

*Handwritten signature/initials*

**FILED**  
JUN 26 2007  
DEPARTMENT OF REAL ESTATE

*Handwritten signature*

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-30699 LA  
)  
MYRNA GUADALUPE CASTRO CORADO, )  
)  
Respondent. )

ORDER GRANTING UNRESTRICTED LICENSE

On June 15, 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 August 6, 2004 and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

///  
///

1           On or about September 27, 2006, Respondent petitioned  
2 for the removal of restrictions attaching to Respondent's real  
3 estate salesperson license.

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

12                       NOW, THEREFORE, IT IS ORDERED that Respondent's  
13 petition for removal of restrictions is granted and that a  
14 real estate salesperson license be issued to Respondent subject  
15 to the following understanding and conditions:  
16

17           1. The license issued pursuant to this Order shall  
18 be deemed to be the first renewal of Respondent's real estate  
19 salesperson license for the purpose of applying the provisions  
20 of Section 10153.4.  
21

22           2. Within nine (9) months from the date of this  
23 Order Respondent shall:

24           (a) Submit a completed application and pay the  
25 appropriate fee for a real estate salesperson license, and  
26

27           ///

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

5  
6 3. Upon renewal of the license issued pursuant to  
7 this Order, Respondent shall submit evidence of having taken  
8 and successfully completed the continuing education  
9 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
10 for renewal of a real estate license.

11 This Order shall be effective immediately.

12 Dated: 6-6-07  
13

14 JEFF DAVI  
15 Real Estate Commissioner  
16  
17  
18  
19  
20  
21  
22  
23

24 cc: Myrna G. Castro  
25 20800 Kingsbury Street  
26 Chatsworth, CA 91311  
27

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

**FILED**  
JUN 18 2004  
DEPARTMENT OF REAL ESTATE

\* \* \* \* \*

By Jana B. Dun

In the Matter of the Application of)  
MYRNA GUADALUPE CASTRO CORADO, )  
Respondent. )

No. H-30699 LA  
L-2004030259

DECISION

The Proposed Decision dated May 12, 2004, 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 application for a real estate salesperson license is denied, but the right to a restricted real estate salesperson license is granted to respondent. There is no statutory restriction on when a new application may be made for an unrestricted license. Petition for the removal of restrictions from a restricted license is controlled by Section 11522 of the Government Code. A copy of Section 11522 is attached hereto for the information of respondent.

If and when application is made for a real estate salesperson license through a new application or through a petition for removal of restrictions, all competent evidence of rehabilitation presented by the respondent will be considered by the Real Estate Commissioner. A copy of the Commissioner's Criteria of Rehabilitation is attached hereto.

This Decision shall become effective at 12 o'clock noon on July 8, 2004.

IT IS SO ORDERED

June 15, 2004

JOHN R. LIBERATOR  
Acting Real Estate Commissioner

John R. Liberator

BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the matter of the Statement of Issues of: )	
MYRNA GUADALUPE )	Case No. H-30699 LA
CASTRO CORADO, )	OAH No. L2004030259
Respondent )	
_____ )	

**PROPOSED DECISION**

Samuel D. Reyes, Administrative Law Judge, Office of Administrative Hearings, heard this matter on April 12, 2004, in Los Angeles, California.

Chris Leong, Counsel, represented complainant Maria Suarez.

Respondent represented herself.

Complainant seeks to deny respondent's application for a real estate salesperson license on the bases of a prior criminal conviction and her failure to reveal an earlier licensure denial on the application. Respondent presented evidence of mitigation and rehabilitation and maintained her failure to disclose the denial was a mistake.

Oral and documentary evidence was received at the hearing and the matter was submitted for decision.

**FACTUAL FINDINGS**

1. Complainant filed the Statement of Issues in her official capacity as a Deputy Real Estate Commissioner of the State of California.

2. Respondent filed an application for licensure as a real estate salesperson on December 10, 2001, which application was denied by the Department of Real Estate ("Department") on September 25, 2002, following respondent's failure to appear at a scheduled hearing on a statement of issues. A copy of the Decision denying the application, with an attached Proposed Decision and a copy of the Department's "Criteria of Rehabilitation (Denial)," was served on Respondent.

3. Respondent filed a new application for licensure as a real estate salesperson on October 21, 2002, which application was received by the Department on October 24, 2002.

4. a. The application contained the following question, number 24A: "Have you ever had a denied, suspended, restricted or revoked business or professional license (including real estate), in California or any other state? (Do not include driver's license suspensions, etc.)" Two boxes, one designated "yes" and one "no," and space for additional information in the event that the answer was affirmative, were provided on the form.

b. In response, respondent checked the "no" box and did not provide information regarding any conviction.

5. Respondent's answer to question number 24A is not true in that the Department had denied her earlier application, as set forth in factual finding number 2.

6. Respondent explained that she failed to disclose the license denial because of a conversation with a Department employee, Mary Work ("Work"). Respondent was unable to attend the hearing regarding the first application because of complications with her pregnancy. Respondent explained her circumstances to Work who informed her that she could re-apply. Respondent believed she had been given a second chance and that she could therefore answer the question in the negative. Respondent credibly testified that she did not intend to deceive the Department by her answer. She now recognizes that she should have disclosed the licensure denial. She also realizes that she must take greater care in reading correspondence from the Department and in completing official forms.

7. a. On November 8, 1995, in the Municipal Court, Van Nuys Judicial District, County of Los Angeles, State of California, in case number 95P08176, respondent was convicted, on her plea of nolo contendere, of violating Penal Code section 484e(a) (theft: use of credit card without consent), a misdemeanor. The Court suspended imposition of sentence and placed respondent on summary probation for twenty-four months on terms and conditions that included completion of 80 hours of community service and payment of restitution in the amount of \$100.

b. The circumstances surrounding the conviction are that respondent attempted to use a stolen credit card to purchase items at a Robinsons May retail outlet. Respondent testified her friends had given her the credit card and encouraged her to use it.

8. a. On August 12, 1996, in the Municipal Court, Van Nuys Judicial District, County of Los Angeles, State of California, in case number 6PN05116, respondent was convicted, on her plea of nolo contendere, of violating Penal Code section 484(a) (petty theft), a misdemeanor. The Court suspended imposition of sentence and placed respondent on summary probation for twenty-four months on terms and conditions that included completion of 20 days of service with the California Department of Transportation and payment of restitution in the amount of \$100.

b. Respondent had taken an item from a Sav-On retail location worth about \$30 after her friends dared her to steal it.

9. a. Respondent's convictions unfavorably reflect on her honesty and truthfulness, traits which the legislature and the courts have deemed to be required in a real estate licensee. See: Golde v. Fox, 98 Cal.App.3d 167 (1979). Accordingly, the convictions are for crimes involving moral turpitude and substantially related to the qualifications, functions, and duties of a real estate salesperson.

b. Also, respondent's conviction is substantially related to the qualifications, functions, and duties of a real estate salesperson by reason of Title 10, California Code of Regulations, section 2910(a)(1), in that it involves the taking of the property of another.

10. Respondent complied with the terms and conditions of her probation. She has no other criminal record.

11. Respondent was 23 years old at the time of the first conviction. Both convictions occurred while she was with friends and involved peer pressure. She no longer associates with these friends.

12. Respondent acknowledged she had made mistakes in the past and credibly testified she is presently a different person. She completed college, receiving a Bachelor degree in 2001. Respondent was married in April 2002 and has a 1-year-old baby. She purchased a house about one year ago.

13. Respondent has obtained a vehicle verifier permit, issued by the Department of Motor Vehicles. She has been working for two years as the comptroller at Superior Auto Sales, Inc. ("Superior Auto"), using her permit to verify vehicles sold at the automobile dealership. She also handles money and performs other responsible and oversight duties. The company's president, John O'Bara, wrote a letter describing her as very valued employee.

14. She previously worked for three years as a receptionist for WFS Financial. The credit manager, A. Benjamin Bristo, verified her employment and stated she discharged her duties well. Bristo referred respondent to the Superior Auto job.

15. Respondent is also the owner of "Simple Pleasures," a small lingerie retail store. She works at the store on evenings and weekends, after finishing her work at Superior Auto.

16. During summers while attending school, respondent worked for an aunt in Palmdale, California, who holds a real estate salesperson's license. Respondent performed miscellaneous clerical work and developed an interest in the real estate field. She has completed all the required coursework and a real estate broker is willing to hire her.

## LEGAL CONCLUSIONS

1. Cause exists pursuant to Business and Professions<sup>1</sup> sections 480(c) and 10177(f) to deny respondent's application because she knowingly made a false statement of material fact on her application, by reason of factual finding numbers 2 through 6.

2. Cause exists pursuant to sections 480(a), 10177(b), and 10177(f) to deny respondent's application because she was convicted of crimes involving moral turpitude and substantially related to the qualifications, functions, and duties of a real estate licensee, by reason of factual finding numbers 6 through 9.

3. All evidence presented in mitigation and rehabilitation has been considered. The convictions are almost 8 and 9 years old, and occurred while respondent was young and leading a less responsible life. She no longer associates with those with whom she engaged in the criminal conduct and has not engaged in subsequent criminal activity. Rather, she has shown maturity and responsibility: she has obtained a college degree; has remained gainfully employed; has purchased and run a business; and has married and given birth to a child. However, respondent's failure to disclose the prior license denial warrants an initial period of monitoring. Therefore, a restricted license is required for the protection of the public.

## ORDER

Respondent's application for a real estate salesperson license is denied; provided, however, a restricted real estate salesperson license shall be issued to respondent pursuant to Section 10156.5 of the Business and Professions Code. The restricted license issued to the 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 said Code:

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

(a) The conviction of Respondent (including a plea of nolo contendere) of a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee; or

(b) The receipt of evidence 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 this restricted license.

---

<sup>1</sup> All further references are to the Business and Professions Code.



2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations or restrictions attaching to the restricted license until two years have elapsed from the date of issuance of the restricted license to Respondent.

3. With the application for license, or with the application for transfer to a new employing broker, Respondent shall submit a statement signed by the prospective employing real estate broker on a form RE 552 (Rev. 4/88) approved by the Department of Real Estate which shall certify as follows:

(a) That the employing broker has read the Decision which is the basis for the issuance of the restricted license; and

(b) That the employing 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.

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

5/12/04



SAMUEL D. REYES  
Administrative Law Judge  
Office of Administrative Hearings

*Sacto*  
*Stae*

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

**FILED**  
MAR 25 2004  
DEPARTMENT OF REAL ESTATE

By *Jama B. Stone*

*In the Matter of the Application of*

MYRNA GUADALUPE CASTRO CORADO,

}  
}

Case No. H-30699 LA

OAH No. L-2004030259

*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 the **Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, California 90013 on APRIL 12, 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: March 25, 2004.

By *Chris Leong*  
CHRIS LEONG, Counsel

cc: Myrna Guadalupe Castro Corado  
Sacto.  
OAH

*Handwritten initials/signature*

1 CHRIS LEONG, Counsel (SBN 141079)  
2 Department of Real Estate  
3 320 West Fourth Street, Suite 350  
4 Los Angeles, CA 90013-1105  
5 Telephone: (213) 576-6982  
6 -or- (213) 576-6910 (Direct)

**FILED**  
FEB 2 2004  
DEPARTMENT OF REAL ESTATE  
By *Jana B. Crane*

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )  
12 MYRNA GUADALUPE CASTRO CORADO, )  
13 Respondent. )  
14

No. H- 30699 LA  
STATEMENT OF ISSUES

15 The Complainant, Maria Suarez, a Deputy Real Estate  
16 Commissioner of the State of California, for Statement of  
17 Issues against MYRNA GUADALUPE CASTRO CORADO ("Respondent")  
18 alleges as follows:

19 I

20 On or about October 24, 2002, Respondent applied to  
21 the Department of Real Estate of the State of California for a  
22 real estate salesperson license with the knowledge and  
23 understanding that any license issued as a result of that  
24 application would be subject to the conditions of Section  
25 10153.4 of the Business and Professions Code ("Code").

26 ///  
27 ///

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

II

Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues in her official capacity.

PRIOR DEPARTMENT ACTION

III

On or about May 14, 2002, the Department of Real Estate, State of California, filed a Statement of Issues, Case No. H-29488 LA. On or about September 27, 2002 a Decision was filed in that case. In that Decision the Real Estate Commissioner denied Respondent's application based on the convictions set forth below.

IV

Respondent's conduct as stated in above, was found to be cause to deny her license application pursuant to Code Section 10177(b). Respondent's conduct which led to the Denial, is cause to deny Respondent's real estate salesperson license application pursuant to Code Section 10177(f).

CONVICTIONS

V

On or about August 12, 1996, in the Municipal Court of Los Angeles, Van Nuys Judicial District, County of Los Angeles, State of California, Case No. 6PN05116, Respondent was convicted, upon her plea of nolo contendere to one count of violating Penal Code Section 484(a) (Petty theft), a misdemeanor crime of moral turpitude that is substantially related under Section 2910, Title

1 10, Chapter 6, California Code of Regulations (hereafter  
2 "Regulations") to the qualifications, functions and duties of a  
3 real estate licensee.

4 VI

5 On or about November 8, 1995, in the Municipal Court of  
6 Los Angeles, Van Nuys Judicial District, County of Los Angeles,  
7 State of California, Case No. 95P08179, Respondent was convicted,  
8 upon her plea of nolo contendere to one count of violating Penal  
9 Code Section 484(e) (Petty theft-acquired credit card without  
10 consent), a misdemeanor crime of moral turpitude that is  
11 substantially related under Section 2910 of the Regulations to  
12 the qualifications, functions and duties of a real estate  
13 licensee.

14 FAILURE TO REVEAL

15 VII

16 In response to Question 24.A, on her license  
17 application, "Have you ever had a denied, suspended, restricted  
18 or revoked business or professional license (including Real  
19 Estate), in California...?", Respondent answered "No".

20 VIII

21 Respondent's convictions, failure to reveal a prior  
22 license denial, and prior discipline, as set forth above, are  
23 cause to deny Respondent's real estate license application  
24 pursuant to Code Sections 480(a), 480(c), 10177(a), 10177(b) and  
25 10177(f).

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

5                   WHEREFORE, the Complainant prays that the above-  
6 entitled matter be set for hearing and, upon proof of the  
7 charges contained herein, that the Commissioner refuse to  
8 authorize the issuance of, and deny the issuance of, a real  
9 estate salesperson license to Respondent, MYRNA GUADALUPE  
10 CASTRO CORADO, and for such other and further relief as may be  
11 proper in the premises.

12 Dated at Los Angeles, California

13 this 29th day of January 2004.

14  
15   
16 Deputy Real Estate Commissioner

17  
18  
19  
20  
21  
22  
23  
24 cc: Myrna Guadalupe Castro Corado  
25 Maria Suarez  
26 Sacto.  
27 LM