



1 10156.5 of said Code. Among those terms, conditions and  
2 restrictions, Respondent was required, within nine (9) months  
3 from the effective date of the Decision, to present evidence  
4 satisfactory to the Real Estate Commissioner that Respondent has,  
5 since the most recent issuance of an original or renewal real  
6 estate license, taken and successfully completed the continuing  
7 education requirement of Article 2.5 of Chapter 3 of the Real  
8 Estate Law for renewal of a real estate license. If Respondent  
9 fails to satisfy this condition, the Commissioner may order the  
10 suspension of the restricted license until the Respondent  
11 presents such evidence. The Commissioner shall afford Respondent  
12 the opportunity for a hearing pursuant to the Administrative  
13 Procedure Act to present such evidence.

14           The Commissioner has determined that as of April 3,  
15 2009, Respondent has failed to satisfy this condition, and as  
16 such, is in violation of Section 10177(k) of the Business and  
17 Professions Code. Respondent has no right to renew the  
18 restricted license if this condition isn't satisfied by the date  
19 of its expiration. Section 10156.7 of the Business and  
20 Professions Code.

21           NOW, THEREFORE, IT IS ORDERED under authority of  
22 Section 10156.7 of the Business and Professions Code of the State  
23 of California that the restricted real estate salesperson license  
24 heretofore issued to Respondent and the exercise of any  
25 privileges thereunder is hereby suspended until such time as  
26 Respondent provides proof satisfactory to the Department of  
27 compliance with the condition referred to above, or pending final

1 determination made after the hearing (see "Hearing Rights" set  
2 forth below).

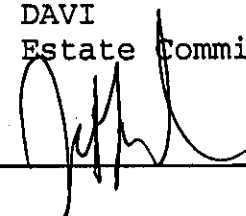
3 IT IS FURTHER ORDERED that all license certificates and  
4 identification cards issued by the Department which are in the  
5 possession of Respondent be immediately surrendered by personal  
6 delivery or by mailing in the enclosed, self-addressed envelope  
7 to:

8 Department of Real Estate  
9 Attn: Flag Section  
10 P. O. Box 187000  
11 Sacramento, CA 95818-7000

12 HEARING RIGHTS: Pursuant to the provisions of Section  
13 10156.7 of the Business and Professions Code, you have the right  
14 to a hearing to contest the Commissioner's determination that you  
15 are in violation of Section 10177(k) of the Code. If you desire  
16 a hearing, you must submit a written request. The request may be  
17 in any form, as long as it is in writing and indicates that you  
18 want a hearing. Unless a written request for a hearing, signed  
19 by or on behalf of you, is delivered or mailed to the Department  
20 at 320 W. 4<sup>th</sup> Street, Room 350, Los Angeles, California 90013,  
21 within 20 days after the date that this Order was mailed to or  
22 served on you, the Department will not be obligated or required  
23 to provide you with a hearing.

24 This Order shall be effective immediately.

25 DATED: 9-20-09

26 JEFF DAVI  
27 Real Estate Commissioner  


1 Department of Real Estate  
2 320 West 4<sup>th</sup> Street, Suite 350  
3 Los Angeles, California 90013  
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**FILED**  
JUN 13 2008  
DEPARTMENT OF REAL ESTATE  
*[Signature]*

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )	No. H-34196 LA
)	L-2007 100 278
CHERYL RENEE CHISHOLM, )	
)	<u>STIPULATION AND AGREEMENT</u>
Respondent. )	<u>and DECISION AFTER</u>
)	<u>REJECTION</u>

It is hereby stipulated by and between CHERYL RENEE CHISHOLM (sometimes referred to as Respondent), and her attorney, Frank M. Buda, and the Complainant, acting by and through James R. Peel, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on August 16, 2007, in this matter.

1. The Real Estate Commissioner held a hearing on this Accusation on February 8, 2008, before the Office of Administrative Hearings for the purpose of proving the allegations therein. Respondent was present at the hearing, was represented by counsel, and participated therein. Further, Respondent has had an opportunity to read and review the Proposed Decision of the Administrative Law Judge.

1                   2. Respondent understands that pursuant to Government  
2 Code Section 11517(c), the Real Estate Commissioner has rejected  
3 the Proposed Decision of the Administrative Law Judge.

4 Respondent further understands that pursuant to the same  
5 Section 11517(c), the Real Estate Commissioner may decide this  
6 case upon the record, including the transcript, without taking  
7 any additional evidence, after affording Respondent the  
8 opportunity to present written argument to the Real Estate  
9 Commissioner.

10                   3. Respondent further understands that by signing  
11 this Stipulation and Waiver, Respondent is waiving her right to  
12 obtain a dismissal of the Accusation through proceedings under  
13 Government Code Section 11517(c) if this Stipulation and Waiver  
14 is not accepted by the Real Estate Commissioner.

15                   4. Respondent, pursuant to the limitations set forth  
16 below, hereby admits that the factual allegations in the  
17 Accusation filed in this proceeding are true and correct and the  
18 Real Estate Commissioner shall not be required to provide  
19 further evidence of such allegations.

20                   5. It is understood by the parties that the Real  
21 Estate Commissioner may adopt the Stipulation and Agreement and  
22 Decision After Rejection ("Stipulation") as his Decision in this  
23 matter, thereby imposing the penalty and sanctions on  
24 Respondent's real estate license and license rights as set forth  
25 in the below "Order". In the event that the Commissioner in his  
26 discretion does not adopt the Stipulation, it shall be void and  
27

1 under all the provisions of the APA and shall not be bound by  
2 any admission or waiver made herein.

3 6. The Order or any subsequent Order of the Real  
4 Estate Commissioner made pursuant to this Stipulation shall not  
5 constitute an estoppel, merger or bar to any further  
6 administrative or civil proceedings by the Department of Real  
7 Estate with respect to any matters which were not specifically  
8 alleged to be causes for accusation in this proceeding.

9 7. This Stipulation and Respondent's decision not to  
10 contest the Accusation is made for the purpose of reaching an  
11 agreed disposition of this proceeding and is expressly limited  
12 to this proceeding and any other proceeding or case in which the  
13 Department of Real Estate ("Department"), the state or federal  
14 government, or an agency of this state, another state or the  
15 federal government is involved.

16  
17 DETERMINATION OF ISSUES

18 By reason of the foregoing stipulations, admissions  
19 and waivers and solely for the purpose of settlement of the  
20 pending Accusation without a hearing, it is stipulated and  
21 agreed that the following determination of issues shall be made:

22 The conduct of Respondent, as described in Paragraph  
23 4, is grounds for the suspension or revocation of all of the  
24 real estate licenses and license rights of Respondent under the  
25 provisions of Sections 490 and 10177(b) of the Business and  
26 Professions Code.  
27

ORDER

1  
2 All licenses and licensing rights of Respondent CHERYL  
3 RENEE CHISHOLM under the Real Estate Law are revoked, provided,  
4 however, a restricted real estate salesperson license shall be  
5 issued to Respondent pursuant to Section 10156.5 of the Business  
6 and Professions Code if Respondent makes application therefor  
7 and pays to the Department of Real Estate the appropriate fee  
8 for the restricted license within 90 days from the effective  
9 date of this Decision. The restricted license issued to  
10 Respondent shall be subject to all of the provisions of Section  
11 10156.7 of the Business and Professions Code and to the  
12 following limitations, conditions, and restrictions imposed  
13 under authority of Section 10156.6 of that Code:

14  
15 1. The restricted license issued to Respondent may be  
16 suspended prior to hearing by Order of the Real Estate  
17 Commissioner in the event of Respondent's conviction or plea of  
18 nolo contendere to a crime which is substantially related to  
19 Respondent's fitness or capacity as a real estate licensee.

20 2. The restricted license issued to Respondent may be  
21 suspended prior to hearing by Order of the Real Estate  
22 Commissioner on evidence satisfactory to the Commissioner that  
23 Respondent has violated provisions of the California Real Estate  
24 Law, the Subdivided Lands Law, Regulations of the Real Estate  
25 Commissioner or conditions attaching to the restricted license.  
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27

1           3. Respondent shall not be eligible to apply for the  
2 issuance of an unrestricted real estate license nor for the  
3 removal of any of the conditions, limitations, or restrictions  
4 of a restricted license until two years have elapsed from the  
5 effective date of this Decision.

6           4. Respondent shall submit with any application for  
7 license under an employing broker, or any application for  
8 transfer to a new employing real estate broker on a form RE 552  
9 approved by the Department of Real Estate which shall certify:

10           (a) That the employing broker has read the  
11 Accusation, and this Stipulation and Waiver which is the basis  
12 for the issuance of the restricted license; and

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

17           5. Respondent shall, within nine months from the  
18 effective date of this Decision, present evidence satisfactory  
19 to the Real Estate Commissioner that Respondent has, since the  
20 most recent issuance of an original or renewal real estate  
21 license, taken and successfully completed the continuing  
22 education requirements of Article 2.5 of Chapter 3 of the Real  
23 Estate Law for renewal of a real estate license. If Respondent  
24 fails to satisfy this condition, the Commissioner may order the  
25 suspension of the restricted license until the Respondent  
26 presents such evidence. The Commissioner shall afford  
27



1 Respondent the opportunity for a hearing pursuant to the  
2 Administrative Procedure Act to present such evidence.

3 6. Respondent shall, within six months from the  
4 effective date of this Decision, take and pass the Professional  
5 Responsibility Examination administered by the Department  
6 including the payment of the appropriate examination fee. If  
7 Respondent fails to satisfy this condition, the Commissioner may  
8 order suspension of Respondent's license until Respondent passes  
9 the examination.

10 DATED: May 15, 2008

11  
12  
13 James R. Peel  
14 JAMES R. PEEL  
15 Counsel for Complainant

16 \* \* \*

17 I have read the Stipulation, have discussed it with my  
18 attorney, and its terms are understood by me and are agreeable  
19 and acceptable to me. I understand that I am waiving rights  
20 given to me by the California Administrative Procedure Act  
21 (including but not limited to Sections 11506, 11508, 11509 and  
22 11513 of the Government Code), and I willingly, intelligently  
23 and voluntarily waive those rights, including the right of  
24 requiring the Commissioner to prove the allegations in the  
25 Accusation at a hearing at which I would have the right to  
26 cross-examine witnesses against me and to present evidence in  
27 defense and mitigation of the charges.

1 Respondent can signify acceptance and approval of the  
2 terms and conditions of this Stipulation by faxing a copy of the  
3 signature page, as actually signed by Respondent, to the  
4 Department at the following telephone/fax number: (213) 576-  
5 6917. Respondent agrees, acknowledges, and understands that by  
6 electronically sending to the Department a fax copy of her  
7 actual signature as it appears on the Stipulation that receipt  
8 of the faxed copy by the Department shall be as binding on  
9 Respondent as if the Department had received the original signed  
10 Stipulation.

11 Further, if the Respondent is represented in these  
12 proceedings, the Respondent's counsel can signify his agreement  
13 to the terms and conditions of the Stipulation by submitting  
14 that signature via fax.  
15  
16  
17

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

\_\_\_\_\_  
CHERYL RENEE CHISHOLM  
Respondent

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

\_\_\_\_\_  
FRANK M. BUDA  
Counsel for Respondent

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Respondent can signify acceptance and approval of the terms and conditions of this Stipulation by faxing a copy of the signature page, as actually signed by Respondent, to the Department at the following telephone/fax number: (213) 576-6917. Respondent agrees, acknowledges, and understands that by electronically sending to the Department a fax copy of her actual signature as it appears on the Stipulation that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation.

Further, if the Respondent is represented in these proceedings, the Respondent's counsel can signify his agreement to the terms and conditions of the Stipulation by submitting that signature via fax.

DATED: 22 April 2008

  
CHERYL RENEE CHISHOLM  
Respondent

DATED: May 8, 2008

  
FRANK M. BUDA  
Counsel for Respondent

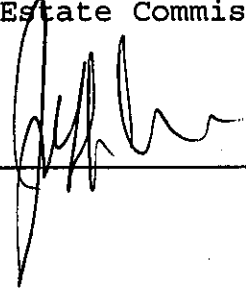
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\* \* \*

The foregoing Stipulation and Agreement and Decision  
After Rejection is hereby adopted as my Decision in this matter  
and shall become effective at 12 o'clock noon on  
July 3, 2008.

IT IS SO ORDERED 6-7-11, 2008.

JEFF DAVI  
Real Estate Commissioner



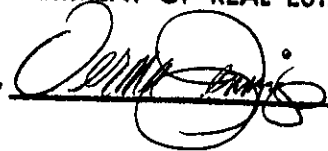
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DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-34196 LA
	)	
CHERYL RENEE CHISHOLM,	)	L-2007100278
	)	
Respondent.	)	

NOTICE

TO: CHERYL RENEE CHISHOLM, Respondent, and FRANK M. BUDA, her Counsel.

YOU ARE HEREBY NOTIFIED that the Proposed Decision herein dated February 27, 2008, of the Administrative Law Judge is not adopted as the Decision of the Real Estate Commissioner. A copy of the Proposed Decision dated February 27, 2008, 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 February 8,

///

1 2008, any written argument hereafter submitted on behalf of  
2 Respondent and Complainant.

3           Written argument of Respondent to be considered by me  
4 must be submitted within 15 days after receipt of the transcript  
5 of the proceedings of February 8, 2008, at the Los Angeles office  
6 of the Department of Real Estate unless an extension of the time  
7 is granted for good cause shown.

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

13           DATED: 3-28-08

14  
15           JEFF DAVI  
16           Real Estate Commissioner

17             
18           BY: Barbara J. Bigby  
19           Chief Deputy Commissioner

BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Accusation of:

CHERYL RENEE CHISHOLM,

Respondent.

Case No. H-34196 LA

OAH No. L2007100278

PROPOSED DECISION

Administrative Law Judge N. Gregory Taylor, Office of Administrative Hearings, State of California, heard this matter in Los Angeles, California on February 8, 2008.

James R. Peel, Staff Counsel, represented Maria Suarez (Complainant), a Deputy Real Estate Commissioner in the Department of Real Estate (Department), State of California.

Frank M. Buda, Attorney at Law, represented Cheryl Renee Chisholm (Respondent) who was present throughout the hearing.

Oral and documentary evidence was received, and the matter argued.

The case was submitted for decision on February 8, 2008.

FACTUAL FINDINGS

1. Complainant filed the Accusation in this proceeding in her official capacity.
2. Respondent is presently licensed and/or has license rights as a real estate salesperson under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code).
3. Respondent was originally licensed as a real estate salesperson by the Department on January 23, 1992. Respondent filed her application to renew her license

on May 31, 2005. Respondent's license will expire on June 8, 2009 unless it is renewed. No prior disciplinary action has been filed against Respondent.

4. Respondent, on her 2005 license renewal application, answered "Yes" to Question 3 that asked, "Within the past four year period, have you been convicted of any violation of law?" She then disclosed a 2002 federal criminal conviction. No other convictions were disclosed in the application.

5. On December 18, 2002, in the United States District Court for the Eastern District of Louisiana, Respondent, upon her guilty plea, was convicted violating 21 United States Code sections 841, subdivision (a) (1) and 846, conspiracy to possess with intent to distribute marijuana.<sup>1</sup> The court ordered Respondent to be imprisoned for a term of forty-three months and to pay a fine of \$5,000.00. Upon release from imprisonment, Respondent was ordered to be on supervised release for a term of five years. Respondent completed her jail sentence in March 2005. Prior to completing the confinement, Respondent had been in community confinement and then home confinement. Respondent will be on supervised release until 2010.

6. The Department has not alleged Respondent's 2002 conviction as a basis for disciplinary action on the grounds that such an allegation is time barred by Business and Professions Code section 10101.

7. At the time of the events leading to her 2002 criminal conviction, Respondent was an airline stewardess. She became associated with a girl friend that got Respondent involved in transportation of drugs from Los Angeles to Florida and Michigan. When Respondent was arrested, she cooperated with the federal authorities and made an agreement to continue to do so whenever requested by the federal agents. Pursuant to that agreement, and while in prison, Respondent and others were charged with another crime in Michigan. Respondent cooperated with the federal authorities in that prosecution.

8. On September 8, 2004, in the United States District Court for the Eastern District of Michigan, Respondent, upon her guilty plea, was convicted of violating 18 United States Code sections 1956, subdivision (a)(1)(A)(1), 1956, subdivision (a)(1)(B)(i) and 1956, subdivision (h), conspiracy to launder monetary instruments. The court sentenced Respondent to be imprisoned for a term of seventeen months, to run concurrently with Respondent's term of imprisonment that commenced on December 15, 2003. In other words, Respondent's sentence in Michigan case was to be concurrently served with the 2002 conviction. Initially the two cases were separately handled. This was an error on the part of federal authorities. The administrative matters have been resolved and Respondent was correctly credited for the time served. According to Respondent's Probation Officer, Respondent has

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<sup>1</sup> The parties stipulated to Respondent's conviction.



completed serving the sentence imposed by the Michigan court and that case is closed.

9. In the Michigan case, Respondent was accused of carrying an envelope containing money back to California.

10. Respondent is very embarrassed about her involvement in the criminal cases. She no longer associates with the people with whom she was involved at that time. As a result of having lost custody of her child for a time, her imprisonment, and the lessons she learned while incarcerated, Respondent firmly asserts that she will never return to the past that resulted in so much trouble for her.

11. Respondent, for the past year and a quarter, has been employed by the State Bar of California as a Probation Officer. She handles a case load of 225 cases involving attorneys on disciplinary action. Prior to her current position, Respondent was a temporary employee at the State Bar for nearly a year.

12. Respondent was hired with the full knowledge of the State Bar. The hiring took place after an evaluation of the facts and circumstances surrounding her convictions.

13. Respondent's supervisor is the State Bar's Chief Trial Counsel. He has daily interaction with Respondent. Initially, he believed that Respondent had a single conviction because of the concurrent nature of the sentences and Respondent's involvement as part of the agreement she reached with the federal government at the time of her initial conviction. Respondent expressed great remorse to him over her past problems. He noted that Respondent has had positive work evaluations while at the State Bar. He has a high opinion of Respondent's honesty and truthfulness. He does not believe that she would make a false answer on the license renewal application. Finally, he does not believe that Respondent constitutes a threat to the public.

14. Respondent is divorced. She lives with her 14 year old daughter with whom she has a good relationship. Respondent is involved in her daughter's school activities. Her daughter is a cross-country runner. When Respondent was first in prison, she lost custody of her daughter. This was most difficult for Respondent. Respondent does not want to ever repeat such a situation.

15. Respondent is a member of a woman's sorority that raises money for college students and community purposes. She is also a member of Jack and Jill, an organization that works with children from ages 2 through 16.

16. Respondent raised \$5,400.00 for the Leukemia & Lymphoma Society by running in a triathlon.

17. Respondent has been a real estate salesperson since 1992. She has worked in real estate on a part time basis. She has taken all of the required continuing education courses and has completed a number of Graduate Realtor Broker courses. It is her goal to become a real estate broker.

18. Respondent's mother testified on behalf of her daughter. Her mother is a retired Los Angeles City School Teacher with 44 years of service. The mother sees Respondent everyday. According to her mother, Respondent expressed repeated remorse over the problems Respondent had cause as a result of her convictions. She said that Respondent is a good daughter and an honest person.

19. Respondent's uncle testified on behalf of Respondent. He stated that Respondent has good character.

20. Respondent stated that she did not mean to mislead or give a false answer to the Department by not disclosing her 2004 criminal conviction on her license renewal application. Respondent stated that because of her agreement with the federal government and the manner in which the second conviction occurred she believed that everything was a part of her original conviction.

### LEGAL CONCLUSIONS

1. These proceedings are brought under the provisions of Business and Professions Code section 10100 et seq. and Government Code sections 11500 through 11528.

2. Respondent's 2004 criminal conviction involves moral turpitude and is, by virtue of the provisions of the California Code of Regulations, title 10, section 2910, subdivision (a) (8), substantially related to the qualifications, functions or duties of a licensee of the Department in that the crime involved doing an unlawful act with the intent of conferring a financial or economic benefit upon a perpetrator.

3. Cause does not exist to suspend or revoke Respondent's real estate salesperson license by virtue of Business and Professions Code sections 498 and 10177, subdivision (a), in that she did not knowingly make a false statement of fact or attempt to procure her license by misrepresentation, fraud or deceit.

4. Cause exists, by virtue of Business and Professions Code sections 490 and 10177, subdivision (b), to suspend or revoke Respondent's license and license rights from the Department due to her criminal conviction.

5. The Department's Criteria of Rehabilitation, set forth in California Code of Regulations, title 10, section 2912, provides factors to be considered in evaluating the rehabilitation of a licensee against whom an administrative disciplinary proceeding for

revocation or suspension of the license has been initiated on account of a crime committed by the licensee. The criteria require the passage of at least two years from the time of the most recent criminal conviction. It has been three years since Respondent's most recent conviction. Respondent has completely changed her way of life. Respondent has a close relationship with her child and support from her mother and uncle. She is successfully employed in a responsible position. She has completed real estate courses beyond those required for her salesperson license. From the foregoing, it is seen that she substantially meets the Department's criteria to demonstrate rehabilitation. Under these circumstances, a restricted license is appropriate to insure protection of the public.

ORDER

All licenses and licensing rights of Respondent Cheryl Renee Chisholm, 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 therefore 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:

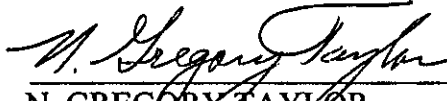
1. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or plea of nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee.
2. The 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 nor for the removal of any of the conditions, limitations or restrictions of a restricted license until two years have elapsed from the effective date of this Decision.
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

*not adopted*

(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. Professional Responsibility Condition: Respondent shall, within six months from the effective date of this Decision, take and pass the Professional Responsibility Examination administered by the Department including the payment of the appropriate examination fee. If Respondent fails to satisfy this condition, the Commissioner may order suspension of Respondent's license until Respondent passes, the examination.

DATED: February 27, 2008.

  
N. GREGORY TAYLOR  
Administrative Law Judge  
Office of Administrative Hearings

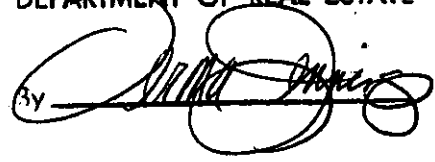
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1 JAMES R. PEEL, Counsel (SBN 47055)  
2 Department of Real Estate  
3 320 West Fourth Street, Ste. 350  
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982  
6 -or- (213) 576-6913 (Direct)

FILED  
AUG 16 2007  
DEPARTMENT OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-34196 LA  
12 CHERYL RENEE CHISHOLM, ) ACCUSATION  
13 Respondent. )  
14

15 The Complainant, Maria Suarez, a Deputy Real Estate  
16 Commissioner of the State of California, for cause of accusation  
17 against CHERYL RENEE CHISHOLM, alleges as follows:

18 I

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

22 II

23 CHERYL RENEE CHISHOLM (hereinafter referred to as  
24 "Respondent") is presently licensed and/or has license rights  
25 under the Real Estate Law (Part 1 of Division 4 of the Business  
26 and Professions Code, hereinafter referred to as the "Code").  
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III

Respondent was licensed by the Department of Real Estate of the State of California as a real estate salesperson effective January 23, 1992. Respondent renewed her license effective June 9, 2005.

IV

In response to Question 3 of Respondent's renewal application filed with the Department on May 31, 2005, to wit, "Within the past four year period, have you been convicted of any violation of law?", Respondent answered "Yes", and disclosed a conviction in 2002 for violating 21 USC 841(a)(1) and 846 (conspiracy with intent to distribute marijuana). Respondent failed to disclose the conviction alleged in paragraph V.

V

On or about September 8, 2004, in the US District Court for the Eastern District of Michigan, Respondent was convicted of violating Title 18, Sections 1956(a)(1)(A)(i), 1956(a)(1)(B)(i) & 1956(h) (conspiracy to launder monetary instruments), a crime involving moral turpitude.

VI

The crime of which Respondent was convicted bears a substantial relationship to the qualifications, functions, or duties of a real estate licensee.

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VII

1 Respondent's conviction alleged in Paragraph V is cause  
2 under Code Sections 10177(b) and 490 for suspension or revocation  
3 of all licenses and license rights of Respondent under the Real  
4 Estate Law.  
5

VIII

6 Respondent's failure to disclose the matter set forth  
7 in Paragraph V, above, in said application constitutes the  
8 procurement of a real estate salesperson license by  
9 misrepresentation, fraud, or deceit, or by making a material  
10 misstatement of fact in said application, or by knowingly making  
11 a false statement of fact required to be revealed in said  
12 application, which failure is cause under Sections 498 and  
13 10177(a) of the Code for suspension or revocation of all licenses  
14 and license rights of Respondent under the Real Estate Law.  
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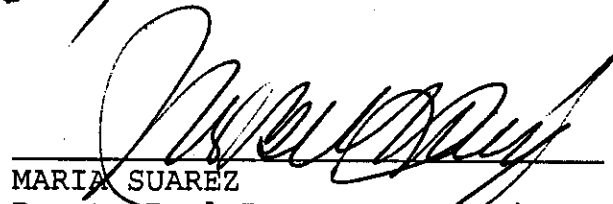
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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of Respondent CHERYL RENEE CHISHOLM 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 25<sup>th</sup> day of July, 2007.

  
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MARIA SUAREZ  
Deputy Real Estate Commissioner

cc: Cheryl Renee Chisholm  
Virginia Yvonne Harper  
Maria Suarez  
Sacto.