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FILED
JUN 26 2007

DEPARTMENT OF REAL ESTATE

K. McDevitt

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	NO. H-28476 LA
)	
GEORGE ARMANDO SAUCEDO,)	
)	
Respondent.)	
)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On January 23, 2001, a Decision was rendered herein revoking Respondent's 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 February 15, 2001, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

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1 On July 14, 2004, Respondent petitioned for
2 reinstatement of said real estate salesperson license and
3 the Attorney General of the State of California has been
4 given notice of the filing of said petition.
5

6 I have considered the petition of Respondent and
7 the evidence and arguments in support thereof including
8 Respondent's record as a restricted licensee. Respondent
9 has demonstrated to my satisfaction that Respondent meets
10 the requirements of law for the issuance to Respondent of
11 an unrestricted real estate salesperson license and that
12 it would not be against the public interest to issue said
13 license to Respondent.
14

15 NOW, THEREFORE, IT IS ORDERED that Respondent's
16 petition for reinstatement is granted and that a real estate
17 salesperson license be issued to Respondent, if Respondent
18 satisfies the following condition within nine (9) months from
19 the date of this Order:
20

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

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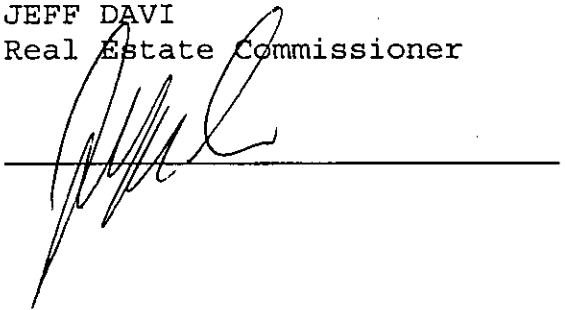
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2. Submittal of evidence of having, since the most
recent issuance of an original or renewal real estate license,
taken and successfully completed the continuing education
requirements of Article 2.5 of Chapter 3 of the Real Estate
Law for renewal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

This Order shall be effective immediately.

Dated: 6-6-07

JEFF DAVI
Real Estate Commissioner



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Pursuant to Section 11517(c) of the Government Code of the State of California, Respondent was served with notice of my determination not to adopt the Proposed Decision of the Administrative Law Judge along with a copy of said Proposed Decision. Respondent was notified that the case would be decided by me upon the record, the transcript of proceedings held on July 26, 2000, and upon any written argument offered by Respondent and Complainant.

On September 8, 2000, Argument was submitted by Respondent.

I have given careful consideration to the record in this case including the transcript of proceedings of July 26, 2000, that was received on October 19, 2000.

I have also considered the Arguments submitted by Respondent and Complainant.

The following shall constitute the Decision of the Real Estate Commissioner in this proceeding:

FINDINGS OF FACT

I

The Findings Of Fact re Accusation and Supplemental Finding set forth in the Proposed Decision dated August 9, 2000, of the Administrative Law Judge are hereby adopted as the Findings of Fact of the Real Estate Commissioner.

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LEGAL CONCLUSIONS

I

Legal Conclusion 1 in the Proposed Decision of the Administrative Law Judge dated August 9, 2000, is appropriate and is hereby adopted as a part of this Decision.

I have determined that Legal Conclusion 2 in the Proposed Decision, is not appropriate and that Legal Conclusion is not adopted.

Contrary to Legal Conclusion 2, based on Supplemental Finding 8, and the Order appurtenant thereto of the Administrative Law Judge, I do not feel there are adequate or sufficient mitigating circumstances to establish that the public would be adequately protected if respondent were allowed to keep his present real estate salesperson license, albeit restricted for a two year period, given the Administrative Law Judge's conclusion that respondent converted Community Development Commission's \$440 rent subsidy check for the property formerly owned by Respondent.

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1 issuance of an unrestricted real estate license nor for the
2 removal of any of the conditions, limitations or restrictions of
3 a restricted license until two (2) years have elapsed from the
4 effective date of this Decision.

5 5. Respondent GEORGE ARMANDO SAUCEDO shall, within six (6)
6 months from the effective date of this Decision, present evidence
7 satisfactory to the Real Estate Commissioner that Respondent has,
8 since the most recent issuance of an original or renewal real
9 estate license, taken and successfully completed the continuing
10 education requirements of Article 2.5 of Chapter 3 of the Real
11 Estate Law for renewal of a real estate license. If Respondent
12 fails to satisfy this condition, the Commissioner may order the
13 suspension of the restricted license until the Respondent
14 presents such evidence. The Commissioner shall afford Respondent
15 the opportunity for a hearing pursuant to the Administrative
16 Procedure Act to present such evidence.

17 6. Any restricted real estate license issued to Respondent
18 GEORGE ARMANDO SAUCEDO under the Real Estate Law shall be
19 suspended for a period of thirty (30) days from the date of
20 issuance.

21 7. With the application for license, or with the
22 application for transfer to a new employing broker, respondent
23 shall submit a statement signed by the prospective employing
24 broker on a form approved by the Department of Real Estate
25 wherein the employing broker shall certify as follows:
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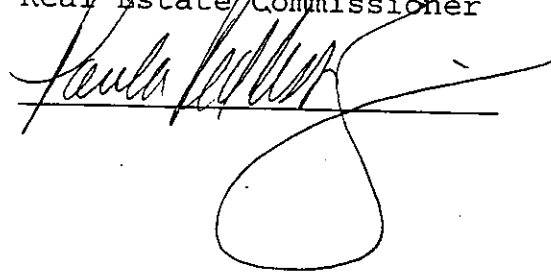
(a) That the broker has read the Decision and Order of the Commissioner which granted the right to a restricted license; and

(b) That the broker will exercise close supervision over the performance by the restricted licensee of activities for which a real estate license is required

This Decision shall become effective at 12 o'clock noon on February 15, 2001

IT IS SO ORDERED January 23, 2001..

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



*Saucedo's
Hear*

FILED
SEP - 1 2000
DEPARTMENT OF REAL ESTATE

By K. Wiederholt

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA
* * *

In the Matter of the Accusation of)	
)	No. H-28476 LA
GEORGE ARMANDO SAUCEDO,)	
)	L-2000050220
Respondent.)	

NOTICE

TO: Respondent GEORGE ARMANDO SAUCEDO.

YOU ARE HEREBY NOTIFIED that the Proposed Decision herein dated August 9, 2000, of the Administrative Law Judge is not adopted as the Decision of the Real Estate Commissioner. A copy of the Proposed Decision dated August 9, 2000, is attached for your information.

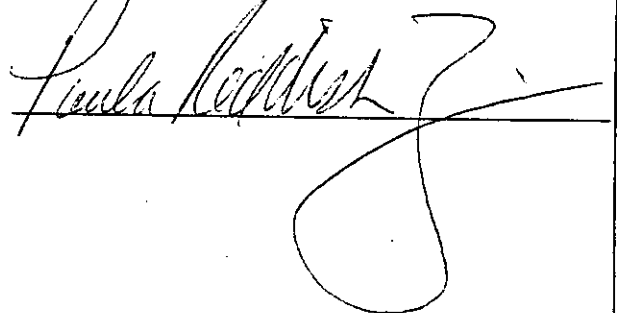
In accordance with Section 11517(c) of the Government Code of the State of California, the disposition of this case will be determined by me after consideration of the record herein including the transcript of the proceedings held on July 26, 2000, and any written argument hereafter submitted on behalf of Respondent and Complainant.

1 Written argument of Respondent to be considered by me
2 must be submitted within 15 days after receipt of the transcript
3 of the proceedings of July 26, 2000, at the Los Angeles office of
4 the Department of Real Estate unless an extension of the time is
5 granted for good cause shown.

6 Written argument of Complainant to be considered by me
7 must be submitted within 15 days after receipt of the argument of
8 Respondent at the Los Angeles office of the Department of Real
9 Estate unless an extension of the time is granted for good cause
10 shown.

11 DATED: August 29, 2000

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13 PAULA REDDISH ZINNEMANN
14 Real Estate Commissioner

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BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:

GEORGE ARMANDO SAUCEDO,

Respondent.

Case No. H-28476 LA

OAH No. L-2000050220

PROPOSED DECISION

This matter came on for hearing before Richard J. Lopez, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California, on July 26, 2000.

Elliott MacLennan, Counsel represented the complainant.

Respondent failed to appear despite all due and proper notice and process.

Oral and documentary evidence and evidence by way of stipulation and official notice was received and the matter then argued and thereafter submitted.

The Administrative law Judge now finds, determines, and orders as follows:

PARTIES AND JURISDICTION

1

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, acting in his official capacity as a Deputy Real Estate Commissioner of the State of California, brought the accusation.

2

George Armando Saucedo (Saucedo) sometimes referred to as Respondent, is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code).

All prehearing jurisdictional requirements have been met. Jurisdiction for this proceeding does exist.

**FACTUAL FINDINGS
RE
ACCUSATION**

4

Since April 7, 1990, Saucedo was licensed by the Department of Real Estate (Department) as a real estate salesperson and has been continuously licensed thereafter.

5

Until September 29, 1998, Saucedo owned the seven unit real property known as 3640 E. Gage Avenue, Bell, California. On this date the Gage Avenue property was sold by trustee's sale to Federal Home Loan Mortgage Corporation (Freddie Mac).

6

On or about October 1, 1998, community Development Commission issued check number 2252737 to Saucedo in the amount of \$440 as rent of one of the Gage Avenue units for the period for the month of October 1998. On October 5, 1998, after the sale of Gage Avenue to Freddie Mac, Saucedo converted the check by depositing it into his personal bank account.

7

Respondent's conduct in converting the \$440 rent check for his own use, constitutes conversion, and dishonest dealing.

**SUPPLEMENTAL
FINDING**

8

Respondent has no record of prior discipline. Respondent's conduct set forth in Finding 6 was not part of a pattern of wrongdoing and did not constitute multiple acts of wrongdoing.

LEGAL CONCLUSIONS

1

Cause exists to suspend or revoke the real estate license and license rights of respondent Saucedo pursuant to Section 10177(j) of the Business and Professions Code by reason of Finding 6 and 7.

2

The objective of an administrative proceeding relating to discipline, if any, is to protect the public; to determine whether a license holder has exercised his privilege in derogation of the public interest. Such proceedings are not for the primary purpose of punishment: *Fahmy v. MBC* (1995) 38 Cal. App. 4th 810, 817; *Ex Parte Brounell* (1778) 2 Cowp. 829, 98 Eng. Rep. 1385. In light of the foregoing by reason of Finding 8 the order which follows will protect the public interest.

ORDER

not adopted
All licenses and licensing rights of Respondent under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code if Respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:

1. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or plea of nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee.
2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.
3. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license not for the removal of any of the conditions, limitations or restrictions of a restricted license until 2 year(s) have elapsed from the effective date of this Decision.

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4. Respondent shall submit with any application for license under an employing broker, or any application for transfer to a new employing broker, a statement signed by the prospective employing real estate broker on a form approved by the Department of Real Estate which shall certify:

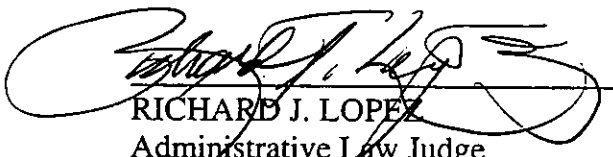
(a) That the employing broker has read the Decision of the Commissioner which granted the right to a restricted license; and

(b) That the employing broker will exercise close supervision over the performance by the restricted licensee relating to activities for which a real estate license is required.

5. Respondent shall, within nine months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

6. Respondent shall within eighteen (18) months of the issuance of the restricted license under the provisions of Section 10153.4 of the Business and Professions Code, 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 respondent fails to present satisfactory evidence of successful completion of said courses, the restricted license shall be automatically suspended effective eighteen (18) months after issuance of the restricted license. Said suspension shall not be lifted until respondent has submitted the required evidence of course completion and the Commissioner has given written notice to the respondent of lifting of the suspension.

Dated: 9 August 2000


RICHARD J. LOPEZ
Administrative Law Judge
Office of Administrative Hearings

RJL:lp

Sacto
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
JUL 12 2000
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

GEORGE ARMANDO SAUCEDO,

By K. K. K. K.

Case No. H-28476 LA

OAH No. L-2000050220

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 320 W. Fourth St., Ste. 350, Los Angeles, CA on July 26, 2000, at the hour of 1:30 p.m., or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 subpoenas 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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: July 12, 2000

By [Signature]
Counsel

RE 501 (Rev. 8/97)

cc: George Armando Saucedo
Jervis & Associates
Sacto
OAH
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
JUN 19 2000
DEPARTMENT OF REAL ESTATE

Sacto JP

In the Matter of the Accusation of

GEORGE ARMANDO SAUCEDO,

}
}

By *K. Hederholt*

Case No. H-28476 LA

OAH No. L-2000050220

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 320 W. Fourth St., Ste. 630, Los Angeles, CA on July 6, 2000, at the hour of 1:30 p.m., or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 subpoenas 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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: June 19, 2000

By *E. J. U.*
Counsel

RE 501 (Rev. 8/97)

cc: George Armando Saucedo
Jervis & Associates
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All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

3

Since April 7, 1990, SAUCEDO was licensed by the Department of Real Estate (Department) as a real estate salesperson and has been continuously licensed thereafter.

4

Until September 29, 1998, SAUCEDO owned the seven unit real property known as 3640 E. Gage Avenue, Bell, California. On this date the Gage Avenue property was sold by trustee's sale to Federal Home Loan Mortgage Corporation (Freddie Mac).

5

On or about October, 1, 1998, Community Development Commission issued check number 2252737 to SAUCEDO in the amount of \$440 as rent of one of the Gage Avenue units for the period for the month of October 1998. On October 5, 1998, after the sale of Gage Avenue to Freddie Mac, SAUCEDO converted the check by depositing it into his personal bank account.

6

Respondent's conduct, in converting the \$440 rent check for his own use as described above, constitutes conversion, fraud and dishonest dealing in performing acts which do not require a real estate license. This conduct and violation are cause to suspend or revoke the real estate license and license rights of Respondent SAUCEDO under Section 10177(j) of the Code.

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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 the license and license rights of Respondent GEORGE ARMANDO SAUCEDO under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California
this 17th day of April, 2000.

THOMAS MC CRADY

Deputy Real Estate Commissioner

cc George Armando Saucedo
Sacto
JP
Jervis & Associates