

FILED
AUG 03 2000

DEPARTMENT OF REAL ESTATE

By Shelly Ely

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
MARIO RUBEN FLORES,) No. H-1583 SA
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On August 31, 1993, a Decision was rendered herein
revoking the real estate salesperson license of Respondent.

On May 20, 1999, Respondent petitioned for
reinstatement of said real estate salesperson license, and the
Attorney General of the State of California has been given notice
of the filing of said petition.

I have considered the petition of Respondent and the
evidence and arguments in support thereof. Respondent has
demonstrated to my satisfaction that Respondent meets the
requirements of law for the issuance to Respondent of an
unrestricted real estate salesperson license and that it would

///

1 not be against the public interest to issue said license to
2 Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's
4 petition for reinstatement is granted and that a real estate
5 salesperson license be issued to Respondent if Respondent
6 satisfies the following conditions within nine months from the
7 date of this Order:

8 1. Respondent shall take and pass the real estate
9 salesperson license examination.

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

12 This Order shall be effective immediately.

13 DATED: July 7, 2000

14 PAULA REDDISH ZINNEMANN
15 Real Estate Commissioner
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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

NO. H-1583 SA

Respondent.

I have considered the petition of Respondent and the evidence submitted in support thereof. Respondent has failed to demonstrate to my satisfaction that he has undergone sufficient rehabilitation to warrant the reinstatement of his real estate

1 salesperson license at this time. This determination has been
2 made in light of Respondent's history of acts and conduct which
3 are substantially related to the qualifications, functions and
4 duties of a real estate licensee. That history includes:

5 1. On or about October 10, 1993, after his license was
6 revoked, Respondent negotiated the purchase of real property
7 known as 22031 Hurons Ave. in Apple Valley, California, as the
8 agent of the buyers, Carmen and Maria Saldana. For this, he was
9 paid compensation amounting to \$2119.73. In November of 1993,
10 Respondent then negotiated the purchase of real property known
11 as 17309 Manzanita in Hesperia, California as the agent of the
12 buyer, Manuel Monroy. For this, he was paid compensation
13 amounting to \$2960.23. Further, during 1994, Respondent
14 continued to solicit for and negotiate the sale or purchase of
15 various properties known as 16174 Pine Street, Hesperia, 13870
16 San Geronio, Victorville and 21850 Arapahoe in Apple Valley as
17 the agent of the owners or purchasers. For each of these
18 transactions he received or expected a compensation.
19

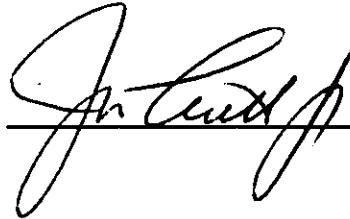
20 2. The conduct of Respondent, as set forth in
21 Paragraph 1, is that requiring a real estate license as
22 described in Section 10131(a) of the California Business and
23 Professions Code (Code) and is in violation of Section 10130 of
24 the Code. Said behavior shows a pattern of conduct that is
25 evidence of a lack of rehabilitation and is cause to deny
26 Respondent's petition pursuant to Section 10177(d) of the Code.
27

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

6 This order shall become effective at 12 o'clock noon
7 on May 14, 1996.
8 _____

9 DATED: 4/24/96
10 _____

11
12 JIM ANTT, JR.
13 Real Estate Commissioner

14 
15 _____

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18 MARIO RUBEN FLORES
19 19120 Bear Valley Road
20 Apple Valley, California 92308
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FILED

SEP-3 1993

DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

BY Laura S. Dona

* * * *

In the Matter of the Accusation of)

No. H-1583 SA

MARIO RUBEN FLORES,)

L- 60555

Respondent.)

DECISION

The Proposed Decision dated August 19, 1993 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.


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 September 23, 1993.

IT IS SO ORDERED

8/31/93

CLARK WALLACE
Real Estate Commissioner



BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

MARIO RUBEN FLORES,

Respondent.

No. H-1583 SA
OAH No. L-60555

PROPOSED DECISION

This matter came on regularly for hearing before W. F. Byrnes, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California, on July 13, 1993. V. Ahda Sands, Real Estate Counsel, represented the complainant. The respondent represented himself. Evidence having been received and the matter submitted, the Administrative Law Judge finds the following facts:

I

Thomas McCrady made the Accusation in his official capacity as a Deputy Real Estate Commissioner.

II

Respondent is presently licensed and/or has license rights under the Real Estate Law. At all times relevant hereto, respondent has been licensed by the Department of Real Estate as a Real Estate Salesperson.

III

On November 20, 1991, in the San Bernardino Municipal Court, State of California, respondent was convicted on his plea of guilty of violating Penal Code section 488 (petty theft), a misdemeanor and a crime of moral turpitude, for his theft of a motorcycle battery from a Sears store. Respondent was placed on three years probation and fined \$120.00.

IV

Respondent's explanations of his criminal conduct are found not to be credible.

* * * * *

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

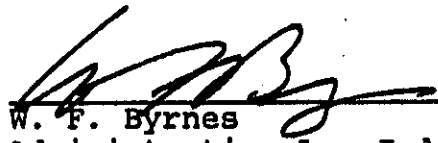
Cause exists for license discipline against respondent pursuant to Business and Professions Code sections 490 and 10177(b).

* * * * *

WHEREFORE, THE FOLLOWING ORDER IS HEREBY MADE:

Respondent's license is revoked.

Dated: 8-19-93


W. F. Byrnes
Administrative Law Judge
Office of Administrative Hearings

WFB:lf

SACTO,
Flas

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

JUN 11 1993

In the Matter of the Accusation of)

Case No. H-1583 SA

DEPARTMENT OF REAL ESTATE

MARIO RUBEN FLORES,

OAH No. L-60555

BY

Respondent.)

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 314 West First Street, Los Angeles, California, on Tuesday, July 13, 1993, at the hour of 9:00 a.m., or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any 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.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

Dated: June 11, 1993.

cc: Mario Ruben Flores
Spring Valley Lake Realty, Inc.
Sacto.
OAH

DEPARTMENT OF REAL ESTATE

V. Ahda Sands

V. AHDA SANDS, Counsel

V. AHDA SANDS, Counsel
Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012

(213) 897-3937

MAY 19 1993

DEPARTMENT OF REAL ESTATE
BY *Laura B. Oren*

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of) No. H-1583 SA
MARIO RUBEN FLORES,) A C C U S A T I O N
Respondent.)

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against MARIO RUBEN FLORES (respondent), is informed and alleges in his official capacity as follows:

I

Respondent is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) (Code). At all times mentioned herein, respondent was and now is licensed by the Department of Real Estate of the State of California (hereafter the Department) as a real estate salesperson.

II

On November 20, 1991, in the San Bernardino County Municipal Court of California, County of San Bernardino,

1 respondent was convicted upon a guilty plea of violation of
2 Section 488 of the Penal Code (petty theft) a misdemeanor crime
3 that occurred on or about September 4, 1991, involving moral
4 turpitude and substantially related under Section 2910, Title 10,
5 Chapter 6, of the California Code of Regulations, to the
6 qualifications, functions or duties of a real estate licensee.

7 IV

8 The facts, as alleged, constitute cause under Section
9 490 and 10177(b) of the Code for the suspension or revocation of
10 all licenses and license rights of respondent under the Real
11 Estate Law.

12 WHEREFORE, Complainant prays that a hearing be conducted
13 on the allegations of this Accusation and, that upon proof
14 thereof, a decision be rendered imposing disciplinary action
15 against the license and license rights of respondent MARIO RUBEN
16 FLORES, under the Real Estate Law (Part 1 of Division 4 of the
17 Business and Professions Code), and for such other and further
18 relief as may be proper under other applicable provisions of law.

19 Dated at Santa Ana, California
20 this 19th day of May, 1993

21
22 THOMAS McCRADY
23 Deputy Real Estate Commissioner

24
25 cc: Mario Ruben Flores
26 Spring Valley Lake Realty Inc.
27 Sacto
OAH
vas
tg