

2AC

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

FILED

FEB -18 2013

DEPARTMENT OF REAL ESTATE
BY: _____

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of) DRE No. H-37378 LA
) OAH No. L-2011080966
DONNA MARIA WOOSLEY-SANTOYO,)
)
Respondent.)

ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE

TO: DONNA MARIA WOOSLEY-SANTOYO
41352 Sequoia Ave.
Palmdale, CA 93551

On April 4, 2012, a restricted real estate salesperson license was issued by the Department of Real Estate to Respondent on the terms, conditions and restrictions set forth in the Real Estate Commissioner's Decision of January 31, 2012, in Case No. H-37378 LA. This Order, which was filed on February 8, 2012, and became effective February 28, 2012, granted Respondent the right to the issuance of a restricted real estate salesperson license subject to the provisions of Section 10156.7 of the California Business and Professions Code (hereinafter "Code") and to enumerated additional terms, conditions and restrictions imposed under authority of Section 10156.6 of said Code. Among those terms, conditions and restrictions, Respondent was required to present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and

1 successfully completed the continuing education requirement of Article 2.5 of Chapter 3 of the
2 Real Estate Law for renewal of a real estate license, within nine (9) months from the effective
3 date of the Decision. The Commissioner has determined that as of November 28, 2012,
4 Respondent has failed to satisfy this condition, and as such, is in violation of Section 10177(k) of
5 the Code.

6 NOW, THEREFORE, IT IS ORDERED under authority of Section 10156.7 of the
7 Business and Professions Code of the State of California that the restricted real estate salesperson
8 license heretofore issued to Respondent and the exercise of any privileges thereunder is hereby
9 suspended until such time as Respondent provides proof satisfactory to the Department of
10 compliance with the condition referred to above, or pending final determination made after
11 hearing (see "Hearing Rights" set forth below).

12 IT IS FURTHER ORDERED that all license certificates and identification cards
13 issued by the Department of Real Estate which are in the possession of Respondent be
14 immediately surrendered by personal delivery or by mailing in the enclosed self-addressed
15 envelope to:

16 Department of Real Estate
17 Attn: Flag Section
18 P. O. Box 187000
19 Sacramento, CA 95818-7000

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

///

This Order shall be effective immediately.

DATED: 2/1, 2013.

Real Estate Commissioner



By AWET P. KIDANE
Chief Deputy Commissioner

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 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

FILED

FEB 08 2012

5 DEPARTMENT OF REAL ESTATE
6 BY: 

7
8
9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12
13 In the Matter of the Accusation of NO. H-37378 LA
14 DONNA MARIA WOOSLEY-SANTOYO,)
15) L-2011080966
16) STIPULATION AND AGREEMENT
17) Respondent.)

18 It is hereby stipulated by and between DONNA MARIA
19 WOOSLEY-SANTOYO, (sometimes referred to as "Respondent"), and
20 Respondent's attorney, Richard L. Goor, Esq., and the
21 Complainant, acting by and through Cheryl D. Keily, Counsel for
22 the Department of Real Estate, as follows for the purpose of
23 settling and disposing of the Accusation filed on July 8, 2011,
24 in this matter.

25
26 1. All issues which were to be contested and all
27 evidence which was to be presented by Complainant and Respondent
at a formal hearing on the Accusation, which hearing was to be

1 held in accordance with the provisions of the Administrative
2 Procedure Act (APA), shall instead and in place thereof be
3 submitted solely on the basis of the provisions of this
4 Stipulation and Agreement.
5

6 2. Respondent has received, read and understands the
7 Statement to Respondent, the Discovery Provisions of the APA and
8 the Accusation filed by the Department of Real Estate
9 ("Department") in this proceeding.

10 3. On August 1, 2011, Respondent filed a Notice of
11 Defense, pursuant to Section 11506 of the Government Code for
12 the purpose of requesting a hearing on the allegations in the
13 Accusation. Respondent hereby freely and voluntarily withdraws
14 said Notice of Defense. Respondent acknowledges that she
15 understands that by withdrawing said Notice of Defense she will
16 thereby waive her right to require the Commissioner to prove the
17 allegations in the Accusation at a contested hearing held in
18 accordance with the provisions of the APA and that she will
19 waive other rights afforded to her in connection with the
20 hearing, such as the right to present evidence in defense of the
21 allegations in the Accusation and the right to cross-examine
22 witnesses.
23
24

25 4. It is understood by the parties that the Real
26 Estate Commissioner may adopt the Stipulation and Agreement as
27 his decision in this matter, thereby imposing the penalty and

1 sanctions on Respondent's real estate licenses and license
2 rights as set forth in the below "Order". In the event that
3 the Commissioner in his discretion does not adopt the
4 Stipulation and Agreement, it shall be void and of no effect,
5 and Respondent shall retain the right to a hearing and
6 proceeding on the Accusation under all the provisions of the
7 APA and shall not be bound by any admission or waiver made
8 herein.
9

10 5. This Stipulation is based on the factual
11 allegations contained in the Accusation. In the interest of
12 expedience and economy, Respondent chooses not to contest these
13 allegations, but to remain silent and understand that, as a
14 result thereof, these factual allegations, without being
15 admitted or denied, will serve as a prima facie basis for the
16 disciplinary action stipulated to herein. The Real Estate
17 Commissioner shall not be required to provide further evidence
18 to prove said factual allegations.
19
20

21 6. This Stipulation and Respondents' decision not to
22 contest the Accusation are made for the purpose of reaching an
23 agreed disposition of this proceeding, and are expressly
24 limited to this proceeding and any other proceeding or case in
25 which the Department of Real Estate, or another licensing
26 agency of this state, another state or the federal government
27 is involved and otherwise shall not be admissible in any other

1 be issued to Respondent pursuant to Section 10156.5 of the Code
2 if Respondent makes application therefor and pays to the
3 Department the appropriate fee for the restricted license within
4 90 days from the effective date of this Decision.

5
6 The Restricted license issued to Respondent shall be
7 subject to all of the provisions of Section 10156.7 of the Code
8 and to the following conditions, limitations and restrictions
9 imposed under the authority of Section 10156.6 of the Code:

10 1. The restricted license issued to Respondent may be
11 suspended prior to hearing by Order of the Commissioner in the
12 event of Respondent's conviction or plea of nolo contendere to
13 a crime which is substantially related to Respondent's fitness
14 or capacity as a real estate licensee.

15
16 2. The restricted license issued to Respondent may be
17 suspended prior to hearing by Order of the Commissioner on
18 evidence satisfactory to the Commissioner that Respondent has
19 violated provisions of the Real Estate law, the Subdivided
20 Lands Law, Regulations of the Real Estate Commissioner or
21 conditions attaching to the restricted license.

22
23 3. Respondent shall not be eligible to apply for
24 issuance of an unrestricted real estate license nor for the
25 removal of any of the conditions, limitations or restrictions
26 of a restricted license until one (1) year has elapsed from the
27 effective date of this Decision.

1 4. Respondent shall submit with any application for
2 license under an employing broker, or any application for
3 transfer to a new employing broker, a statement signed by the
4 prospective employing real estate broker, on a form approved by
5 the Department, which shall certify:

6 (a) That the employing broker has read the Decision
7 of the Commissioner which granted the right to a restricted
8 license; and
9

10 (b) That the employing broker will exercise close
11 supervision over the performance by the restricted licensee
12 relating to activities for which a real estate salesperson
13 license is required.
14

15 5. Respondent shall, within nine (9) months from the
16 effective date of this Decision, present evidence satisfactory
17 to the Commissioner that Respondent has, since the most recent
18 issuance of an original or renewal real estate license, taken
19 and successfully completed the continuing education
20 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
21 for renewal of a real estate license. If Respondent fails to
22 satisfy this condition, the Commissioner may order the
23 suspension of the restricted license until Respondent presents
24 such evidence. The Commissioner shall afford Respondent the
25 opportunity for a hearing pursuant to the APA to present such
26 evidence.
27

1 6. If and when a petition application is made for
2 reinstatement of respondent's salesperson license, the Real
3 Estate Commissioner will consider as one of the criteria of
4 rehabilitation whether or not restitution has been made to any
5 person who has suffered monetary losses as a result of the
6 allegations set forth in the Accusation filed in this case.
7

8
9 DATED: Jan 18, 2012


CHERYL D. KELLY, Counsel
DEPARTMENT OF REAL ESTATE

10
11 * * *

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

24 Respondent can signify acceptance and approval of the
25 terms and conditions of this Stipulation and Agreement by
26 faxing a copy of its signature page, as actually signed by
27

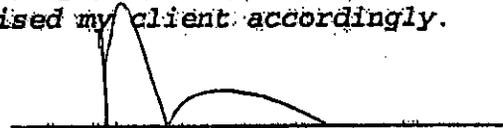
1 Respondent, to the Department at the following telephone/fax
 2 number (213) 576-6917. Respondent agrees, acknowledges, and
 3 understands that by electronically sending to the Department a
 4 fax copy of his actual signature as it appears on the
 5 Stipulation and Agreement, that receipt of the faxed copy by
 6 the Department shall be as binding on Respondent as if the
 7 Department had received the original signed Stipulation and
 8 Agreement.
 9

10
 11 DATED: 1/18/12


 12 DONNA MARIA WOOSLEY-SANTOYO
 13 Respondent

14 I have reviewed the Stipulation and Agreement as to
 15 form and content and have advised my client accordingly.

16 DATED: 1/18/12


 17 Richard L. Goor, Esq.
 18 Attorney for Respondent
 19 DONNA MARIA WOOSLEY-
 20 SANTOYO

21
 22
 23
 24
 25
 26
 27

1 Respondent, to the Department at the following telephone/fax
2 number (213) 576-6917. Respondent agrees, acknowledges, and
3 understands that by electronically sending to the Department a
4 fax copy of his actual signature as it appears on the
5 Stipulation and Agreement, that receipt of the faxed copy by
6 the Department shall be as binding on Respondent as if the
7 Department had received the original signed Stipulation and
8 Agreement.
9

10
11 DATED: _____
12 _____
13 DONNA MARIA WOOSLEY-SANTOYO
Respondent

14 *I have reviewed the Stipulation and Agreement as to*
15 *form and content and have advised my client accordingly.*

16 DATED: _____
17 _____
18 Richard L. Goor, Esq.
19 Attorney for Respondent
20 DONNA MARIA WOOSLEY-
21 SANTOYO

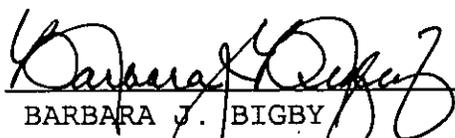
22 ///
23 ///
24 ///

25 * * *

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

The foregoing Stipulation and Agreement is hereby
adopted as my Decision in this matter and shall become
effective at 12 o'clock noon on FEB 28 2012, 2012.

IT IS SO ORDERED 1/31, 2012.

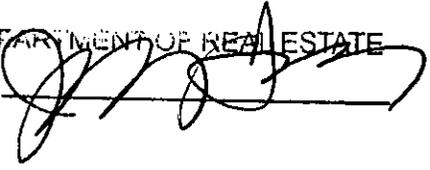


BARBARA J. BIGBY
Acting Real Estate Commissioner

1 CHERYL D. KEILY SBN# 94008
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) 576-6905

FILED

JUL 08 2011

DEPARTMENT OF REAL ESTATE
BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

11 In the Matter of the Accusation of) No. H- 37378 LA
12)
13 DONNA MARIA WOOSLEY-SANTOYO,) A C C U S A T I O N
14)
15 Respondent.)

16 The Complainant, Robin Trujillo, a Deputy Real Estate
17 Commissioner of the State of California, for cause of Accusation
18 against DONNA MARIA WOOSLEY-SANTOYO, aka Donna Raygoza, aka
19 Donna Maria Raygoza, ("Respondent") is informed and alleges as
20 follows:
21

22 1.

23 The Complainant, Robin Trujillo, a Deputy Real Estate
24 Commissioner of the State of California, makes this Accusation
25 in her official capacity.

26 2.

27 Respondent is presently licensed and/or has license

rights under the Real Estate Law as a real estate salesperson.

3.

At all times herein mentioned, Respondent engaged in the business of, acted in the capacity of, or advertised a loan modification service and advance fee brokerage offering to perform and performing loan modification and negotiation services with respect to loans which were secured by liens on real property for compensation or in expectation of compensation and for fees often collected in advance as well as at the conclusion of the transaction.

4.

In or around August 3, 2009, Juan B. paid an advance fee of \$1,500 to Respondent for the purpose of obtaining mortgage loan modification services with respect to a loan secured by the real property located at 45522-6th Street, East Lancaster, California 93535 (the "Property").

5.

The activities described in Paragraph 4, above, require a real estate broker license under Sections 10131(d) and 10131.2 of the Code.

6.

At the time Respondent undertook the activities described in Paragraph 4, above, she was employed by Suburban Enterprises Inc., a licensed real estate broker, who was unaware of Respondent's activities.

///

7.

1 Respondent performed and/or participated in loan
2 modification, solicitation, and negotiation activities, as well
3 as advance fee activities, all of which require a real estate
4 broker license under the provisions of Code Sections 10131(d)
5 and 10131.2 when Respondent was not licensed by the Department
6 as a real estate broker nor employed as a real estate
7 salesperson by the broker on whose behalf the activities were
8 performed in violation of Section 10130 of the Code.
9

10 8.

11 The conduct, acts and/or omissions of Respondent, as
12 set forth, above, violate Code Section 10130, and are cause for
13 the suspension or revocation of the licenses and license rights
14 of Respondent pursuant to Code Sections 10177(d), 10177(g)
15 and/or 10177(j).
16

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

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 Respondent
5 DONNA MARIA WOOSLEY-SANTOYO under the Real Estate Law, and for
6 such other and further relief as may be proper under other
7 applicable provisions of law.

8 Dated at Los Angeles, California

9 this 27 day of June, 2011.

10
11
12
13 
14 Robin Trujillo
15 Deputy Real Estate Commissioner
16
17
18
19
20
21
22
23
24
25

26 cc: DONNA MARIA WOOSLEY-SANTOYO
27 Troth V. Inc.
Robin Trujillo
Sacto.