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FILED
FEB 22 2006
DEPARTMENT OF REAL ESTATE

By *Laura B. Cron*

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	NO. H-28333 LA
ROY CARSON THORNTON,)
)
Respondent.)

ORDER GRANTING UNRESTRICTED LICENSE

On December 20, 1999, a Decision was rendered herein, denying the Respondent's application for a real estate salesperson license, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on December 29, 1999 and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

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1 On January 14, 2004, Respondent petitioned for the
2 removal of restrictions attaching to Respondent's real estate
3 salesperson license.
4

5 I have considered the petition of Respondent and
6 the evidence submitted in support thereof. Respondent has
7 demonstrated to my satisfaction that Respondent meets the
8 requirements of law for the issuance to Respondent of an
9 unrestricted real estate salesperson license and that it
10 would not be against the public interest to issue said
11 license to Respondent.

12 NOW, THEREFORE, IT IS ORDERED that Respondent's
13 petition for removal of restrictions is granted and that
14 a real estate salesperson license be issued to Respondent
15 if Respondent satisfies the following conditions within
16 nine (9) months from the date of this Order:

17 1. Submittal of a completed application and payment
18 of the fee for a real estate salesperson license.

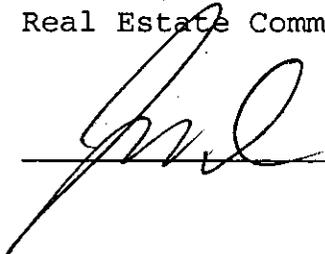
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2 2. Submittal of evidence of having, since the most
3 recent issuance of an original or renewal real estate license,
4 taken and successfully completed the continuing education
5 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
6 for renewal of a real estate license.

7 This Order shall be effective immediately.

8 Dated: 2-10-05

9 JEFF DAVI
10 Real Estate Commissioner

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25 cc: Roy C. Thornton
26 1552 North Ogden Drive
27 Los Angeles, CA 90046

*Suits
Joe*

FILED
FEB 7 2003
DEPARTMENT OF REAL ESTATE

Laura B. Stone

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	NO. H-28333 LA
ROY CARSON THORNTON,)
Respondent.)

ORDER DENYING UNRESTRICTED LICENSE

On December 20, 1999, a Decision was rendered herein, denying the Respondent's application for a real estate salesperson license, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license (conditional) was issued to Respondent on December 23, 1999.

On July 31, 2001, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

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1 I have considered the petition of Respondent and the
2 evidence submitted in support thereof. Respondent has failed to
3 demonstrate to my satisfaction that it would be in the public
4 interest to issue an unrestricted real estate salesperson
5 license to Respondent, in that:

6 I

7 The Decision denied Respondent's real estate
8 salesperson license pursuant to Sections 480(a)(1) and 10177(b)
9 of the Business and Professions Code ("Code"). Respondent had
10 suffered a criminal conviction.

11 On December 29, 1992, Respondent was convicted of
12 violating 21 United States Code (USC) Section 846 (Possess with
13 Intent to Distribute a Controlled Substance).

14 II

15 Respondent has not provided proof of significant or
16 conscientious involvement in community or social programs.
17 This evidences lack of rehabilitation and is cause to deny
18 Respondent's petition pursuant to Section 2911(1) of Title 10,
19 Chapter 6, California Code of Regulations ("Regulation").

20 III

21 As part of his Petition Application, Respondent was
22 interviewed by a Deputy Real Estate Commissioner. Respondent
23 did not display a change in attitude from that which existed at
24 the time of the conduct which led to the denial of a real estate
25 salesperson license. In addition, Respondent did not submit
26 evidence of a change in attitude, from other persons familiar
27 with his previous conduct and subsequent attitudes and

1 behavioral patterns. This evidences lack of rehabilitation and
2 is cause to deny Respondent's petition pursuant to Regulations
3 2911(n)(1) and (n)(2).

4 IV

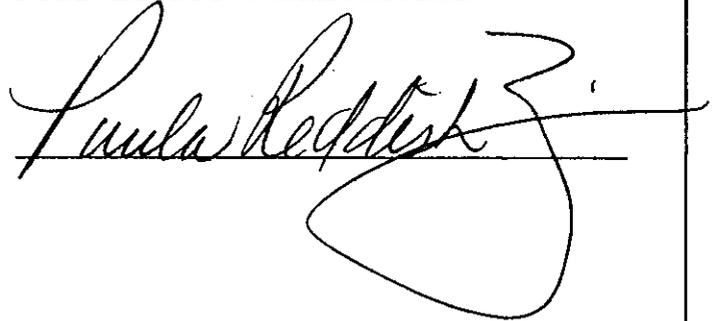
5 Due to the serious nature of Respondent's conviction
6 and the facts set forth in Paragraphs II and III, not enough
7 time has passed to establish that Respondent is rehabilitated.
8 This is cause to deny Respondent's petition.

9 NOW, THEREFORE, IT IS ORDERED that Respondent's
10 petition for the issuance to Respondent of an unrestricted
11 real estate salesperson license is denied.

12 This Order shall be effective at 12 o'clock noon
13 on February 27, 2003

14 DATED: January 27, 2003.

15 PAULA REDDISH ZINNEMANN
16 Real Estate Commissioner

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25 cc: Roy Carson Thornton
26 7611 Hampton Avenue
27 Los Angeles, CA 90046

FILED
DEC 23 1999
DEPARTMENT OF REAL ESTATE

By C. B.

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of

ROY CARSON THORNTON,

Respondent

No. H- 28333 LA

STIPULATION AND
WAIVER

I, ROY CARSON THORNTON, respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefor.

I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate on November 19, 1999, in connection with my application for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other allegations therein, or that she may in her discretion waive the hearing and grant me a restricted real estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I further understand that by entering into this stipulation and waiver I will be

1 stipulating that the Real Estate Commissioner has found that I have failed to make such a showing.
2 thereby justifying the denial of the issuance to me of an unrestricted real estate salesperson license.

3 I hereby admit that the allegations of the Statement of Issues filed against me are true and correct
4 and request that the Real Estate Commissioner in her discretion issue a restricted real estate salesperson
5 license to me under the authority of Section 10156.5 of the Business and Professions Code. I
6 understand that any such restricted license will be issued subject to and be limited by Section 10153.4
7 of the Business and Professions Code.

8 I am aware that by signing this Stipulation and Waiver, I am waiving my right to a hearing and the
9 opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an
10 unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate
11 Commissioner. However, I am not waiving my right to a hearing and to further proceedings to obtain a
12 restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

13 I further understand that the following conditions, limitations and restrictions will attach to a
14 restricted license issued by the Department of Real Estate pursuant hereto:

15 1. The license shall not confer any property right in the privileges to be exercised including the
16 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the
17 right to exercise any privileges granted under this restricted license in the event of:

18 a. The conviction of respondent (including a plea of nolo contendere) to a crime which
19 bears a substantial relationship to respondent's fitness or capacity as a real estate
20 licensee; or

21 b. The receipt of evidence that respondent has violated provisions of the California Real
22 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or
23 conditions attaching to this restricted license.

24 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
25 removal of any of the conditions, limitations or restrictions attaching to the restricted license
26 until one year has elapsed from the date of issuance of the restricted license to respondent.
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3. With the application for license, or with the application for transfer to a new employing broker, I shall submit a statement signed by the prospective employing broker on a form approved by the Department of Real Estate wherein the employing broker shall certify as follows:

a. That broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and

b. That broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

4. My restricted real estate salesperson license is issued subject to the requirements of Section 10153.4 of the Business and Professions Code, to wit: I am required, within eighteen (18) months of the issuance of the restricted license to, submit evidence satisfactory to the Commissioner of successful completion, at an accredited institution, of two of the courses listed in Section 10153.2, other than real estate principles, advanced legal aspects of real estate, advanced real estate finance or advanced real estate appraisal. If I fail to timely present to the Department satisfactory evidence of successful completion of the two required courses, the restricted license shall be automatically suspended effective eighteen (18) months after the date of its issuance. Said suspension shall not be lifted unless, prior to the expiration of the restricted license, I have submitted the required evidence of course completion and the Commissioner has given written notice to me of the lifting of the suspension.

5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified license under Section 10153.4, I shall not be entitled to renew the restricted license, and shall not be entitled to the issuance of another license which is subject to Section 10153.4 until four years after the date of the issuance of the preceding restricted license.

DATED this 1st day of December, 1999.

RCZ
Respondent

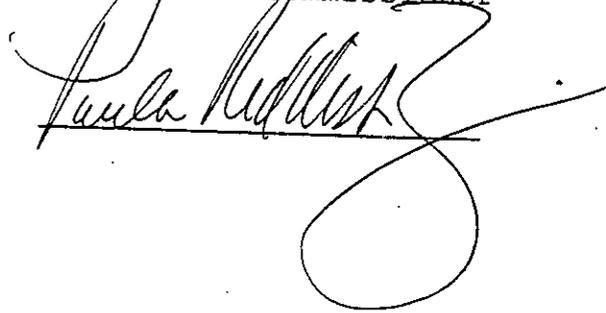
1 I have read the statement of Issues filed herein and the foregoing Stipulation and Waiver signed by
2 respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty
3 and truthfulness of respondent need not be called and that it will not be inimical to the public interest to
4 issue a restricted real estate salesperson license to respondent.

5 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
6 respondent ROY CARSON THORNTON if respondent has otherwise fulfilled all of the statutory
7 requirements for licensure. The restricted license shall be limited, conditioned and restricted as specified
8 in the foregoing Stipulation and Waiver.

9 This Order is effective immediately.

10 DATED this 20th day of December, 1989.

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12 PAULA REDDISH ZINNEMANN
13 Real Estate Commissioner
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II

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues in his official capacity.

III

On or about December 29, 1992, in the United States District Court for the Central District of Texas, Beaumont Division, Respondent was convicted on his plea of guilty of violating 21 United States Code ("U.S.C.") Section 846 (Possess with Intent to Distribute a Controlled Substance). Said crime is a felony involving moral turpitude and bears 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.

IV

The crime of which Respondent was convicted, as alleged in Paragraph III, above, constitutes cause for denial of Respondent's application for a real estate license under Sections 480(a)(1) and 10177(b) of the California Business and Professions Code.

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

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1 WHEREFORE, the Complainant prays that the above-
2 entitled matter be set for hearing and, upon proof of the charges
3 contained herein, that the Commissioner refuse to authorize the
4 issuance of, and deny the issuance of, a real estate salesperson
5 license to Respondent, ROY CARSON THORNTON, and for such other
6 and further relief as may be proper in the premises.

7 Dated at Los Angeles, California
8 this 19th day of November, 1999.

9
10 THOMAS McCRADY
11 Deputy Real Estate Commissioner
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24 cc: Roy Carson Thornton
25 Thomas McCrady
26 Sacto.
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