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FILED  
FEB 08 2007

DEPARTMENT OF REAL ESTATE

By Juan Rivera

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )	No. H-3386 SAC
TISHA RENE TORRES,	)
Respondent.	)

ORDER GRANTING REINSTATEMENT OF LICENSE

On October 1, 1999, a Decision was issued herein revoking the real estate salesperson license of Respondent effective November 2, 1999, 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 November 2, 1999, and Respondent has operated as a restricted licensee since that time.

On August 31, 2005, 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 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 salesperson license and that it would  
6 not be against the public interest to issue said license to  
7 Respondent.

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

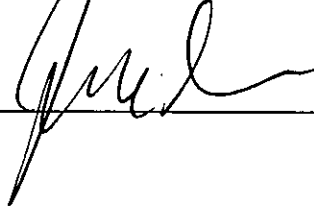
13 1. Submittal of a completed application and payment of  
14 the fee for a real estate salesperson license.

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

20 This Order shall be effective immediately.

21 DATED: 2-8-07

22 JEFF DAVI  
23 Real Estate Commissioner

24   
25  
26  
27

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 187000  
3 Sacramento, California 95818-7000  
4 Telephone: (916) 227-0789

FILED  
OCT 13 1999

DEPARTMENT OF REAL ESTATE

By Juan A. [Signature]

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of )  
13 TISHA RENE TORRES, )  
14 Respondent. )

NO. H-3386 SAC

STIPULATION AND AGREEMENT

15 It is hereby stipulated by and between TISHA RENE  
16 TORRES, represented by ROBERT CRAIG ISELEY, Attorney at Law,  
17 and the Complainant, acting by and through Deidre L. Johnson,  
18 Counsel for the Department of Real Estate, as follows for the  
19 purpose of settling and disposing the Accusation filed on  
20 August 17, 1998, in this matter:

21 1. All issues which were to be contested and all  
22 evidence which was to be presented by Complainant and Respondent  
23 at a formal hearing on the Accusation, which hearing was to be  
24 held in accordance with the provisions of the Administrative  
25 Procedures Act (APA), shall instead and in place thereof be  
26 submitted solely on the basis of the provisions of this  
27 Stipulation and Agreement.

1           2. Respondent has received, read and understands the  
2 Statement to Respondent, and the Discovery Provisions of the APA  
3 filed by the Department of Real Estate in this proceeding.

4           3. On March 4, 1999, Respondent filed her Notice of  
5 Defense pursuant to Section 11505 of the Government Code for the  
6 purpose of requesting a hearing on the allegations in the  
7 Accusation. Respondent hereby freely and voluntarily withdraws  
8 said Notice of Defense. Respondent acknowledges that she  
9 understands that by withdrawing said Notice of Defense she will  
10 thereby waive her right to require the Commissioner to prove the  
11 allegations in the Accusation at a contested hearing held in  
12 accordance with the provisions of the APA, and that she will  
13 waive other rights afforded to her in connection with the hearing  
14 such as the right to present evidence in defense of the  
15 allegations in the Accusation and the right to cross-examine  
16 witnesses.

17           4. Respondent, pursuant to the limitations set forth  
18 below, hereby admits that the factual allegations in the  
19 Accusation filed in this proceeding are true and correct and the  
20 Real Estate Commissioner shall not be required to provide further  
21 evidence of such allegations.

22           5. It is understood by the parties that the Real  
23 Estate Commissioner may adopt the Stipulation and Agreement as  
24 the decision in this matter thereby imposing the penalty and  
25 sanctions on Respondent's real estate license and license rights  
26 as set forth in the below "Order". In the event that, in the  
27 Commissioner's discretion, the Stipulation and Agreement is not



1 B. A restricted real estate salesperson license shall be  
2 issued to Respondent pursuant to Section 10156.6 of the  
3 Code if Respondent makes application therefor and pays  
4 to the Department of Real Estate the appropriate fee for  
5 said license within ninety (90) days from the effective  
6 date of the Decision.

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

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

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

26 (3) Respondent shall not be eligible to apply for the  
27 issuance of an unrestricted real estate license,

1 nor the removal of any of the conditions of the  
2 restricted license, until one (1) year has elapsed  
3 from the effective date of this Decision.

4 (4) Respondent shall submit with any application for  
5 license under an employing broker, or any  
6 application for transfer to an new employing  
7 broker, a statement signed by the prospective  
8 employing real estate broker on a form approved by  
9 the Department of Real Estate which shall certify:

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

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

18 (5) Respondent shall, within nine (9) months from the  
19 effective date of this Decision, present evidence  
20 satisfactory to the Real Estate Commissioner that  
21 Respondent has, since the most recent issuance of  
22 an original or renewal real estate license, taken  
23 and successfully completed the continuing education  
24 requirements of Article 2.5 of Chapter 3 of the  
25 Real Estate Law for renewal of a real estate  
26 license. If Respondent fails to satisfy this  
27 condition, the Commissioner may order the

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suspension of the restricted license until the Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for hearing pursuant to the Administrative Procedure Act to present such evidence.

July 1, 1999  
DATED

Deidre L. Johnson  
DEIDRE L. JOHNSON  
Counsel for Complainant

\* \* \*

I have read the Stipulation and Agreement, have discussed it with my counsel or understand that I have the right to consult with 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, and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

6-26-99

Tisha R. Torres  
TISHA RENE TORRES, Respondent

APPROVED AS TO FORM:

6-21-99  
DATED

Robert Craig Iseley  
ROBERT CRAIG ISELEY  
Attorney for Respondent



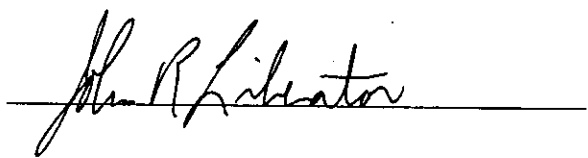
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\* \* \*

The foregoing Stipulation and Agreement is hereby  
adopted as my Decision and shall become effective at 12 o'clock  
noon on November 2, 1999.

IT IS SO ORDERED October 1, 1999.

JOHN R. LIBERATOR  
Acting Real Estate Commissioner



FILED

MAY 25 1999

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

By: Kathleen Contreras

In the Matter of the Accusation of

TISHA RENEE TORRES,

}

Case No. H-3386 SAC

OAH No. N-1999050061

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 \_\_\_\_\_

The Office of Administrative Hearings, 560 J Street,

Suites 340/360, Sacramento, California 95814

on June 21, 1999, at the hour of 9:00 AM,  
or as soon thereafter as the matter can be heard, upon the Accusation 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.

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: May 24, 1999

By: Deidre L. Johnson  
DEIDRE L. JOHNSON Counsel



FILED

MAR - 4 1999

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
TISHA RENEE TORRES, )  
Respondent. )

NO. H-3386 SAC

ORDER STAYING EFFECTIVE DATE

On January 28, 1999, a Decision was rendered in the above-entitled matter to become effective March 15, 1999. On March 3, 1999, Respondent petitioned for reconsideration of the Decision of January 28, 1999.

IT IS HEREBY ORDERED that the effective date of the Order of the Commissioner is stayed for a period of thirty (30) days.

The Order of the Commissioner of January 28, 1999, shall become effective at 12 o'clock noon on April 14, 1999.

DATED: March 4, 1999.

JOHN R. LIBERATOR  
Acting Commissioner

John R. Liberator

FILED

FEB 23 1999

BEFORE THE

DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

By Kathleen Contreras

\* \* \*

In the Matter of the Accusation of )  
 )  
 TISHA RENEE TORRES, ) NO. H-3386 SAC  
 )  
 Respondent. )  
 \_\_\_\_\_ )

DECISION

This Decision is issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on December 5, 1998. The findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and/or, (3) other evidence.

This Decision revokes a real estate license on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license 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.

FINDINGS OF FACT

I

On August 17, 1998, Charles W. Koenig made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondent's last known mailing addresses on file with the Department on August 17, 1998. Said documents were remailed to Respondent at her last known mailing address by regular mail on September 25, 1998.

On December 5, 1998, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

II

Respondent TISHA RENEE TORRES is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code as a real estate salesperson subject to Section 10153.4 of the Code.

III

Respondent made application to the Department of Real Estate of the State of California (hereafter the Department) for a real estate salesperson license on or about February 2, 1998. 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 Vehicle Code violations. In reliance thereon, the Department issued the above license.

IV

Respondent failed to disclose that on or about June 6, 1996, in the Municipal Court of California, County of Sacramento, Palo Alto Facility, Respondent was convicted of violation of California Penal Code Section 476A(a) (INSUFFICIENT FUNDS CHECKS).

DETERMINATION OF ISSUES

I

The crime of which Respondent was convicted as found in Paragraph IV above is a crime involving moral turpitude and a crime which is substantially related under Section 2910, Title 10, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

II

The conviction found in Paragraph IV above constitutes cause under Sections 490 and 10177(b) of the Code for suspension or revocation of all license(s) and license rights of Respondent under the Real Estate Law.

III

Respondent's acts and/or omissions as found in Paragraphs III and IV above constitute the procurement of a real estate license by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in said application; and constitute cause under Sections 498 and 10177(a) of the Code for suspension or revocation of all license(s) and license rights of Respondent under the Real Estate Law.

IV

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

The license(s) and/or license rights of Respondent TISHA RENE TORRES under the provisions of Part I of Division 4 of the Business and Professions Code are hereby revoked.

This Decision shall become effective at 12 o'clock noon on  
March 15, 1999.

DATED: January 28, 1999.

JOHN R. LIBERATOR  
Acting Real Estate Commissioner

John R. Liberator

1 DEPARTMENT OF REAL ESTATE  
P. O. Box 187000  
2 Sacramento, CA 95818-7000  
3 Telephone: (916) 227-0789

FILED  
DEC 5 1998  
DEPARTMENT OF REAL ESTATE

By *Kathleen Contreras*

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BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
TISHA RENEE TORRES, ) NO. H-3386 SAC  
Respondent. ) DEFAULT ORDER

Respondent, TISHA RENEE TORRES, having failed to file a  
Notice of Defense within the time required by Section 11506 of the  
Government Code, is now in default. It is, therefore, ordered  
that a default be entered on the record in this matter.

IT IS SO ORDERED *November 20*, 1998.

JIM ANTT, JR.  
Real Estate Commissioner

*Steven J. Ellis*  
By: STEVEN J. ELLIS  
Regional Manager



1 DEIDRE L. JOHNSON, Counsel  
2 State Bar No. 66322  
3 Department of Real Estate  
4 P. O. Box 187000  
5 Sacramento, CA 95818-7000  
6 Telephone: (916) 227-0789

FILED  
AUG 17 1998  
DEPARTMENT OF REAL ESTATE

By Jean Koenig

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 TISHA RENEE TORRES, ) NO. H- 3386 SAC  
13 Respondent. ) ACCUSATION  
14 \_\_\_\_\_ )

15 The Complainant, Charles W. Koenig, a Deputy Real Estate  
16 Commissioner of the State of California, for cause of Accusation  
17 against TISHA RENEE TORRES, is informed and alleges as follows:

18 I

19 TISHA RENEE TORRES (hereafter Respondent) is presently  
20 licensed and/or has license rights under the Real Estate Law, Part  
21 1 of Division 4 of the California Business and Professions Code  
22 (hereafter the Code) as a real estate salesperson subject to  
23 Section 10153.4 of the Code.

24 II

25 The Complainant, Charles W. Koenig, a Deputy Real Estate  
26 Commissioner of the State of California, makes this Accusation  
27 against Respondent in his official capacity and not otherwise.



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III

Respondent made application to the Department of Real Estate of the State of California (hereafter the Department) for a real estate salesperson license on or about February 2, 1998. 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 Vehicle Code violations. In reliance thereon, the Department issued the above license.

IV

Respondent failed to disclose that on or about June 6, 1996, in the Municipal Court of California, County of Sacramento, Palo Alto Facility, Respondent was convicted of violation of California Penal Code Section 476A(a) (INSUFFICIENT FUNDS CHECKS), a crime involving moral turpitude and a crime which is substantially related under Section 2910, Title 10, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

V

The facts alleged in Paragraph IV above constitute cause under Sections 490 and 10177(b) of the Code for suspension or revocation of all license(s) and license rights of Respondent under the Real Estate Law.

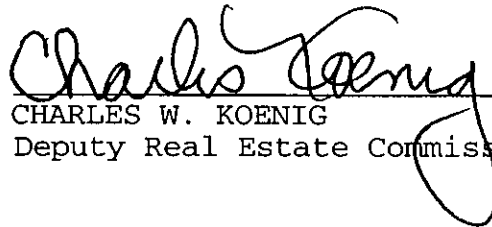
VI

Respondent's acts and/or omissions as alleged in Paragraphs III and IV above constitute the procurement of a real estate license by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in said application; and



1 constitute cause under Sections 498 and 10177(a) of the Code for  
2 suspension or revocation of all license(s) and license rights of  
3 Respondent under the Real Estate Law.

4 WHEREFORE, Complainant prays that a hearing be conducted  
5 on the allegations of this Accusation and that upon proof thereof  
6 a decision be rendered imposing disciplinary action against all  
7 license(s) and license rights of Respondent under the Real Estate  
8 Law (Part 1 of Division 4 of the Business and Professions Code),  
9 and for such other and further relief as may be proper under other  
10 provisions of law.

11  
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14   
15 CHARLES W. KOENIG  
16 Deputy Real Estate Commissioner  
17  
18

19 Dated at Sacramento, California,  
20 this 6<sup>th</sup> day of August, 1998.  
21  
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