On or about September 12, 2014, Respondent agreed to attempt to arrange a
11 mortgage loan modification or other mortgage loan forbearance for a fee for a client, Liberty
12 Orada, and on or about September 16, 2014, received \$3,500 from the client before Respondent
13 had fully performed each and every service he had been contracted to perform or represented to
14 the client that he would perform, in violation of Civil Code section 2944.7, and in willful
15 violation of Business and Professions Code section 6106.3.

16 COUNT TWO

17 Case No. 15-O-13125
18 Business and Professions Code section 6068(i)
19 [Failure to Cooperate in State Bar Investigation]

20 3. Respondent failed to cooperate and participate in a disciplinary investigation pending
21 against Respondent by failing to provide a substantive response to the State Bar’s letters dated
22 August 6, 2015 and September 8, 2015, which he received, that requested his response to the
23 allegations of misconduct being investigated in case no. 15-O-13125, in willful violation of
24 Business and Professions Code section 6068(i).

25 COUNT THREE

26 Case No. 15-O-13479
27 Business & Professions Code section 6106.3
28 [Violation of Civil Code section 2944.7(a)(1) - Illegal Advanced Fee]

4. On or about July 14, 2014, Respondent agreed to attempt to arrange a mortgage loan
modification or other mortgage loan forbearance for a fee for a client, Maria Quintana, and

1 thereafter between on or about July 29, 2014 and on or about August 26, 2014, received \$2,000
2 from the client before Respondent had fully performed each and every service he had been
3 contracted to perform or represented to the client that he would perform, in violation of Civil
4 Code section 2944.7, and in willful violation of Business and Professions Code section 6106.3.

5 COUNT FOUR

6 Case No. 15-O-13479
7 Rules of Professional Conduct, Rule 1-400(D)(2), (3), and (4)
8 [Deceptive, Misleading and Undesignated Advertisement
9 Containing a Guarantee or Prediction]

9 5. In or about July, 2014, Respondent made a communication, or allowed one to be
10 made on Respondent's behalf, to Maria Quintana, who was a prospective client, concerning
11 Respondent's availability for professional employment that: (A) failed to indicate clearly,
12 expressly, or by context, that it was a communication or solicitation; (B) failed to indicate the
13 name of the member responsible for the communication; (C) contained guarantees, warranties or
14 predictions regarding the results of the representation; and (D) contained, presented or arranged
15 the matter in a manner or format that was false, deceptive, or which tended to confuse, deceive,
16 or mislead the public, in willful violation of Rules of Professional Conduct, rule 1-400(D) (2),
17 (3) and (4).

18 COUNT FIVE

19 Case No. 15-O-13479
20 Business and Professions Code section 6068(i)
21 [Failure to Cooperate in State Bar Investigation]

21 6. Respondent failed to cooperate and participate in a disciplinary investigation pending
22 against Respondent by failing to provide a substantive response to the State Bar's letters dated
23 July 29, 2015 and August 18, 2015, which Respondent received, that requested his response to
24 the allegations of misconduct being investigated in case no. 15-O-13479, in willful violation of
25 Business and Professions Code section 6068(i).

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COUNT SIX

Case No. 15-O-13595
Business & Professions Code section 6106.3
[Violation of Civil Code section 2944.7(a)(1) - Illegal Advanced Fee]

7. On or about September 12, 2014, Respondent agreed to attempt to arrange a mortgage loan modification or other mortgage loan forbearance for a fee for client, Maria E. De La Torre, and on or about October 9, 2014, received \$3,000 from the client before Respondent had fully performed each and every service he had been contracted to perform or represented to the clients that he would perform, in violation of Civil Code section 2944.7, and in willful violation of Business and Professions Code section 6106.3.

COUNT SEVEN

Case No. 15-O-13595
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

8. On or about September 12, 2014, Maria E. De la Torre employed Respondent to perform legal services, namely arrange and/or attempt to arrange a mortgage loan modification or other mortgage loan forbearance for a fee for client, which Respondent intentionally, recklessly or repeatedly failed to perform with competence in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to perform any services for a period of approximately 11 months from on or about September 12, 2014 to on or about August 6, 2015, the date the client terminated Respondent's services.

COUNT EIGHT

Case No. 15-O-13595
Business and Professions Code section 6068(i)
[Failure to Cooperate in State Bar Investigation]

9. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters dated August 6, 2015 and September 8, 2015, which Respondent received, that requested his response to the allegations of misconduct being investigated in case no. 15-O-13595, in willful violation of Business and Professions Code section 6068(i).

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COUNT NINE

Case No. 15-O-13793
Business & Professions Code section 6106.3
[Violation of Civil Code section 2944.7(a)(1) - Illegal Advanced Fee]

10. On or about September 4, 2014, Respondent agreed to attempt to arrange a mortgage loan modification or other mortgage loan forbearance for a fee for a client, Lucia F. Nopales, and between on or about October 9, 2014 and on or about November 18, 2014, received \$2,500 from the client before Respondent had fully performed each and every service he had been contracted to perform or represented to the client that he would perform, in violation of Civil Code section 2944.7, and in willful violation of Business and Professions Code section 6106.3.

COUNT TEN

Case No. 15-O-13793
Business and Professions Code section 6068(i)
[Failure to Cooperate in State Bar Investigation]

11. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters dated August 25, 2015 and September 8, 2015, which Respondent received, that requested his response to the allegations of misconduct being investigated in case no. 15-O-13793, in willful violation of Business and Professions Code section 6068(i).

NOTICE - INACTIVE ENROLLMENT!

YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.

NOTICE - COST ASSESSMENT!

IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING

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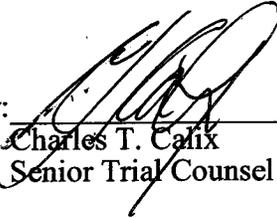
AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

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Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL

DATED: December 23, 2015

By: 
Charles T. Calix
Senior Trial Counsel

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 15-O-13125, 15-O-13479, 15-O-13793 & 15-O-13595

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES

By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a)) - in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.

By U.S. Certified Mail: (CCP §§ 1013 and 1013(a)) - in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.

By Overnight Delivery: (CCP §§ 1013(c) and 1013(d)) - I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').

By Fax Transmission: (CCP §§ 1013(e) and 1013(f)) Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.

By Electronic Service: (CCP § 1010.6) Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

(for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)

(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 1007 8431 at Los Angeles, addressed to: (see below)

(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to: Row 1: William A. Vallejos, Law Offices of William A Vallejos, 33 E Valley Blvd Ste 202, Alhambra, CA 91801, Electronic Address

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ('UPS'). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: December 23, 2015

SIGNED: Jason Peralta Declarant