

*Accepted
Globe*

FILED
AUG -8 2007
DEPARTMENT OF REAL ESTATE

K. Underholt

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	NO. H-30479 LA
))
KATRINA LOUISE WEBB-MC NEIL,)
))
Respondent.)
))

ORDER GRANTING UNRESTRICTED LICENSE

On February 25, 2004, a Decision was rendered herein, denying Respondent's application for a real estate 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 April 30, 2004 and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On or about April 18, 2006, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

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

9 NOW, THEREFORE, IT IS ORDERED that Respondent's
10 petition for removal of restrictions is granted and that a
11 real estate salesperson license be issued to Respondent subject
12 to the following understanding and conditions:
13

14 1. The license issued pursuant to this order shall
15 be deemed to be the first renewal of Respondent's real estate
16 salesperson license for the purpose of applying the provisions
17 of Section 10153.4.

18 2. Within nine (9) months from the date of this
19 order Respondent shall:
20

21 (a) Submit a completed application and pay the
22 appropriate fee for a real estate salesperson license, and

23 (b) Submit evidence of having taken and successfully
24 completed the courses specified in subdivisions (a) (1),
25 (2), (3) and (4) of Section 10170.5 of the Real Estate
26 Law for renewal of a real estate license.
27

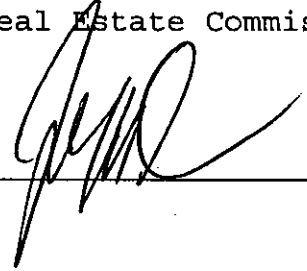
///
///

1 3. Upon renewal of the license issued pursuant to
2 this order, respondent shall submit evidence of having taken
3 and successfully completed the continuing education
4 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
5 for renewal of a real estate license.
6

7 This Order shall be effective immediately.

8 Dated: 7-26-07

9 JEFF DAVI
10 Real Estate Commissioner

11 
12 _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

FILED
MAR - 1 2004
DEPARTMENT OF REAL ESTATE

By K. McNeil

7 **DEPARTMENT OF REAL ESTATE**

8 **STATE OF CALIFORNIA**

9
10 *In the Matter of the Application of*

11 KATRINA LOUISE WEBB-MC NEIL,

12
13 Respondent

)
) No. H- 30479 LA
)
)

) **STIPULATION AND**
) **WAIVER**
)
)

14
15 I, KATRINA LOUISE WEBB-MCNEIL, respondent herein, do hereby affirm that I have applied to
16 the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I
17 have satisfied all of the statutory requirements for the issuance of the license, including the payment of the
18 fee therefor.

19 I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent
20 filed by the Department of Real Estate on November 24, 2003, in connection with my application for a real
21 estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this
22 Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove
23 other allegations therein, or that he/she may in his/her discretion waive the hearing and grant me a restricted
24 real estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the
25 Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a
26 satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I
27 further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the
2 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 and
4 requests that the Real Estate Commissioner in his/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 understand
6 that any such restricted license will be issued subject to and be limited by Section 10153.4 of the Business
7 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 right
17 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 bears a
19 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
 - 20 b. The receipt of evidence that respondent has violated provisions of the California Real
21 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or
22 conditions attaching to this restricted license.
- 23 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
24 removal of any of the conditions, limitations or restrictions attaching to the restricted license
25 until two years have elapsed from the date of issuance of the restricted license to respondent.
26
27

1 3. With the application for license, or with the application for transfer to a new employing broker, I
2 shall submit a statement signed by the prospective employing broker on a form approved by the
3 Department of Real Estate wherein the employing broker shall certify as follows:

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

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

9 4. My restricted real estate salesperson license is issued subject to the requirements of Section
10 10153.4 of the Business and Professions Code, to wit: I am required, within eighteen (18) months
11 of the issuance of the restricted license, to submit evidence satisfactory to the Commissioner of
12 successful completion, at an accredited institution, of a course in real estate practices and one of
13 the courses listed in Section 10153.2, other than real estate principles, advanced legal aspects of
14 real estate, advanced real estate finance, or advanced real estate appraisal. If I fail to timely
15 present to the Department satisfactory evidence of successful completion of the two required
16 courses, the restricted license shall be automatically suspended effective eighteen (18) months
17 after the date of its issuance. Said suspension shall not be lifted unless, prior to the expiration of
18 the restricted license, I have submitted the required evidence of course completion and the
19 Commissioner has given written notice to Respondent of the lifting of the suspension.

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

24 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and
25 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
26 number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending
27 to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt

1 of the faxed copy by the Department shall be as binding on respondent as if the Department had received
2 the original signed Stipulation and Waiver.

3 _____
4 Dated KATRINA LOUISE WEBB-MC NEIL, Respondent

5 * * *

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

10 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
11 respondent KATRINA LOUISE WEBB-MC NEIL if respondent has otherwise fulfilled all of the statutory
12 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in
13 the foregoing Stipulation and Waiver.

14 This Order is effective immediately.

15 IT IS SO ORDERED _____

16 _____
17 JOHN R. LIBERATOR
18 Acting Real Estate Commissioner
19
20
21
22
23
24
25
26
27

FEB-18-04 WED 10:34 AM

FAX NO. 2135786917

P. 06

1 of the faxed copy by the Department shall be as binding on respondent as if the Department had received
2 the original signed Stipulation and Waiver.

3 2-18-04
4 Limited

Katrina Webb-McNeil
KATRINA LOUISE WEBB-MC NEIL, Respondent

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

9 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
10 respondent KATRINA LOUISE WEBB-MC NEIL if respondent has otherwise fulfilled all of the statutory
11 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in
12 the foregoing Stipulation and Waiver.

13 This Order is effective immediately.

14 IT IS SO ORDERED Feb. 25, 2004

John R. Liberator
JOHN R. LIBERATOR
Acting Real Estate Commissioner

Sacto
GS

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

FILED
JAN 16 2004
DEPARTMENT OF REAL ESTATE

In the Matter of the Application of

By *K. Niederholt*

KATRINA L. WEBB-MC NEIL,

}
}

Case No. H-30479 LA

OAH No. L-2003120493

Respondent

NOTICE OF HEARING ON APPLICATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at **320 W. Fourth Street, Ste. 630, Los Angeles, California** on **February 23, 2004**, at the hour of **1:30 p.m.**, or as soon thereafter as the matter can be heard, upon the Statement of Issues 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.

The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

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: JAN 16 2004

By *ELI*
ELLIOTT MAC LENNAN, Counsel

cc: Katrina L. Webb-McNeil
Sacto/OAH/GS
Frank M. Buda, Esq.

*SACD
Play*

FILED
 NOV 24 2003
 DEPARTMENT OF REAL ESTATE
 By *[Signature]*

1 LARRY A. ALAMAO, Counsel
 State Bar No. 47379
 2 Department of Real Estate
 P. O. Box 187000
 3 Sacramento, CA 95818-7000
 4 Telephone: (916) 227-0789

5
6
7
8
9
10
11
12
13
14

BEFORE THE DEPARTMENT OF REAL ESTATE
 STATE OF CALIFORNIA

* * *

In the Matter of the Application of)
) NO. H-30479 LA
 12 KATRINA LOUISE WEBB-MCNEIL,)
))
 13) STATEMENT OF ISSUES
 Respondent.)
)

15 The Complainant, CHARLES W. KOENIG, a Deputy Real
 16 Estate Commissioner of the State of California, for Statement of
 17 Issues against KATRINA LOUISE WEBB-MCNEIL (hereinafter
 18 "Respondent"), is informed and alleges as follows:

I

20 Complainant, CHARLES W. KOENIG, a Deputy Real Estate
 21 Commissioner of the State of California, makes this Statement of
 22 Issues in his official capacity and not otherwise.

II

24 Respondent made application to the Department of Real
 25 Estate of the State of California for a real estate salesperson
 26 license on or about July 30, 2003, with the knowledge and
 27 understanding that any license issued as a result of said

1 application would be subject to the conditions of Section 10153.4
2 of the Business and Professions Code.

3 III

4 In response to Question 25 of said application, to
5 wit: "Have you ever been convicted of any violation of law?",
6 Respondent answered "No".

7 IV

8 On or about October 28, 1991, in the Municipal Court,
9 City and County of San Francisco, Respondent was convicted of a
10 violation of Section 20 of the California Vehicle Code (False
11 Statement), a crime involving moral turpitude which bears a
12 substantial relationship under Section 2910, Title 10, California
13 Code of Regulations, to the qualifications, functions, or duties
14 of a real estate licensee.

15 V


16 The crime of which Respondent was convicted, as alleged
17 in Paragraph IV, constitutes cause for denial of Respondent's
18 application for a real estate license under Sections 480(a) and
19 10177(b) of the California Business and Professions Code.

20 VI

21 Respondent's failure to reveal the conviction set
22 forth in Paragraph IV above in said application constitutes the
23 procurement of a real estate license by fraud, misrepresentation,
24 or deceit, or by making a material misstatement of fact in said
25 application, which failure is cause for denial of Respondent's
26 application for a real estate license under Sections 480(c) and
27 10177(a) of the California Business and Professions Code.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to Respondent, and for such other and further relief as may be proper under other provisions of law.



CHARLES W. KOENIG
Deputy Real Estate Commissioner

Dated at Sacramento, California,
this 18 day of November, 2003.