

BEFORE THE DEPARTMENT OF REAL ESTATE PARIMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of

EDDIE TURNER,

No. H-31536 LA

Respondent.

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on January 6, 2005, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This 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 license is controlled by Section 11522 of the Government Code. A copy of the Commissioner's <u>Criteria of Rehabilitation</u> is attached hereto for the information of the Respondent.

FINDINGS OF FACT

Ι

On November 30, 2004, Maria Suarez made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondent's last known mailing address on file with the Department on December 1, 2004.

On January 6, 2005, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.



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 (hereinafter "Code") as a real estate salesperson.

III

On or about July 2, 2003, in the Superior Court of California, County of Los Angeles, Respondent was convicted of violating the California Penal Code Section 242-243(d) (Battery on a Person with Injury).

IV

The evidence established that the crime of which Respondent was convicted involves moral turpitude and is substantially related to the qualifications, functions and duties of a real estate licensee.

DETERMINATION OF ISSUES

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Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections <u>490</u> and 10177(b).

II

The standard of proof applied was clear and convincing proof to a reasonable certainty.

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<u>ORDER</u>

The licenses and license rights of Respondent EDDIE TURNER under the provisions of Part I of Division 4 of the Business and Professions Code, are revoked.

	Affis Decision shall become effective at 12 o'clock
<u>ngon on</u>	<u>APR 6 2005</u> .
	DATED: 3-8-05
	JEFF DAVI Real Estate Commissioner

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. 3	DEPARTMENT OF REAL ESTATE
5 6	By James B- Cron
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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-31536 LA)
12	EDDIE TURNER,) <u>DEFAULT ORDER</u>)
15	Respondent.)
16	Respondent EDDIE TURNER, having failed to file a
17	Notice of Defense within the time required by Section 11506
18	of the Government Code, is now in default. It is,
19	therefore, ordered that a default be entered on the record
20	in this matter.
. 21	IT IS SO ORDERED 1605.
22	JEFF DAVI
23	Real Estate Commissioner
24	Rolarga 11100has
25	By: DOLORES WEEKS
26	Regional Manager
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	CHRIS LEONG, Counsel (SEN 141079) Department of Real Estate 320 West Fourth Street, Suite 350 Los Angeles, CA 90013-1105 Telephone: (213) 576-6982 -or- (213) 576-6910 (Direct)
8	BEFORE THE DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * *
11	In the Matter of the Accusation of No. H-31536 LA
12	EDDIE TURNER, <u>ACCUSATION</u>
13	Respondent.
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. 15	The Complainant, Maria Suarez, a Deputy Real Estate
16	Commissioner of the State of California, for cause of Accusation
17	against EDDIE TURNER (hereinafter "Respondent"), is informed and
18	alleges as follows:
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20	Respondent is presently licensed and/or has license
21	rights under the Real Estate Law, Part 1 of Division 4 of the
22	Business and Professions Code (hereinafter "Code"), as a real
23	estate salesperson.
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25	///
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II

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation against Respondent in her official capacity.

CONVICTION

III

On or about July 2, 2003, in the Superior Court, County of Los Angeles, State of California, Case No. 3HL01484, Respondent was convicted of violating one count of Section 242-243(d) of the California Penal Code (PC) (Battery on a Person with Injury), a misdemeanor and a crime involving moral turpitude which is substantially related to the qualifications, functions and duties of a real estate licensee.

IV

The conviction set forth in Paragraph III, above, constitutes cause under Code Sections 490 and 10177(b) for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

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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 all licenses and license rights of Respondent, EDDIE TURNER, 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 and day of Malluly, 2004. Estate Commissioner éal utv cc: Eddie Turner Maria Suarez Sacto. WA