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DEC 17 1978

DEPARTMENT OF REAL ESTATE
Laura B. Clark

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Application of) NO. H-858 SD
HARRY LEE JONES,)
Respondent.)

ORDER GRANTING UNRESTRICTED LICENSE

On August 22, 1978, an Order was rendered herein denying the respondent's application for a real estate salesperson 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 September 6, 1978, and respondent has operated as a restricted licensee without cause for disciplinary action against him since that time.

On August 2, 1979, respondent petitioned for the removal of restrictions on his real estate salesperson license.

I have considered the petition of respondent and the evidence submitted in support thereof including his record as

1 a restricted licensee. Respondent has demonstrated to my
2 satisfaction that he meets the requirements of law for the
3 issuance to him of an unrestricted real estate salesperson
4 license and that it would not be against the public interest
5 to issue said license to him.

6 NOW, THEREFORE, IT IS ORDERED that the petition of
7 respondent for the issuance to him of an unrestricted real
8 estate salesperson license be granted upon the receipt of a
9 completed application and the fee for said license within 90
10 days from the date hereof.

11 This Order shall be effective immediately.

12 DATED: 12/10/79

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David H Fox

DAVID H. FOX
Real Estate Commissioner

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AUG 28 1978

DEPARTMENT OF REAL ESTATE
BY R. Heedekelt

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	
)	NO. H-858 SD
)	
HARRY LEE JONES,	<u>STIPULATION AND WAIVER</u>
)	
)	
Respondent.)

I, HARRY LEE JONES, respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the license fee.

I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate on July 28, 1978, in connection with my application for license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my

1 honesty and truthfulness and to prove other allegations therein,
2 or that he may in his discretion waive the hearing and grant me
3 a restricted real estate salesperson license based upon this
4 Stipulation and Waiver.

5 I hereby admit that the allegations of the Statement
6 of Issues filed against me are true and correct and request that
7 the Real Estate Commissioner in his discretion issue a restricted
8 real estate salesperson license to me under the authority of
9 Section 10156.5 of the Business and Professions Code.

10 I am aware that by signing this Stipulation and Waiver,
11 I am waiving my right to a hearing and the opportunity through
12 a hearing to obtain an unrestricted real estate license at this
13 time if this Stipulation and Waiver is accepted by the Real
14 Estate Commissioner. However, I am not waiving my right to a
15 hearing and to further proceedings to obtain a restricted or
16 unrestricted license if this Stipulation and Waiver is not
17 accepted by the Commissioner.

18 I further understand that the following conditions,
19 limitations and restrictions will attach to a restricted license
20 issued by the Department of Real Estate pursuant hereto:

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

27 a. The conviction of respondent (including a

1 plea of nolo contendere) to a crime which bears
2 a significant relation to respondent's fitness
3 or capacity as a real estate licensee; or

4 b. The receipt of evidence that respondent has
5 violated provisions of the California Real
6 Estate Law, the Subdivided Lands Law,
7 regulations of the Real Estate Commissioner
8 or conditions attaching to this restricted
9 license.

10 2. Respondent shall not be eligible to apply for the
11 issuance of an unrestricted real estate license nor
12 the removal of any of the conditions, limitations
13 or restrictions attaching to the restricted license
14 until one year has elapsed from the date of
15 issuance of the restricted license to respondent.

16 3. With the application for license, or with the
17 application for transfer to a new employing broker,
18 respondent shall submit a statement signed by the
19 prospective employing broker on a form approved by
20 the Department of Real Estate wherein the
21 employing broker shall certify as follows:

22 a. That broker has read the Statement of Issues
23 which is the basis for the issuance of
24 the restricted license; and

25 b. That broker will carefully review all trans-
26 action documents prepared by the restricted
27 licensee and otherwise exercise close

1 supervision over the licensee's performance
2 of acts for which a license is required.

3 DATED this 9 day of August, 1978.

4
5 Harry Lee Jones
6 Respondent

7 I have read the Statement of Issues filed herein and
8 the foregoing Stipulation and Waiver signed by respondent. I am
9 satisfied that the hearing for the purpose of requiring further
10 proof as to the honesty and truthfulness of respondent need not
11 be called and that it will not be inimical to the public interest
12 to issue a restricted real estate salesperson license to
13 respondent.

14 Therefore, IT IS HEREBY ORDERED that a restricted
15 real estate salesperson license be issued to respondent
16 HARRY LEE JONES if respondent has otherwise
17 fulfilled all of the statutory requirements for licensure. The
18 restricted license shall be limited, conditioned and restricted
19 as specified in the foregoing Stipulation and Waiver

20 DATED this 22 day of August, 1978.

21
22 David H Fox
23 DAVID H. FOX
24 Real Estate Commissioner

FILED

JUL 28 1978

DEPARTMENT OF REAL ESTATE
BY *K. McArthur*

1 MARJORIE P. MERSEL, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, California 90012
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(213) 620-4790

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Application of HARRY LEE JONES, Respondent.	}	No. H-858 SD <u>STATEMENT OF ISSUES</u>
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The Real Estate Commissioner, in conformity with Section 10152, Division 4, Business and Professions Code of the State of California, requires further proof of the honesty and truthfulness of HARRY LEE JONES in connection with his application for a real estate salesperson license filed on May 4, 1978, and in relation thereto will consider the following:

I

On or about May 13, 1974, in the United States District Court for the Western District of Missouri - Western Division, respondent entered a guilty plea to and was convicted of the crime of violating Title 19 U.S.C., Section 2 and Title 21, U.S.C. Section 846 (Conspiring to distribute controlled substances), felonies and crimes involving moral turpitude.

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II

On or about August 1, 1974, in the Superior Court of the State of California in and for the County of Merced, respondent entered a guilty plea to and was convicted of the crime of violating Health and Safety Code Section 11377 (Possession of a restricted dangerous drug), a felony and a crime involving moral turpitude.

III

The crimes which respondent was convicted of bear a substantial relationship to the qualifications, functions or duties of a real estate licensee.

IV

Respondent's criminal record as alleged above is grounds for denying his application for a real estate license under Section 480, 10177(b) and 10177(f) of the Business and Professions Code of the State of California.

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

Dated at San Diego, California
this 28th day of July, 1978.

JOHN C. KAMPS
Deputy Real Estate Commissioner

cc: Harry Lee Jones
Gary Charlon Pralberg
Sacto.
JCK
JCG

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