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FILED

JUL 17 2008

DEPARTMENT OF REAL ESTATE

By H. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

|                                       |               |
|---------------------------------------|---------------|
| In the Matter of the Application of ) |               |
| RONALD JAMES CRAIN, )                 | No. H-1739 FR |
| Respondent. )                         |               |

ORDER GRANTING UNRESTRICTED LICENSE

On February 2, 2005, an Order was rendered herein denying the Respondent's application for real estate license, but granting Respondent the right to the issuance of a restricted real estate broker license. A restricted real estate broker license was issued to Respondent on February 26, 2005, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent.

On February 18, 2007, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate broker license.

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1 I have considered the petition of Respondent and the  
2 evidence and arguments in support thereof. Respondent has  
3 demonstrated to my satisfaction that Respondent meets the  
4 requirements of law for the issuance to Respondent of an  
5 unrestricted real estate broker license and that it would not be  
6 against the public interest to issue said license to Respondent.

7 NOW, THEREFORE, IT IS ORDERED that Respondent's  
8 petition for removal of restrictions is granted and that a real  
9 estate broker license be issued to Respondent if Respondent  
10 satisfies the following conditions within nine months from the  
11 date of this Order:

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

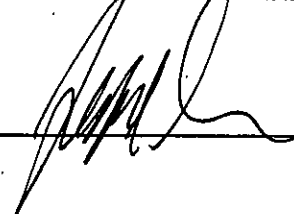
14 2. Submittal of evidence of having, since the most  
15 recent issuance of an original or renewal real estate license,  
16 taken and successfully completed the continuing education  
17 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
18 for renewal of a real estate license.

19 This Order shall be effective immediately.

20 DATED: 7-8, 2008

21 JEFF DAVI

22 Real Estate Commissioner

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25  
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Dept. of Real Estate

DEC 27 2004

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FEB 07 2005

Department of Real Estate  
P.O. Box 187007  
Sacramento, CA 95818-7007  
Telephone: (916) 227-0789

DEPARTMENT OF REAL ESTATE

By Anne Shaw

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

*In the Matter of the Application of*  
  
RONALD JAMES CRAIN

)  
) No. H- 1739 FR  
)  
)

)  
) STIPULATION AND  
) WAIVER  
)  
)

)  
) Respondent  
)  
)

I, RONALD JAMES CRAIN, respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate broker 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 fee therefor.

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 December 16, 2004, in connection with my application for a real estate broker 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 honesty and truthfulness and to prove other allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real estate broker license based upon this Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet all the requirements for issuance of a real estate broker license. I further understand that

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by entering into this stipulation and waiver I will be stipulating that the Real Estate Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the issuance to me of an unrestricted real estate broker license.

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

I am aware that by signing this Stipulation and Waiver, and if this Stipulation and Waiver is accepted by the Real Estate Commissioner, I am waiving my right to a hearing and the opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an unrestricted real estate broker license. I am not waiving my right to a hearing and to further proceedings to obtain a restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

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

1. The license shall not confer any property right in the privileges to be exercised and the Real Estate Commissioner may by appropriate order suspend the right to exercise any privileges granted under this restricted license in the event of:
  - a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a substantial relationship to respondent's fitness or capacity as a real estate licensee; or
  - b. The receipt of evidence that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or conditions attaching to this restricted license.
2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to the restricted license until two years have elapsed from the date of issuance of the restricted license to respondent.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax number (916) 227-9458. Respondent agrees, acknowledges and understands that by electronically sending

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to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Waiver.

12/23/04  
Dated

  
RONALD JAMES CRAIN, Respondent

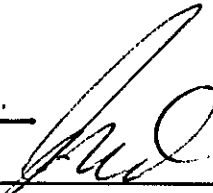
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I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of respondent need not be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

Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued to respondent RONALD JAMES CRAIN if respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

This Order is effective immediately.

IT IS SO ORDERED 2-2-05

  
Jeff Davis  
Real Estate Commissioner

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DEC 16 2004

DEPARTMENT OF REAL ESTATE

By John S

1 TRULY SUGHRUE, Counsel  
2 State Bar No. 223266  
3 Department of Real Estate  
4 P.O. Box 187007  
5 Sacramento, CA 95818-7007  
6  
7 Telephone: (916) 227-0781  
8

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

11 In the Matter of the Application of )  
12 RONALD JAMES CRAIN, )  
13 Respondent. )

No. H-1739 FR.

STATEMENT OF ISSUES

15 The Complainant, JOHN W. SWEENEY, a Deputy Real Estate  
16 Commissioner of the State of California, for Statement of Issues  
17 against RONALD JAMES CRAIN (hereinafter "Respondent"), is  
18 informed and alleges as follows:

I

20 Respondent made application to the Department of Real  
21 Estate of the State of California for a real estate broker  
22 license.

II

24 Complainant, JOHN W. SWEENEY, a Deputy Real Estate  
25 Commissioner of the State of California, makes this Statement of  
26 Issues in his official capacity and not otherwise.

27 \\\

1 III

2 On or about July 30, 1993, in the Municipal Court,  
3 County of Merced, Respondent was convicted of a violation of  
4 Section 602(j) of the California Penal Code (Trespassing), a  
5 crime involving moral turpitude which bears a substantial  
6 relationship under Section 2910, Title 10, California Code of  
7 Regulations, to the qualifications, functions, or duties of a  
8 real estate licensee.

9 IV

10 On or about April 7, 1994, in the Municipal Court,  
11 County of San Diego, Respondent was convicted of a violation of  
12 Section 23152(A) of the California Vehicle Code (Driving Under  
13 the Influence), a crime involving moral turpitude which bears a  
14 substantial relationship under Section 2910, Title 10, California  
15 Code of Regulations, to the qualifications, functions, or duties  
16 of a real estate licensee.

17 V

18 On or about November 3, 1995, in the Municipal Court,  
19 County of Merced, Respondent was convicted of a violation of  
20 Section 23103 (Reckless Driving) and Section 14601.5(A) (Driving  
21 While Privileges Suspended) of the California Vehicle Code,  
22 crimes involving moral turpitude which bears a substantial  
23 relationship under Section 2910, Title 10, California Code of  
24 Regulations, to the qualifications, functions, or duties of a  
25 real estate licensee.

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1 VI

2 On or about July 29, 1998, in the Superior Court,  
3 County of Sacramento, Respondent was convicted of a violation of  
4 Section 23152(A) of the California Vehicle Code (Driving Under  
5 the Influence with Prior), a crime involving moral turpitude  
6 which bears a substantial relationship under Section 2910, Title  
7 10, California Code of Regulations, to the qualifications,  
8 functions, or duties of a real estate licensee.

9 VII

10 The crimes of which Respondent was convicted, as  
11 alleged above, constitutes cause for denial of Respondent's  
12 application for a real estate license under Sections 480(a) and  
13 10177(b) of the California Business and Professions Code.

14 WHEREFORE, the Complainant prays that the above-  
15 entitled matter be set for hearing and, upon proof of the charges  
16 contained herein, that the Commissioner refuse to authorize the  
17 issuance of, and deny the issuance of, a real estate broker  
18 license to Respondent, and for such other and further relief as  
19 may be proper under other provisions of law.

20  
21   
22 JOHN W. SWEENEY  
Deputy Real Estate Commissioner

23 Dated at Fresno, California,  
24 this 14th day of December, 2004.