

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)
)
 CHRISTINA MAGANA,)
)
 Respondent.)
 _____)

NO. H-36696 LA

FILED

JUL 28 2011

DEPARTMENT OF REAL ESTATE
BY: 

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 June 2, 2011, 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 revokes a real estate license on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1.

On June 17, 2010, Joseph D. Aiu made the Accusation in his 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, return receipt requested, to Respondent at her address of record on June 24, 2010. On or about June 26, 2010, the certified mail return receipt was signed and returned to the Department of Real Estate.

On June 1, 2011, 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.

2.

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, as a real estate salesperson. Respondent was originally issued a real estate salesperson license by the Department on May 3, 2004.

3.

On or about September 3, 2009, Respondent was convicted of violating Health and Safety Code Section 11351(Possession of Cocaine for Sale), a felony.

4.

The evidence established that the crime of which Respondent was convicted, as set forth above, is substantially related to the qualifications, functions and duties of a real estate licensee.

DETERMINATION OF ISSUES

1.

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

2.

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

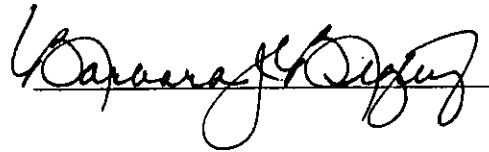
ORDER

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

This Decision shall become effective at 12 o'clock noon on August 17, 2011.

DATED: 6/28, 2011.

BARBARA J. BIGBY
Acting Real Estate Commissioner



1 Department of Real Estate
2 320 West Fourth Street, Suite 350
3 Los Angeles, CA 90013.

FILED

4 (213) 576-6982

JUN - 2 2011

5 DEPARTMENT OF REAL ESTATE
6 BY: 

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) NO. **H-36696 LA**
12)
13 CHRISTINA MAGANA,) DEFAULT ORDER
14)
15 Respondent.)
16)

17 Respondent CHRISTINA MAGANA, having failed to file
18 a Notice of Defense within the time required by Section 11506
19 of the Government Code, is now in default. It is, therefore,
20 ordered that a default be entered on the record in this
21 matter.

22 IT IS SO ORDERED June 1, 2011

23 BARBARA J. BIGBY
24 Acting Real Estate Commissioner

25 By: Dolores Weeks
26 DOLORES WEEKS
27 Regional Manager

Lock

1 AMELIA V. VETRONE, Counsel (SBN 134612)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6940

FILED

JUN 24 2010

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	No. H-36696 LA
12 CHRISTINA MAGANA,)	<u>A C C U S A T I O N</u>
13 Respondent.)	
14 _____)	

15 The Complainant, Joseph D. Aiu, a Deputy Real Estate
16 Commissioner of the State of California, acting in his official
17 capacity, for cause of Accusation against CHRISTINA MAGANA,
18 ("Respondent") alleges as follows:

19 1.

20 Respondent is presently licensed and/or has license
21 rights under the Real Estate Law, Part 1 of Division 4 of the
22 California Business and Professions Code ("Code"), as a real
23 estate salesperson.

24 ///

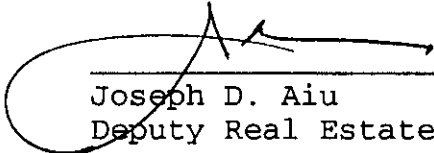
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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all the licenses and license rights of
5 Respondent, CHRISTINA MAGANA, under the Real Estate Law (Part 1
6 of Division 4 of the Business and Professions Code) and for such
7 other and further relief as may be proper under other applicable
8 provisions of law.

9 Dated at Los Angeles, California: 17th June, 2010.

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14 _____
15 Joseph D. Aiu
16 Deputy Real Estate Commissioner
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25 cc: CHRISTINA MAGANA
26 Luis Alberto Fioretti
27 Joseph D. Aiu
 Sacto.