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**FILED**

JAN 28 2009

DEPARTMENT OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Application of

CHARLOTTE COFIELD,

Respondent.

No. H-3094 SD

ORDER GRANTING UNRESTRICTED LICENSE

On March 1, 2005, a Decision 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 April 18, 2005, and Respondent has operated as a restricted licensee since that time.

On May 8, 2007, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

I have considered Respondent's petition and the evidence submitted in support thereof including Respondent's record as a restricted licensee. 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 not be against the public interest to issue said license to Respondent.

1                    NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal of  
2 restrictions is granted and that a real estate salesperson license be issued to Respondent subject to  
3 the following understanding and conditions:

4                    1. The license issued pursuant to this order shall be deemed to be the first renewal  
5 of respondent's real estate salesperson license for the purpose of applying the provisions of  
6 Section 10153.4.

7                    2. Within nine (9) months from the date of this order respondent shall:

8                    (a) Submit a completed application and pay the appropriate fee for a real estate  
9 salesperson license, and

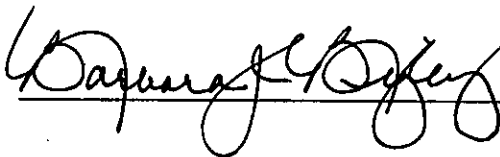
10                    (b) Submit evidence of having taken and successfully completed the courses  
11 specified in subdivisions (a) (1), (2), (3), (4) and (5) of Section 10170.5 of the  
12 Real Estate Law for renewal of a real estate license.

13                    3. Upon renewal of the license issued pursuant to this order, respondent shall  
14 submit evidence of having taken and successfully completed the continuing education  
15 requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate  
16 license.

17                    This Order shall become effective immediately.

18                    IT IS SO ORDERED      12-30-08

19  
20                    JEFF DAVI  
21                    Real Estate Commissioner

22                    

23  
24                    BY: Barbara J. Bigby  
25                    Chief Deputy Commissioner  
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entering into this stipulation and waiver Respondent will be stipulating that the Real Estate Commissioner has found that Respondent has failed to make such a showing, thereby justifying the denial of the issuance to Respondent of an unrestricted real estate salesperson license.

Respondent hereby admits that the allegations of the Statement of Issues filed against Respondent are true and correct and requests that the Real Estate Commissioner in his discretion issue a restricted real estate salesperson license to Respondent under the authority of Section 10156.5 of the Business and Professions Code. Respondent understands that any such restricted license will be issued subject to and be limited by Section 10153.4 of the Business and Professions Code.

Respondent is aware that by signing this Stipulation and Waiver, Respondent is waiving Respondent's right to a hearing and the opportunity to present evidence at the hearing to establish Respondent's rehabilitation in order to obtain an unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate Commissioner. However, Respondent is not waiving Respondent's 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.

Respondent further understands 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 including the right of renewal, 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. 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 attaching to the restricted

license until two years have elapsed from the date of issuance of the restricted license to Respondent.

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

- a. That broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and
- b. That broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

4. Respondent's restricted real estate salesperson license is issued subject to the requirements of Section 10153.4 of the Business and Professions Code, to wit: Respondent is required, within eighteen (18) months of the issuance of the restricted license, to submit evidence satisfactory to the Commissioner of successful completion, at an accredited institution, of two of the courses listed in Section 10153.2, other than real estate principles, advanced legal aspects of real estate, advanced real estate finance, or advanced real estate appraisal. If Respondent fails to timely present to the Department satisfactory evidence of successful completion of the two required courses, the restricted license shall be automatically suspended effective eighteen (18) months after the date of its issuance. Said suspension shall not be lifted unless, prior to the expiration of the restricted license, Respondent has submitted the required evidence of course completion and the Commissioner has given written notice to Respondent of the lifting of the suspension.

5. Pursuant to Section 10154, if Respondent has not satisfied the requirements for an unqualified license under Section 10153.4, Respondent shall not be entitled to renew the restricted license, and shall not be entitled to the issuance of another license which is subject to Section 10153.4 until four years after the date of the issuance of the preceding restricted license.

14-Feb-05

Dated

TRULY SUGHRUE, Counsel, Department of Real Estate

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I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of a hearing on the Statement of Issues at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

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 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.

2/7/04

Dated

CHARLOTTE COFIELD, Respondent

I have reviewed the Stipulation and Waiver as to form and content and have advised my client accordingly.

Feb 7 2004

Dated

JEFFREY T. WILSON, Attorney for 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 salesperson license to Respondent.

Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to Respondent, 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

3-1-05

  
\_\_\_\_\_  
Jeff Davis  
Real Estate Commissioner

FLAG

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

**FILED**  
DEC 06 2004

DEPARTMENT OF REAL ESTATE

By *Amber Moore*

*In the Matter of the Application of*

CHARLOTTE COFIELD

} Case No. H-3094 SD

} OAH No.

\_\_\_\_\_  
*Respondent*

**NOTICE OF HEARING ON APPLICATION**

***To the above named respondent:***

***You are hereby notified*** that a hearing will be held before the Department of Real Estate at **THE OFFICE OF ADMINISTRATIVE HEARINGS, 1350 FRONT STREET, SUITE 6022, SAN DIEGO, CA 92101** on **WEDNESDAY, FEBRUARY 9, 2005**, at the hour of **9:00 A.M.**, or as soon thereafter as the matter can be heard, upon the Statement of Issues served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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.

The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: DECEMBER 6, 2004

By *Paul Sughrue / as*  
**TRULY SUGHRUE, Counsel**

TS/as

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

FILED

NOV 05 2004

DEPARTMENT OF REAL ESTATE

By Juan Aranda

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )  
12 CHARLOTTE COFIELD, )  
13 Respondent. )  
14

No. H-3094 SD

STATEMENT OF ISSUES

15 The Complainant, J. CHRIS GRAVES, a Deputy Real Estate  
16 Commissioner of the State of California, for Statement of Issues  
17 against CHARLOTTE COFIELD (hereinafter "Respondent"), is informed  
18 and alleges as follows:

19 I

20 Respondent made application to the Department of Real  
21 Estate of the State of California for a real estate salesperson  
22 license on or about October 30, 2003, with the knowledge and  
23 understanding that any license issued as a result of said  
24 application would be subject to the conditions of Section 10153.4  
25 of the Business and Professions Code.

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II

Complainant, J. CHRIS GRAVES, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues in his official capacity and not otherwise.

III

In response to Question 25 of said application, to wit: "Have you ever been convicted of any violation of law?", Respondent answered "Yes" and disclosed the convictions set forth in Paragraphs IV, V, VIII, and IX below.

IV

On or about October 19, 1993, in the Superior Court, County of Sacramento (Case #90M11231), Respondent was convicted of a violation of Section 476a(a) of the California Penal Code (Non-sufficient Funds Check), a crime involving moral turpitude which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

V

On or about October 19, 1993, in the Superior Court, County of Sacramento (Case #91M01021), Respondent was convicted of a violation of Section 484 of the California Penal Code (Petty Theft), a crime involving moral turpitude which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

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1 VI

2 On or about October 19, 1993, in the Superior Court,  
3 County of Sacramento (Case #91M03178), Respondent was convicted  
4 of a violation of Section 484 of the California Penal Code (Petty  
5 Theft), a crime involving moral turpitude which bears a  
6 substantial relationship under Section 2910, Title 10, California  
7 Code of Regulations, to the qualifications, functions, or duties  
8 of a real estate licensee.

9 VII

10 On or about October 19, 1993, in the Superior Court,  
11 County of Sacramento (Case #91M03600), Respondent was convicted  
12 of a violation of Section 476a(a) of the California Penal Code  
13 (Non-sufficient Funds Check), a crime involving moral turpitude  
14 which bears a substantial relationship under Section 2910, Title  
15 10, California Code of Regulations, to the qualifications,  
16 functions, or duties of a real estate licensee.

17 VIII

18 On or about December 15, 1993, in the Superior Court,  
19 County of Sacramento (Case #93F09591), Respondent was convicted  
20 of a violation of Section 476a(a) of the California Penal Code  
21 (Non-sufficient Funds Check), a crime involving moral turpitude  
22 which bears a substantial relationship under Section 2910, Title  
23 10, California Code of Regulations, to the qualifications,  
24 functions, or duties of a real estate licensee..

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IX

On or about June 7, 1994, in the Superior Court, County of Alameda (Case #321565), Respondent was convicted of a violation of Section 2101 of the California Unemployment Insurance Code (False Statement), a crime involving moral turpitude which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

X

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

XI

Respondent's failure to reveal the convictions set forth in Paragraph VI and VII in said application constitutes the procurement of a real estate license by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in said application, which failure is cause for denial of Respondent's application for a real estate license under Sections 480(c) and 10177(a) of the California Business and Professions Code.

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1           WHEREFORE, the Complainant prays that the above-  
2 entitled matter be set for hearing and, upon proof of the charges  
3 contained herein, that the Commissioner refuse to authorize the  
4 issuance of, and deny the issuance of, a real estate salesperson  
5 license to Respondent, and for such other and further relief as  
6 may be proper under other provisions of law.

7   
8 J. CHRIS GRAVES  
9 Deputy Real Estate Commissioner

9 Dated at San Diego, California,  
10 this 20<sup>th</sup> day of October, 2004.