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**FILED**  
JUL 16 2007  
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-926 SD  
)  
MARK ANDREW COFFMAN, )  
)  
Respondent. )

ORDER GRANTING REINSTATEMENT OF LICENSE

On April 22, 1980, a Decision was rendered herein,  
revoking Respondent's real estate salesperson.

On June 29, 2001, Respondent petitioned for  
reinstatement of said real estate salesperson license. On July  
26, 2002, an Order Denying Reinstatement of License was filed.  
Said Order denied Respondent's petition, with the right to  
apply for and be issued a restricted real estate salesperson  
license.

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1 A restricted real estate salesperson license was  
2 issued to Respondent on December 19, 2002, and Respondent has  
3 operated as a restricted licensee without cause for disciplinary  
4 action against Respondent since that time.

5 On May 16, 2006, Respondent petitioned for  
6 reinstatement of said real estate salesperson license. The  
7 Attorney General of the State of California has been given  
8 notice of the filing of Respondent's petition.

9 I have considered Respondent's petition and the  
10 evidence and arguments submitted in support thereof. Respondent  
11 has demonstrated to my satisfaction that Respondent meets the  
12 requirements of law for the issuance to Respondent of an  
13 unrestricted real estate salesperson license and that it would  
14 not be against the public interest to issue said license to  
15 Respondent.  
16

17 NOW, THEREFORE, IT IS ORDERED that Respondent's  
18 petition for reinstatement is granted and that a real estate  
19 salesperson license be issued to Respondent, if Respondent  
20 satisfies the following conditions within nine (9) months from  
21 the date of this Order:

22 1. Submittal of a completed application and payment  
23 of the fee for a real estate salesperson license.

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2. Submittal of evidence of having, since the most  
recent issuance of an original or renewal real estate license,  
taken and successfully completed the continuing education  
requirements of Article 2.5 of Chapter 3 of the Real Estate  
Law for renewal of a real estate license.

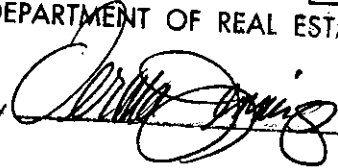
This Order shall be effective immediately.

Dated: 7-9-07.

JEFF DAVI  
Real Estate Commissioner

  
\_\_\_\_\_

FILED  
JUL 26 2002  
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-19963 LA  
) H-926 SD  
MARK ANDREW COFFMAN, )  
)  
Respondent. )  
)

ORDER DENYING REINSTATEMENT OF  
LICENSE AFTER RECONSIDERATION

On November 8, 1977, a Decision was rendered in Department of Real Estate ("Department") Case No. H-19963 LA denying the real estate salesperson license application of Respondent, 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 or about December 15, 1977.

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1 On May 15, 1979, Respondent was convicted of violating  
2 Penal Code Section 476(a) (Issuing Non-Sufficient Fund Checks  
3 with the Intent to Defraud). Accusation No. H-926 SD was filed  
4 October 30, 1979, seeking discipline of Respondent's license  
5 pursuant to Business and Professions Code ("Code") Sections  
6 10177(b) and 10177(k).

7 An Order Suspending Restricted Real Estate License was  
8 filed November 8, 1979 and immediately suspended Respondent's  
9 restricted real estate salesperson license pursuant to Code  
10 Section 10156.7.

11 On April 22, 1980, a Decision was rendered in  
12 Department Case No. H-926 SD, revoking Respondent's restricted  
13 real estate salesperson license.

14 On April 15, 1982, Respondent petitioned for  
15 reinstatement of his real estate salesperson license. An Order  
16 Denying Reinstatement of License, filed March 30, 1983, denied  
17 Respondent's petition but granted Respondent the right to apply  
18 for and be issued a restricted real estate salesperson license.  
19 Respondent failed to apply for a restricted real estate  
20 salesperson license in a timely manner.

22 On August 27, 1991, Respondent again petitioned for  
23 reinstatement of said license. An Order Denying Reinstatement of  
24 License, filed November 8, 1993, denied Respondent's petition.

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1 On June 29, 2001, Respondent once again petitioned for  
2 reinstatement of said license and the Attorney General of the  
3 State of California has been given notice of the filing of the  
4 petition.

5 I have considered Respondent's petition and the  
6 evidence and arguments in support thereof. Respondent has failed  
7 to demonstrate to my satisfaction that Respondent has undergone  
8 sufficient rehabilitation to warrant the reinstatement of  
9 Respondent's real estate salesperson license. This determination  
10 has been made in the light of Respondent's history of acts and  
11 conduct which are substantially related to the qualifications,  
12 functions and duties of a real estate licensee. That history  
13 includes:

14 I

15 Respondent has suffered two criminal convictions. In  
16 1975, Respondent was convicted of violating Unemployment  
17 Insurance Code Section 2101 (Making a False Statement). In 1979,  
18 Respondent was convicted of violating Penal Code Section 476(a)  
19 (Issuing Non-Sufficient Fund Checks with the Intent to Defraud).  
20 Said crimes involve moral turpitude and are substantially related  
21 to the qualifications, functions and duties of a real estate  
22 licensee pursuant to Section 2910, Title 10, Chapter 6,  
23 California Code of Regulations ("Regulations").  
24

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1 The 1975 conviction resulted in the filing of  
2 Department Case No. H-19963 LA, wherein a Decision was rendered  
3 which denied Respondent's application for a real estate  
4 salesperson license, but granted Respondent the right to the  
5 issuance of a restricted real estate salesperson license.

6 The 1979 conviction resulted in the filing of  
7 Department Case No. H-926 SD, wherein Respondent's license was  
8 immediately suspended. A subsequent Decision was rendered which  
9 revoked Respondent's restricted real estate salesperson license.

10  
11 II

12 On or about March 9, 1990, an Order to Desist and  
13 Refrain was issued in Department Case No. H-943 SA to Respondent.  
14 A Department investigation had found that Respondent was  
15 performing acts that required a real estate license after his  
16 license had been revoked in violation of Code Section 10130.  
17 Respondent was ordered to desist and refrain from performing any  
18 and all acts for which a real estate license is required until  
19 such time as he obtained the required license from the  
20 Department.

21 The investigation had determined that in 1987,  
22 Respondent was the president of Landmark Mortgage Corporation  
23 ("Landmark") and not licensed by the Department. The owners of  
24 certain real property employed Landmark to obtain a loan from  
25 lenders which was to be secured by their property. The owners  
26 paid Landmark advance fees in the amount of approximately  
27

1 \$60,750. Thereafter, Respondent and others solicited or  
2 purported to solicit lenders which constituted acts for which  
3 a real estate license is required pursuant to Code Sections  
4 10131(d) and 10131.2.

5 III

6 In 1992, Respondent owned and was responsible for the  
7 operation of The Escrow Works which was licensed by the  
8 Department of Corporations ("DOC"). Effective February 14, 1992,  
9 DOC issued The Escrow Works an order to discontinue escrow  
10 activities as the result of findings that a shortage of some  
11 \$83,769 existed in the escrow trust account. Effective March 4,  
12 1992, DOC issued a demand for an order taking possession of the  
13 property and business of Respondent. Respondent agreed to this  
14 order and a conservator was appointed March 4, 1992.

15 IV

16  
17 (a) In 1994, Respondent filed for bankruptcy and was  
18 granted a discharge of debtor. Four of the discharged debts were  
19 real estate mortgages. Respondent has provided proof that these  
20 debts were satisfied.

21 (b) On or about September 22, 1993, in Orange County  
22 Superior Court Case No. 69 37 03, a judgment in the amount  
23 of \$65,877.61 plus interest was issued against the defendants  
24 (Respondent, Respondent's wife and Charter West Mortgage).  
25 Respondent and the other defendants had defaulted on a  
26 Line-of-Credit issued by plaintiff (Sunwest Bank).  
27



1 This judgment was not revealed on Respondent's Petition  
2 Application.

3 Respondent has provided proof that this debt was  
4 satisfied.

5 V

6 During the February 7, 2002 interview, the Deputy asked  
7 Respondent about his convictions, the DOC action and his  
8 bankruptcy and discharged debts.

9 The Deputy stated that Respondent failed to take full  
10 responsibility for and failed to demonstrate remorse for his  
11 actions.

12 This evidences a lack of change in attitude and a lack  
13 of rehabilitation and is cause to deny Respondent's petition  
14 application pursuant to Regulation 2911(m) (1).

15 VI

16 Due to the serious nature of the conduct which first  
17 led to the denial of Respondent's application for a real estate  
18 salesperson license and then the revocation of Respondent's  
19 restricted real estate salesperson license, and the facts set  
20 forth in Paragraphs II through V, above, additional time is  
21 needed to measure rehabilitation. This is cause to deny  
22 Respondent's petition application pursuant to Regulation 2911(a).

23 I am satisfied, however, that it will not be against  
24 the public interest to issue a restricted real estate salesperson  
25 license to Respondent.  
26  
27

1                    NOW, THEREFORE, IT IS ORDERED that Respondent's  
2 petition for reinstatement of Respondent's real estate  
3 salesperson license is denied.

4                    A restricted real estate salesperson license shall  
5 be issued to Respondent pursuant to Code Section 10156.5 if  
6 Respondent makes application therefor and pays the appropriate  
7 fee for said license within nine (9) months from the date hereof.

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

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

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

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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 of  
4 a restricted license until two (2) 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 with any application for  
8 transfer to a new employing broker, a statement signed by the  
9 prospective employing real estate broker on a form approved by  
10 the Department which shall certify:

11           (a) that the employing broker has read the Decision of  
12 the Commissioner which granted the right to a restricted license;

13 and

14           (b) that the employing broker will exercise close  
15 supervision over the performance by the restricted licensee  
16 relating to activities for which a real estate license is  
17 required.

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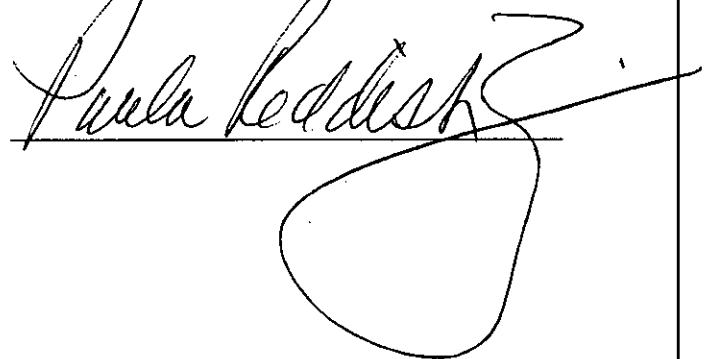
1                   5. Respondent shall within nine (9) months from the  
2                   date of issuance of a restricted license, submit evidence  
3                   satisfactory to the Real Estate Commissioner that Respondent has,  
4                   since Respondent's license was revoked, taken and successfully  
5                   completed the continuing education requirements of Article 2.5 of  
6                   Chapter 3 of the Real Estate Law for renewal of a real estate  
7                   license. If Respondent fails to satisfy this condition, the  
8                   Commissioner may order the suspension of the restricted license  
9                   until the Respondent presents such evidence. The Commissioner  
10                  shall afford Respondent the opportunity for a hearing pursuant to  
11                  the Administrative Procedure Act to present such evidence.

12                   This Order shall become effective at 12 o'clock noon on

13                   July 26, 2002

14                   DATED: July 23, 2002.

15                   PAULA REDDISH ZINNEMANN  
16                   Real Estate Commissioner

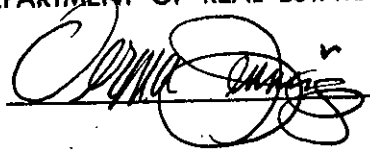
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25                   cc: Mark Andrew Coffman  
26                   2581 Point Del Mar  
27                   Corona Del Mar, CA 92625

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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-19963 LA
	)	H-926 SD
MARK ANDREW COFFMAN,	)	
	)	
Respondent.	)	

ORDER STAYING EFFECTIVE DATE

On May 21, 2002, an Order Denying Reinstatement of License was rendered in the above-entitled matter to become effective June 17, 2002. On June 13, 2002, the effective date of said Order Denying Reinstatement of License was stayed until July 17, 2002.

IT IS HEREBY ORDERED that the effective date of the Order Denying Reinstatement of License of July 17, 2002 is stayed for an additional period of 10 days.


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The Order Denying Reinstatement of License of July 17,  
2002 shall become effective at 12 o'clock noon on July 26, 2002.

DATED: July 8, 2002.

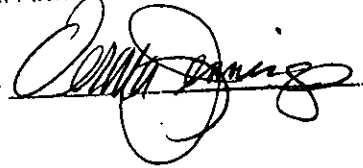
PAULA REDDISH ZINNEMANN  
Real Estate Commissioner

By:   
DOLORES RAMOS  
Regional Manager

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JUN 13 2002

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-19963 LA
	)	H-926 SD
MARK ANDREW COFFMAN,	)	
	)	
Respondent.	)	

ORDER STAYING EFFECTIVE DATE

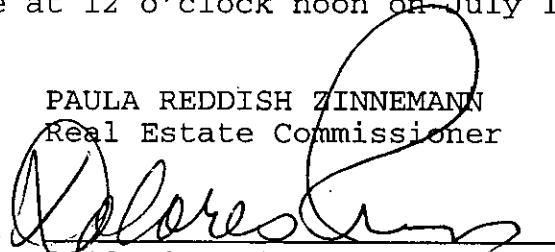
On May 21, 2002, an Order Denying Reinstatement of License was rendered in the above-entitled matter to become effective June 17, 2002.

IT IS HEREBY ORDERED that the effective date of the Order Denying Reinstatement of License of May 21, 2002, is stayed for a period of 30 days.

The Order Denying Reinstatement of License of May 21, 2002, shall become effective at 12 o'clock noon on July 17, 2002.

DATED: June 13, 2002.

PAULA REDDISH ZINNEMANN  
Real Estate Commissioner

By:   
DOLORES RAMOS  
Regional Manager

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FILED  
MAY 28 2002  
DEPARTMENT OF REAL ESTATE  
By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )	NO. H-19963 LA
)	H-926 SD
MARK ANDREW COFFMAN,	)
)	)
Respondent.	)
)	)

ORDER DENYING REINSTATEMENT OF LICENSE

On November 8, 1977, a Decision was rendered in Department Case No. H-19963 LA, denying the real estate salesperson license application of Respondent, 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 or about December 15, 1977.

On May 15, 1979, Respondent was convicted of violating Penal Code Section 476(a) (Non-Sufficient Fund Checks). Accusation No. H-926 SD was filed October 30, 1979, seeking discipline of Respondent's license pursuant to Business and Professions Code ("Code") Sections 10177(b) and 10177(k).



1 An Order Suspending Restricted Real Estate License was  
2 filed November 8, 1979 and immediately suspended Respondent's  
3 real estate salesperson license pursuant to Code Section 10156.7.

4 On April 22, 1980, a Decision was rendered in  
5 Department Case No. H-926 SD, revoking the real estate  
6 salesperson license of Respondent.

7 On April 15, 1982, Respondent petitioned for  
8 reinstatement of said license. An Order Denying Reinstatement of  
9 License, filed March 30, 1983, denied Respondent's petition but  
10 granted Respondent the right to apply for and be issued a  
11 restricted real estate salesperson license. Respondent failed to  
12 apply for a restricted real estate salesperson license in a  
13 timely manner.

14 On August 27, 1991, Respondent again petitioned for  
15 reinstatement of said license. An Order Denying Reinstatement of  
16 License, filed November 8, 1983, denied Respondent's petition.

17 On June 29, 2001, Respondent once again petitioned for  
18 reinstatement of said license and the Attorney General of the  
19 State of California has been given notice of the filing of the  
20 petition.  
21

22 I have considered Respondent's petition and the  
23 evidence and arguments in support thereof. Respondent has failed  
24 to demonstrate to my satisfaction that Respondent has undergone  
25 sufficient rehabilitation to warrant the reinstatement of  
26 Respondent's real estate broker license, in that:  
27

I

1 Respondent has suffered two criminal convictions. In  
2 1975, Respondent was convicted of violating Unemployment  
3 Insurance Code Section 2101 (Making a False Statement). In 1979,  
4 Respondent was convicted of violating Penal Code Section 476(A)  
5 (Non-Sufficient Funds Checks).  
6

7 II

8 On or about March 9, 1990, Order to Desist and Refrain  
9 No. H-943 SA was issued against Respondent. It had been found  
10 that Respondent was performing acts that required a real estate  
11 license after his license had been revoked.  
12

13 III

14 In 1994, Respondent filed for bankruptcy and was  
15 granted a discharge of debtor. Five of the discharged debts were  
16 real estate mortgages. Respondent has not provided proof that  
17 the debts were paid. This evidences a lack of rehabilitation and  
18 is cause to deny Respondent's petition pursuant to Section  
19 2911(i) of Title 10, Chapter 6, California Code of Regulations  
20 ("Regulations").  
21

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IV

1 In 1992, Respondent owned and operated The Escrow Works  
2 which was licensed by the Department of Corporations ("DOC").  
3 Effective February 14, 1992, DOC issued The Escrow Works an order  
4 to discontinue escrow activities as the result of findings that a  
5 shortage of some \$83,769 existed in the escrow trust account.  
6 Effective March 4, 1992, DOC issued a demand for an order taking  
7 possession of the property and business of Respondent.  
8 Respondent agreed to this order and a conservator was appointed  
9 March 4, 1992.  
10

V

11  
12 On February 7, 2002, Respondent was interviewed by  
13 a Deputy Real Estate Commissioner ("Deputy"). During the  
14 interview, the Deputy asked Respondent about his convictions.  
15 Respondent failed to take full responsibility for the  
16 circumstances leading to his convictions.  
17

18 During the interview, the Deputy also asked Respondent  
19 about the DOC action. Respondent failed to take full  
20 responsibility for the circumstances leading to his convictions.

21 This evidences a lack of change in attitude and a lack  
22 of rehabilitation. This is cause to deny Respondent's  
23 application pursuant to Regulation 2911(m)(1).

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VI

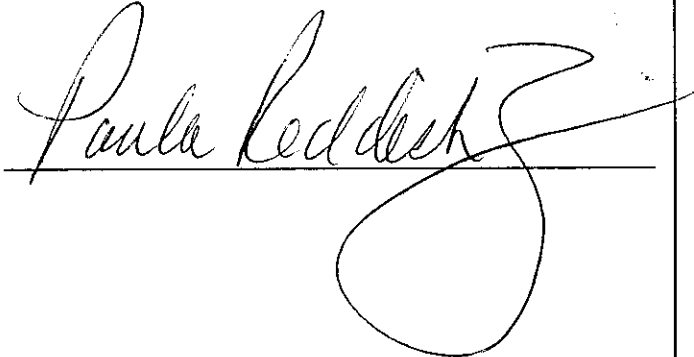
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2 Due to the serious nature of the conduct which led to  
3 the revocation of Respondent's real estate broker license, and  
4 the facts set forth in Paragraphs I through V, additional time is  
5 needed to measure rehabilitation. This is cause to deny  
6 Respondent's petition pursuant to Regulation 2911(a).

7 NOW, THEREFORE, IT IS ORDERED that Respondent's  
8 petition for reinstatement of Respondent's real estate broker  
9 license is denied.

10 This Order shall become effective at 12 o'clock noon on  
11 June 17, 2002

12 DATED: May 21, 2002.

13 PAULA REDDISH ZINNEMANN  
14 Real Estate Commissioner

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21 cc: Mark Andrew Coffman  
22 2581 Point Del Mar  
23 Corona Del Mar, CA 92625  
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MAR 30 1983

DEPT. OF REAL ESTATE  
BY DAVID B. GILMAN

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of	)	No. H-926 SD
MARK ANDREW COFFMAN,	)	L-20236
Respondent.	)	

ORDER DENYING REINSTATEMENT OF LICENSE

On April 22, 1980, a Decision was rendered herein revoking the restricted real estate salesperson license of respondent.

On April 15, 1982, respondent petitioned for reinstatement of his real estate salesperson license. The Attorney General of the State of California has been given notice of the filing of the petition.

I have given careful consideration to respondent's petition and the evidence and arguments in support thereof.

Respondent has failed to demonstrate to my satisfaction that he has undergone sufficient rehabilitation to warrant the issuance to him of an unrestricted real estate salesperson license.

1 I am satisfied however that it will not be against the public  
2 interest to issue a restricted real estate salesperson license to  
3 respondent.

4  
5 NOW, THEREFORE, IT IS ORDERED that respondent's petition  
6 for reinstatement of his real estate salesperson license is denied.

7 A restricted real estate salesperson license shall be  
8 issued to respondent pursuant to Section 10156.5 of the Business  
9 and Professions Code if he satisfies the following conditions  
10 within six (6) months from the date of this Order:

11 1. Submittal of a completed application and payment of  
12 the fee for a real estate salesperson license.

13 .2. Submittal of evidence of the completion of 45 hours  
14 of approved continuing education offerings which shall include a  
15 three-hour course in ethics, professional conduct, and legal  
16 aspects of real estate within the four-year period immediately  
17 preceding the date on which the evidence of completion is  
18 submitted to the Department.

19 The restricted license issued to respondent shall be  
20 subject to all of the provisions of Section 10156.7 of the  
21 Business and Professions Code and to the following limitations,  
22 conditions and restrictions imposed under authority of Section  
23 10156.6 of said Code:

24 A. Said restricted license may be suspended prior to  
25 hearing by Order of the Real Estate Commissioner in the event of  
26 respondent's conviction or plea of nolo contendere to a crime  
27 which bears a significant relation to respondent's fitness or

1 capacity as a real estate licensee.

2 B. Said restricted license may be suspended prior to  
3 hearing by Order of the Real Estate Commissioner on evidence  
4 satisfactory to the Commissioner that respondent has violated  
5 provisions of the California Real Estate Law, the Subdivided Lands  
6 Law, Regulations of the Real Estate Commissioner or conditions  
7 attaching to this restricted license.

8 C. Respondent shall submit with his application for  
9 license under an employing broker -- or his application for  
10 transfer to a new employing broker -- a statement signed by the  
11 prospective employing broker which shall certify:

12 (1) That he has read the Order of the  
13 Commissioner which granted the right to a  
14 restricted license; and

15 (2) That he will exercise close supervision  
16 over the performance by the restricted  
17 licensee of activities for which a real  
18 estate license is required.

19 This Order shall become effective at 12 o'clock noon on  
20 April 21, 1983.

21 IT IS SO ORDERED March 24, 1983.

22   
23 \_\_\_\_\_  
24 JAMES A. EDMONDS, JR.  
Real Estate Commissioner

25 cc.: Mark Andrew Coffman  
26 2015 Wellington  
Santa Ana, CA 92701  
27

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

FILED

APR 24 1980

DEPARTMENT OF REAL ESTATE  
BY S. Freedenthal

*Handwritten initials*

In the Matter of the Accusation of  
MARK ANDREW COFFMAN,  
  
Respondent.

No. H-926 SD  
L-20236

DECISION

The Proposed Decision dated April 4, 1980 of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

The Decision suspends or revokes one or more real estate licenses on grounds of (the conviction of a crime/~~knowingly making a false statement of facts required to be covered by an application for a license~~).

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.

This Decision shall become effective at 12 o'clock noon on May 14, 1980

IT IS SO ORDERED April 22, 1980

David H. Fox  
DAVID H. FOX  
Real Estate Commissioner

J. A. [Signature]  
Asst. Commr.



BEFORE THE DEPARTMENT OF REAL ESTATE  
OF THE STATE OF CALIFORNIA

In the Matter of the Accusation of )  
MARK ANDREW COFFMAN, ) NO. H-926 SD  
Respondent. ) L-20236

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PROPOSED DECISION

This matter came on regularly for hearing before John A. Willd, Administrative Law Judge of the Office of Administrative Hearings, at San Diego, California on March 28, 1980, at 9:00 a.m. Michael J. Hanna, Counsel, represented the complainant. The respondent, Mark Andrew Coffman, failed to appear either in person or by representation, although he was served with a copy of the Accusation as well as other documents, and with Notice of Hearing. Respondent did file a Notice of Defense in this matter. Documentary evidence having been received, there being proper service pursuant to the provisions of 11505 and 11509 of the Government Code, the matter was submitted and the Administrative Law Judge makes the following findings of fact:

I

Randolph Brendia is a Deputy Real Estate Commissioner of the State of California and filed the Accusation in his official capacity.

II

At all times herein mentioned Mark Andrew Coffman has been licensed by the Department of Real Estate as a restricted real estate salesperson.

III

On May 15, 1979 in a proceeding before the Municipal Court of South Orange County Judicial District entitled "People v. Mark Andrew Coffman", respondent was convicted on his plea of nolo contendere of violation of Section 476(a) of the Penal Code, to wit: issuing checks with intent to defraud. Imposition of sentence was suspended and respondent was placed on probation for one year upon certain terms and conditions which included that respondent pay a fine of \$200.00 and that he make restitution to victims. Respondent has been convicted of a crime involving moral turpitude.

IV

Respondent's arrest and conviction arose as a result of respondent passing a series of bad checks over the period from

September 5, 1977 through June 14, 1978.

V

The restricted real estate salesperson license issued to respondent contained certain terms and conditions which included the condition that respondent's restricted license may be suspended in the event respondent is convicted of any crime which bears a significant relationship to respondent's fitness or capacity as a real estate salesperson.

\* \* \* \* \*

Pursuant to the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:

Respondent has been convicted of a crime which bears a significant and substantial relationship to his fitness, qualifications, functions and duties of a real estate licensee, thereby subjecting his license to disciplinary action pursuant to Section 10177(b) of the Business and Professions Code. Said conviction further constitutes a violation of the condition imposed upon his restricted license thereby subjecting said restricted license to disciplinary action pursuant to Section 10177(k) of the Business and Professions Code.

\* \* \* \* \*

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The restricted real estate license heretofore issued to respondent Mark Andrew Coffman is hereby revoked.

I hereby submit the foregoing which constitutes my Proposed Decision in the above-entitled matter, as a result of the hearing had before me on March 28, 1980, at San Diego, California, and recommend its adoption as the decision of the Real Estate Commissioner.

DATED: April 4, 1980

  
JOHN A. WILLD  
Administrative Law Judge  
Office of Administrative Hearings

JAW:mh

*Handwritten initials/signature*

BEFORE THE DEPARTMENT OF REAL ESTATE

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STATE OF CALIFORNIA

*Handwritten signature: David H. Fox*

In the Matter of the Accusation of )  
MARK ANDREW COFFMAN, )  
Respondent )

No. H-926 SD

L-20236

NOTICE OF HEARING ON ACCUSATION

(Pursuant to Section 11509 of the Government Code)

TO THE RESPONDENT ABOVE NAMED:

YOU ARE HEREBY NOTIFIED that a hearing will be held before the Department of Real Estate at Room B-107, 1350 Front Street, San Diego, CA 92103 on the 28th day of March, 1980, at the hour of 9:00 a.m., or as soon thereafter as the matter can be heard, upon the charges made in the Accusation served upon you.

As in all adversary proceedings, you may be present at the hearing, and may be represented by counsel but you are neither required to be present at the hearing, nor are you required to be represented by counsel. However, if you are not present at the hearing in person, nor represented at the hearing by counsel, the agency may take disciplinary action against you upon any express admissions, or upon other evidence, and in the event that a notice of defense has not been filed by you, upon affidavits, without further notice to you.

You may present any relevant evidence, and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

Dated: January 29, 1980

cc: Mark Andrew Coffman  
Dale Truman Norquist  
James G. Spring, Esq.  
Sacto.  
OAH  
SD

DAVID H. FOX  
REAL ESTATE COMMISSIONER

By

*Handwritten signature: James G. Spring*  
Attorney

Sacts

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NOV-8 1979  
DEPARTMENT OF REAL ESTATE  
BY Jupe Morales

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of ) No. H-926 SD  
MARK ANDREW COFFMAN, )  
Respondent. )

ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE

TO: MARK ANDREW COFFMAN  
1665 East 4th Street, Suite 34  
Santa Ana, California 92701.

On December 15, 1977, 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 Order of November 8, 1977, in case No. H-19963 LA. This Order granted the right to the issuance of a restricted real estate salesperson license subject to the provisions of Section 10156.7 of the Business and Professions Code and to enumerated additional terms, conditions and restrictions imposed under authority of Section 10156.6 of said Code.

1 On October 30, 1979, in case No. H-926 SD an  
2 Accusation by a Deputy Real Estate Commissioner of the State of  
3 California was filed charging respondent with cause for  
4 suspension or revocation of respondent's real estate license under  
5 Sections 10177(b) and 10177(k) of the Business and Professions  
6 Code of the State of California.

7 NOW, THEREFORE, IT IS ORDERED under authority of Section  
8 10156.7 of the Business and Professions Code of the State of  
9 California that the restricted real estate salesperson license  
10 heretofore issued to respondent and the exercise of any  
11 privileges thereunder is hereby suspended pending final determina-  
12 tion made after the hearing on the aforesaid Accusation.

13 IT IS FURTHER ORDERED that all license certificates and  
14 identification cards issued by the Department of Real Estate which  
15 are in the possession of respondent be immediately surrendered by  
16 personal delivery or by mailing in the enclosed self-addressed  
17 envelope to: DEPARTMENT OF REAL ESTATE  
18 107 South Broadway, Room 8107  
19 Los Angeles, California 90012

20 This Order shall be effective immediately.

21 DATED: Nov. 6, 1979

22  
23 *James H. Fox*

24 REAL STATE COMMISSIONER

25 *John A. O'Brien*  
26 *Asst. Commr.*  
27

lm

SACTO

1 Department of Real Estate  
107 South Broadway, Room 8107  
2 Los Angeles, California 90012  
(213) 620-4790

OCT 30 1979

DEPARTMENT OF REAL ESTATE  
BY Supr Morales

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DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of ) No. H-926 SD  
MARK ANDREW COFFMAN, ) A C C U S A T I O N  
Respondent. )

The complainant, RANDOLPH BRENDIA, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against MARK ANDREW COFFMAN alleges as follows:

I

The complainant, RANDOLPH BRENDIA, a Deputy Real Estate Commissioner of the State of California, makes this accusation in his official capacity.

II

At all times herein mentioned, Mark Andrew Coffman (hereinafter referred to as respondent), has been and now is licensed by the Department of Real Estate of the State of California as a restricted real estate salesperson.

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III

On or about May 15, 1979, in the Municipal Court of the South Orange County Judicial District, County of Orange, State of California, respondent was convicted, on his plea of nolo contendere of violation of California Penal Code Section 476 a (Non-sufficient funds-checks), a crime involving moral turpitude.

IV

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

V

Respondent's criminal conviction, as alleged above, subjects respondent's license rights to suspension or revocation under Section 10177(b) of the Business and Professions Code of the State of California (hereinafter "the Code").

VI

Respondent's criminal conviction, as alleged above, constitutes violation of a term, condition, restriction, or limitation contained in the Decision dated November 8, 1977, in proceeding No. H-19963 LA, granting respondent a restricted real estate salesperson license. Said conviction therefore constitutes cause for suspension or revocation of respondent's real estate license under Section 10177(k) of the Code.

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