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3	DEPARTMENT OF REAL ESTATE
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8	BEFORE THE DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * *
11	In the Matter of the Accusation of) NO. H-27041 LA
12) ROBIN SCOTT SALTER,)
13	Respondent.
14)
15	ORDER GRANTING REINSTATEMENT OF LICENSE
16	On July 29, 1997, a Decision was rendered herein
17	revoking Respondent's real estate broker license.
18	On May 19, 2006, Respondent petitioned for
19	
20	reinstatement of said real estate broker license and the
21 22	Attorney General of the State of California has been given
	notice of the filing of said petition.
23 24	I have considered the petition of Respondent and
24 25	the evidence and arguments in support thereof. Respondent
23 26	has demonstrated to my satisfaction that Respondent meets
27	the requirements of law for the issuance to Respondent of
	an unrestricted real estate broker license and that it would

1	not be against the public interest to issue said license to
2	Respondent.
3	NOW, THEREFORE, IT IS ORDERED that Respondent's
4	petition for reinstatement is granted and that a real estate
5 6	broker license be issued to Respondent if Respondent satisfies
7	the following conditions within twelve (12) months from the
8	date of this Order:
9	1. Submittal of a completed application and payment
10	of the fee for a real estate broker license.
11	2. Submittal of evidence satisfactory to the Real
12	Estate Commissioner that Respondent has, since his license was
13	revoked, taken and passed the written examination required to
14 15	obtain a real estate broker license.
-16	
17	This Order shall become effective immediately.
18	DATED: $\underline{2} - \underline{3} - \underline{3} - \underline{5} - $
19	JEFF DAVI Real Estate Commissioner
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21	http://
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25	
26	cc: Robert S. Salter
27	1240 E. Ontario Avenue, # 102-181 Corona, CA 92881
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7 8	DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
. 10	* * * *
11	In the Matter of the Accusation of) NO. H-27041 LA
12	ROBIN SCOTT SALTER)
13	Respondent.)
14	ORDER DENYING REINSTATEMENT OF LICENSE
15	ON July 29, 1997, a Decision was rendered herein
16	revoking the real estate broker license of Respondent, ROBIN
17	SCOTT SALTER (hereinafter "Respondent"), effective September
18	2, 1997.
19	On August 9, 1999, Respondent petitioned for
20	reinstatement of said real estate broker license and the
21	Attorney General of the State of California has been given
22	notice of the filing of said petition.
23	I have considered the petition of Respondent and
24	the evidence submitted in support thereof. Respondent has
25	failed to demonstrate to my satisfaction that he has
26	undergone sufficient rehabilitation to warrant the
27	reinstatement of his real estate broker license at this time.
COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 3-95)	-1-

OSP 98 10924

This determination has been made in light of Respondent's 1 history of acts and conduct which are substantially related 2 to the qualifications, functions and duties of a real estate 3 licensee. That history includes: 4 Ι 5 On or about June 21, 1996, Respondent was convicted 6 on his plea of nolo contendere to one count of violating 7 Penal Code Section 487(a), grand theft of personal property, 8 a crime inherently involving moral turpitude and 9 substantially related to the functions, duties and 10 qualifications of a Department licensee. Respondent was 11 placed on probation for a period of three years. 12 II 13 In the Decision which revoked Respondent's real 14 estate broker license there was a Finding that "Respondent 15 acted as a broker for an individual named Aguillar who 16 entered what appeared to be abandoned property and "adversely 17 possessed" the same, whereafter Respondent would rent the 18 property to third parties and split the rental with Aguillar, 19 all to the detriment of the true owners of the property" (and 20 also to the detriment of tenants unaware of the fact that 21 they could be treated as trespassers). 22 III 23 Due to the very serious nature of the active and 24 willing illegal conduct which led to the conviction set forth 25 above, and the revocation of Respondent's license, not enough 26 time has passed to establish that he is fully rehabilitated. 27 This is cause to deny his petition pursuant to Section

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-2-

2911(a) of Chapter 6, Title 10, California Code of Regulations. NOW, THEREFORE, IT IS ORDERED that Respondent's petition for reinstatement is denied. This Order shall become effective on January 4 2000 . DATED: PAULX REDDISH ZINNEMANN Rea/I Estate Commissioner ROBIN SCOTT SALTER 1323 Birdsong Lane Corona, California COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 3-95) -3-

DEPARTMENT OF REAL ESTATE

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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of

No. H-27041 LA

L-9704021

ROBIN SCOTT SALTER,

Respondent.

DECISION

The Proposed Decision dated July 10, 1997, of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

The Decision suspends or revokes one or more real estate licenses on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's <u>Criteria of</u> <u>Rehabilitation</u> are attached hereto for the information of respondent.

		This Decis	ion shall	become	effective	at	12	o'clock
noon	on	September	2, 1997					
				/				

IT IS SO ORDERED

JIM ANTT, JR. Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

In the Matter of the Accusation of:

Case No. H-27041 LA

OAH No. L-9704021

ROBIN SCOTT SALTER,

| | | | | |

Respondent.

PROPOSED DECISION

This matter came on regularly for hearing before Ralph B. Dash, Administrative Law Judge with the Office of Administrative Hearings, on June 10, 1997, at Los Angeles, California.

Complainant was represented by James Peel, Staff Counsel.

Respondent was present and was represented by Antonio Bestard.

Oral and documentary evidence having been received and the matter submitted, the Administrative Law Judge makes the following Findings of Fact:

* * * * *

1. Complainant Thomas McCrady made the Accusation in his official capacity as Deputy Real Estate Commissioner of the State of California.

2. At all times pertinent hereto, Respondent Robin Scott Salter ("Respondent") was and now is licensed by the Department of Real Estate ("Department") as a real estate broker.

3. On June 21, 1996, in the Municipal-Court of the Pomona Judicial District, County of Los Angeles, State of California, Respondent was convicted on his plea of nolo contendere to one count of violating Penal Code Section 487(a), grand theft of personal property, a crime inherently involving moral turpitude and substantially related to the functions, duties and qualifications of a Department licensee.

Imposition of sentence was suspended and Respondent was placed on formal probation for a period of three years on condition he serve three days in jail with credit for three days served, pay a fine and penalty assessment in the total sum of \$910, make restitution to his victim as prescribed by his probation officer and perform thirty days of community service.

4. The facts and circumstances out of which the conviction arose show that Respondent acted as a broker for an individual named Aguillar who entered what appeared to be abandoned property and "adversely possessed" the same, whereafter Respondent would rent the property to third parties and split the rental with

Aguillar, all to the detriment of the true owners of the property. While Respondent argued his good faith belief in Aguillar's alleged rightful possession and ownership of the property, he established no legal or factual basis therefor. Furthermore, his nolo contendere plea established, for purposes of this administrative proceeding, each of the elements of the crime of grand theft, which of necessity involves the <u>intent</u> to permanently deprive the rightful owner of the property the rental proceeds admittedly received.

5. Respondent has no prior disciplinary history. He stopped his conduct immediately upon being advised of its illegality and seemed genuinely remorseful for any harm which may have befallen the owners of the property. He has paid his court ordered fine and completed his community service. He stands ready, willing and able to make restitution in the event a claim therefor is made. However, he has not yet met the Department's criteria for rehabilitation, set forth in Title 10, California Code of Regulations, Section 2912, although he is well on his way.

* * * * *

DETERMINATION OF ISSUES

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1. Cause exists to discipline Respondent's real estate broker's license under the provisions of Business and Professions Code Sections <u>490</u> and <u>10177(b)</u>, by reason of Findings 2 through 4.

ORDER

THE FOLLOWING ORDER is hereby made: WHEREFORE, The real estate broker's license of Respondent Robin together with all licensing rights appurtement thereto, is Sal ter revoked

),10-Date:

RALPH B DASH

Administrative Law Judge

BEFORE THE DEPART STATE OF			ESTATE	<u> </u>	AY 1 6 1997	
) In the Matter of the Accusation of)	Case No.	H-27041	LA		n
Ŭ)	OAH No.	L-970402	21 J	aura R.K.	Inma
ROBIN SCOTT SALTER,)			By	mar Div	
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Respondent.	ز					

NOTICE OF CONTINUED HEARING ON ACCUSATION

To the above-named Respondent(s):

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You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 107 South Broadway, 2nd Fl., Los Angeles, California, on <u>JUNE 10, 1997</u> at the hour of <u>9:00 a.m.</u> or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

Dated: May 16, 1997

DEPARTMENT OF REAL ESTATE R. PEEL, Counsel IAME

cc: Robin Scott Salter Sacto. OAH

RE 501 (Mac 8/92lbo)

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U In	the Matter of the Accusation of		H-27041 L L-9704021	DEPARTMENT	OF REAL E	ESTATE
	ROBIN SCOTT SALTER,)		By Jama B	· Arone	
	Respondent.		*			

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 107 South Broadway, 2nd Floor, Los Angeles, California, <u>MAX 20, 1997</u>, at the hour of <u>9:00 a.m</u>. or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

Dated: <u>APR 1 1 1997</u>

DEPARTMENT OF REAL ESTATE JAMES R. PEEL, Counsel

cc: Robin Scott Salter Sacto. OAH

RE 501 (Mac 8/92lbo)

to be	1 2 3 4 5 6 7	JAMES R. PEEL, Counsel Department of Real Estate 107 South Broadway, Room 8107 Los Angeles, CA 90012 (213) 897-3937
	8	DEPARTMENT OF REAL ESTATE
	9	STATE OF CALIFORNIA
	10	* * * *
	11	In the Matter of the Accusation of) NO, H-27041 LA
	12	ROBIN SCOTT SALTER,
	13	Respondent.)
	14)
	15	
	16	The Complainant, Thomas McCrady, a Deputy Real Estate
	17	Commissioner of the State of California, for cause of Accusation
	18	against ROBIN SCOTT SALTER, alleges as follows:
	19	_ I
	20	The Complainant, Thomas McCrady, a Deputy Real Estate
	21	Commissioner of the State of California, makes this Accusation
	22	in his official capacity.
	23	
	24 25	ROBIN SCOTT SALTER, (hereinafter referred to as
	25 26	respondent) is presently licensed and/or has license rights
	26 27	under the Real Estate Law (Part 1 of Division 4 of the Business
	21	and Professions Code, hereinafter Code).

COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 8-72)

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1	III
2	At all times herein mentioned, respondent was licensed
3	by the Department of Real Estate of the State of California as a
4	real estate broker.
5	VI
6	On or about June 21, 1996, in the Municipal Court of
7	the State of California, County of Los Angeles, respondent was
8	convicted of violating Penal Code Section 487(A) (grand theft),
9	a crime involving moral turpitude.
10	V
11	The crime of which respondent was convicted bears a
12	substantial relationship to the qualifications, functions or
13	duties of a real estate licensee.
14	VI
15	Respondent's criminal conviction is cause under
16	Sections 490 and 10177(b) of the Business and Professions Code
17	for suspension or revocation of all licenses and license rights
18	of respondent under the Real Estate Law.
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l	WHEREFORE, complainant prays that a hearing be
2	conducted on the allegations of this Accusation and, that upon
3	proof thereof, a decision be rendered imposing disciplinary
4	action against all licenses and license rights of respondent
5	ROBIN SCOTT SALTER, under the Real Estate Law (Part 1 of
6	Division 4 of the Business and Professions Code) and for such
7	other and further relief as may be proper under other applicable
8	provisions of law.
9	Dated at Los Angeles, California
10	this 11th day of February, 1997
11	THOMAS McCRADY
12	
13	Deputy Real Estate Commissioner
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