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FILED
AUG 25 2005

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-2013 SA
CATHY CHRISTINA,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On August 2, 1995, a Decision was rendered herein
revoking the real estate salesperson license 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
August 29, 1995, and Respondent has operated as a restricted
licensee without cause for disciplinary action against
Respondent since that time.

On November 9, 2004, 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.

///

1 I have considered the petition of Respondent and
2 the evidence and arguments in support thereof. Respondent
3 has demonstrated to my satisfaction that Respondent meets
4 the requirements of law for the issuance to Respondent of an
5 unrestricted real estate salesperson license and that it
6 would not be against the public interest to issue said license
7 to Respondent.
8

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

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

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

21 This Order shall be effective immediately.

22 Dated: 8-17-08

23 JEFF DAVI
24 Real Estate Commissioner
25
26 

27 cc: Cathy Christina
380 W. Wilson, # E105
Costa Mesa, CA 92627

FILED
AUG - 8 1995
DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

By C. Bay

In the Matter of the Accusation of) No. H-2013 SA
CATHY CHRISTINA,) L-9505146
Respondent.)

DECISION

The Proposed Decision dated July 19, 1995, 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 August 29, 1995.

IT IS SO ORDERED

JIM ANTT, JR.
Real Estate Commissioner

J. Antt

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation)	No. H-2013 SA
Against:)	OAH No. L-9505146
)	
CATHY CHRISTINA)	
177 Riverside Avenue)	
Newport Beach, California 92663,)	
)	
Respondent.)	

PROPOSED DECISION

This matter came on regularly for hearing before Robert A. Neher, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California, on June 9, 1995, at 9:00 a.m. Christopher K.D. Leong, Counsel, represented the complainant. Respondent appeared in person and represented herself. Documentary and oral evidence was introduced 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 of the State of California.

II

At all times herein mentioned, respondent was licensed by the Department of Real Estate of the State of California as a real estate salesperson. Effective June 6, 1989, in case number H-739 SA, respondent's license was revoked, however she was granted a restricted salesperson's license; and on June 6, 1992, her license was reinstated, without restrictions. Said license is due to expire on April 16, 1997.

III

On May 5, 1993, in the Municipal Court of San Bernardino County, West Valley District, case number FWV00796, respondent pled guilty to and was convicted of a violation of Penal Code Section 484(f)(1) (Forgery of access card) a misdemeanor involving moral turpitude and substantially related to the functions, qualifications and duties of a real estate licensee.

This is essentially the same type of crime she committed in 1986, which resulted in the restriction of her license as set forth above.

IV

The facts giving rise to case number FWV00796 are that in December 1992, respondent came into possession of the credit card of another, rented a car and went on a shopping spree. She attempted to purchase a \$1,000 stereo and when they checked the card and wouldn't take cash she got scared and ran.

V

Prior to sentencing, respondent had already made full restitution. She was placed on court probation for three (3) years on condition that she violate no law and pay a fine totalling \$550. The fine has been paid and on May 25, 1995, the Court discharged her from probation and dismissed the matter pursuant to Penal Code Section 1203.4.

VI

Respondent ascribes as a cause for the above conduct, that after several years of recovery, she experienced a recurrence of family problems, deep depression, and a relapse in her recovery from bulimia.

VII

She is presently 31 years of age and has been a Department licensee for 10 years (3 of which were restricted as set forth). She is open and forthright about her recent conviction and her prior conduct. While on a restricted license, she was employed by Century 21, La Palma; and for a year was employed by a broker in Huntington Beach. Since March of 1994, she has worked in sales for Century 21 in Huntington Beach. Her employing broker and immediate supervisor (and apparently all of her co-workers and friends) are aware of her prior record, and her reputation for truth and honesty is good.

VIII

The essential difference between this hearing and her prior conviction is that when she was arrested in 1992, she opted for recovery through her religion. She is apparently fully involved in that effort; as well as attending meetings of a "12-step" program at Overeaters Anonymous 3 nights a week. She has lost 70 pounds and is probably as good (and perhaps better candidate) now, for a restricted sales license as she was in 1989.

* * * * *

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

I

Cause for disciplinary action against the real estate salesperson's license of respondent exists under the provisions of Section 490 and 10177(b) of the Business and Professions Code, by reason of Finding III.

II

Giving due consideration to all evidence of mitigation and rehabilitation, the public can be adequately protected by placing respondent on a restricted salesperson's license.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The real estate salesperson's license and licensing rights of Cathy Christina, are hereby revoked; provided however, a restricted real estate salesperson's license shall be issued to respondent pursuant to Section 10156.5 of the Business and Professions Code if respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for said license within sixty (60) days from the effective date of the Decision herein. The restricted license issued to respondent shall be subject to all the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of said Code:

1. Said restricted license may be suspended prior to hearing by order of the Real Estate Commissioner in the event of respondent's conviction, including conviction by plea of nolo contendere, of a crime which bears a significant relation to respondent's fitness or capacity as a real estate licensee.

2. Said restricted license may be suspended prior to hearing by order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that respondent has violated provisions of the California Real Estate Law; the subdivided Lands law, Regulations of the Real Estate Commissioner or the conditions attaching to this restricted license.

3. Respondent 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 of a restricted

license until four (4) years have elapsed from the date of issuance of the restricted license to respondent.

4. Respondent shall submit with her application for said restricted license under an employing broker, or any application in the future for transfer to a new employing broker; a statement signed by the prospective employing broker which shall certify:

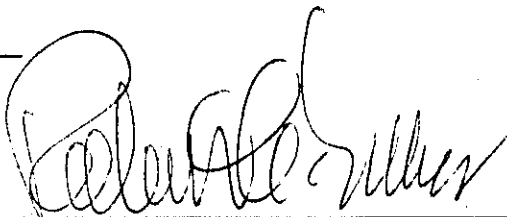
a. That he has read the Decision of the Commissioner which granted the right to a restricted license; and

b. That he will exercise close supervision over the performance by the restricted licensee of activities for which a real estate license is required.

5. Respondent shall within six months from the effective date of the restricted license, take and pass the Professional Responsibility Examination administered by the Department, including the payment of the appropriate examination fee. If respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the respondent passes the examination.

6. Respondent shall, within twelve (12) months from the effective date of the Decision, present evidence satisfactory to the Real Estate Commissioner that she has, 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. If respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the respondent presents such evidence. The Commissioner shall afford respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

Dated: 19 July 95



ROBERT A. NEHER
Administrative Law Judge
Office of Administrative Hearings

RAN:rfm

**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

In the Matter of the Accusation of)

CATHY CHRISTINA,)

Respondent(s)

Case No. H-2013 SA

OAH No. L-9505146

FILED
MAY 19 1995

NOTICE OF HEARING ON ACCUSATION

DEPARTMENT OF REAL ESTATE

To the above-named Respondent(s):

By C. Bay

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 314 W. First Street, Los Angeles, CA 90012 on Friday, June 9, 1995 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.

DEPARTMENT OF REAL ESTATE

Dated: May 19, 1995

By Chris Leong

CHRISTOPHER K.D. LEONG, Counsel

cc: Cathy Christina
Beachside Realtors
✓ Sacto.
OAH

CEB

RE 501 (La Mac 11/92)

SAC

1 CHRISTOPHER K.D. LEONG, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, California 90012

5 (213) 897-3937

FILED
MAY - 3 1995
DEPARTMENT OF REAL ESTATE

6 By C. Bay

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8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 In the Matter of the Accusation of) No. H-2013 SA
12 CATHY CHRISTINA,) A C C U S A T I O N
13 : Respondent.)
14 _____)

15 The Complainant, Thomas McCrady, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against CATHY CHRISTINA (hereinafter "Respondent"), is informed
18 and alleges as follows:

19 I

20 The Complainant, Thomas McCrady, a Deputy Real Estate
21 Commissioner of the State of California, makes this Accusation
22 against Respondent in his official capacity.

23 II

24 Respondent is presently licensed and/or has license
25 rights under the Real Estate Law, Part 1 of Division 4 of the
26 Business and Professions Code (hereinafter "the Code") as a real
27 estate salesperson.

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III

On or about May 5, 1993, in the San Bernardino Municipal Court District, Respondent was convicted of violation of Section 484f(1) PC (Forgery of access card), a crime involving moral turpitude which is substantially related under Section 2910, Title 10, Chapter 6, California Code of Regulations, to the qualifications, functions or duties of a licensee.

IV

Respondent's criminal conviction, as alleged above in Paragraph III, is cause under Sections 10177(b) and 490 of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

V

On or about June 6, 1989, Respondent's real estate license was revoked with a right to a restricted license in case number H-739 SA. The basis for this discipline was a prior conviction for violation of Section 484f(1) PC.

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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 licenses and license rights of Respondent
5 CATHY CHRISTINA, under the Real Estate Law (Part 1 of Division
6 4 of the Business and Professions Code), and for such other and
7 further relief as may be proper under other applicable
8 provisions of law.

9 Dated at Santa Ana, California
10 this 3rd day of May, 1995.

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12
13 THOMAS MCCRADY
14 Deputy Real Estate Commissioner
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23
24

25 cc: Cathy Christina
26 Beachside Realtors
27 Sacto.
DKB