

FILED

MAY 23 2010

DEPARTMENT OF REAL ESTATE

By K. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of )  
VALENTINA L. OJEDA, ) H-4017 SD  
Respondent. )

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on April 26, 2010, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license and/or license rights on grounds of the conviction of crimes.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1

On October 20, 2009, Joseph Aiu made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on October 22, 2009.

On April 26, 2010, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part I of Division 4, of the California Business and Professions Code ("the Code") as a real estate salesperson.

On or about August 27, 2008, in the Superior Court of the State of California, County of San Diego, Case No. M042457DV, Respondent was convicted of violating Section 23152(a) of the California Vehicle Code (Driving Under the Influence) and Section 245 of the California Penal Code (Assault With a Deadly Weapon), both misdemeanors and crimes which bear a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

On or about July 11, 2006, in the Superior Court of the State of California, County of San Diego, Case No. M993932, Respondent was convicted of violating Section 23152(b) of the California Vehicle Code (Driving Under the Influence With Blood Alcohol Level Over .08%), a misdemeanor and a crime which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

DETERMINATION OF ISSUES

Cause of disciplinary action against Respondent exists with reference to the convictions set out in Paragraph 3, above, pursuant to Business and Professions Code Sections 490 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially Related to Qualifications, Functions or Duties of Real Estate Licensee).

The standard of proof applied was clear and convincing proof to a reasonable certainty.

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ORDER

All licenses and licensing rights of Respondent VALENTINA L. OJEDA under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

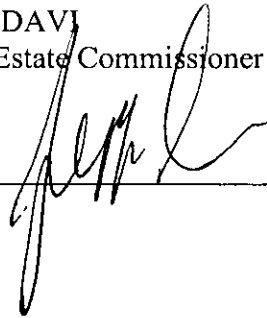
This Decision shall become effective at 12 o'clock noon on

JUN 14 2010

DATED: \_\_\_\_\_

5-12-2010

JEFF DAVIS  
Real Estate Commissioner



\_\_\_\_\_

1 Department of Real Estate  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

FILED

APR 26 2010

DEPARTMENT OF REAL ESTATE

By K. Max

8  
9 BEFORE THE DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \*\*\*

11 In the Matter of the Accusation of )  
12 ) H-4017 SD  
12 VALENTINA L. OJEDA, )  
13 ) DEFAULT ORDER  
13 Respondent. )  
14 )

15 Respondent, VALENTINA L. OJEDA, having failed to file a Notice of Defense  
16 within the time required by Section 11506 of the Government Code, is now in default. It is,  
17 therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED April 26, 2010.

19 JEFF DAVI  
20 Real Estate Commissioner

21 By:

21 Charles W. Koenig  
22 CHARLES W. KOENIG  
23 Northern Regional Manager  
24  
25  
26  
27

1 JOHN W. BARRON, Counsel (SBN 171246)  
2 Department of Real Estate  
3 P. O. Box 187007  
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5 Telephone: (916) 227-0792

FILED

OCT 22 2009

DEPARTMENT OF REAL ESTATE

By K. Mat

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \*\*\*

11 In the Matter of the Accusation of )  
12 ) No. H-4017 SD  
13 VALENTINA L. OJEDA, )  
14 Respondent. ) ACCUSATION  
15 )

16 The Complainant, JOSEPH AIU, a Deputy Real Estate Commissioner of the  
17 State of California, for cause of Accusation against VALENTINA L. OJEDA; (hereinafter  
18 "Respondent"), is informed and alleges as follows:

19 1

20 The Complainant makes this Accusation in his official capacity.

21 2

22 Respondent is presently licensed and/or has license rights under the Real Estate  
23 Law, Part 1 of Division 4 of the Business and Professions Code (hereafter "the Code") as a real  
24 estate salesperson.

25 3

26 On or about August 27, 2008, in the Superior Court of California, County of  
27 San Diego, Case No. M042457DV, Respondent was convicted of violating Section 23152(a)

1 of the California Vehicle Code (Driving Under the Influence) and Section 245 of the California  
2 Penal Code (Assault with a Deadly Weapon), both misdemeanors and crimes which bear a  
3 substantial relationship under Section 2910, Title 10, California Code of Regulations, to the  
4 qualifications, functions or duties of a real estate licensee.


5 4

6 On or about July 11, 2006, in the Superior Court of California, County of  
7 San Diego, Case No. M993932, Respondent was convicted of violating Section 23152(b) of the  
8 California Vehicle Code (Driving Under the Influence with Blood Alcohol Level over .08), a  
9 misdemeanor and crime which involves moral turpitude and bears a substantial relationship  
10 under Section 2910, Title 10, California Code of Regulations, to the qualification, functions or  
11 duties of a real estate licensee.

12 5

13 The facts alleged in Paragraphs 3 and 4, above, constitute a cause under Sections  
14 490 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of  
15 Respondent under the Real Estate Law.

16 WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
17 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary  
18 action against all licenses and license rights of Respondent under the Code, and for such other  
19 and further relief as may be proper under the provisions of law.

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21  
22   
23 JOSEPH AIU  
Deputy Real Estate Commissioner

24 Dated at San Diego, California,  
25 this 10 day of October, 2009.  
26  
27