

FILED

BEFORE THE DEPARTMENT OF REAL ESTATE

JUL 16 2008

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

* * *

by H. Mar

In the Matter of the Accusation of)
LAJAUNE JEREL MCELROY,)
Respondent.)

No. H-3779 SD

DECISION

This Decision is being 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 May 1, 2008, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; 2) affidavits; and (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 March 7, 2008, Joseph Aiu 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 and regular mail, to Respondent's last known mailing address on file with the Department on March 11, 2008.

On April 21, 2008, 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.

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II

II

Respondent 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 (hereinafter "Code") as a real estate salesperson.

III

On or about October 4, 2006, in the Superior Court, County of San Joaquin, Respondent was convicted of a violation of Section 245(a)(1) (Assault With Great Bodily Injury) of the California Penal Code, a misdemeanor and crime involving moral turpitude which bear a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 490 and 10177(b).

II

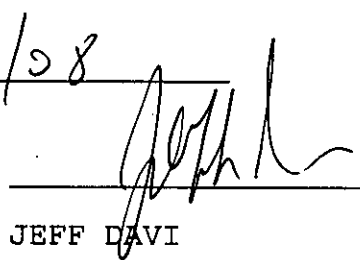
The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

All licenses and licensing rights of respondent, LAJAUNE JEREL MCELROY, under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon
on AUG - 6 2008 2008.

DATED: 7/8/08


JEFF DAVI

Real Estate Commissioner

1 Department of Real Estate
2 P.O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916) 227-0781

FILED

MAY - 1 2008.

DEPARTMENT OF REAL ESTATE

By

R. Henry

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

9 In the Matter of the Accusation of)
10 LAJAUNE JEREL MCELROY,)
11 Respondent.)
12

No. H-3779 SD

DEFAULT ORDER

13 Respondent, LAJAUNE JEREL MCELROY, having failed to
14 file a Notice of Defense within the time required by Section
15 11506 of the Government Code, is now in default. It is,
16 therefore, ordered that a default be entered on the record in
17 this matter.
18

19 IT IS SO ORDERED

April 21, 2008

20 JEFF DAVI

21 Real Estate Commissioner

22 By:

Dolores Weeks

23 DOLORES WEEKS

24 Regional Manager
25
26
27

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

MAR 11 2008

DEPARTMENT OF REAL ESTATE

By H. Mar

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 LAJAUNE JEREL MCELROY,)
13 Respondent.)

No. H-3779 SD

ACCUSATION

14 The Complainant, JOSEPH AIU, a Deputy Real Estate
15 Commissioner of the State of California, for cause of Accusation
16 against LAJAUNE JEREL MCELROY (hereinafter "Respondent"), is
17 informed and alleges as follows:

18 I

19 The Complainant, JOSEPH AIU, a Deputy Real Estate
20 Commissioner of the State of California, makes this Accusation in
21 his official capacity.

22 Respondent is presently licensed and/or has license
23 rights under the Real Estate Law (Part 1 of Division 4 of the
24 Business and Professions Code) (Code) as a real estate
25 salesperson whose license is suspended pursuant to Section 17520
26 of the Family Code.

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III

On or about October 4, 2006, in the Superior Court, County of San Joaquin, Respondent was convicted of a violation of Section 245(a)(1) of the California Penal Code (Assault with Great Bodily Injury), a misdemeanor involving moral turpitude and crime 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.

IV

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

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


JOSEPH AIU

Deputy Real Estate Commissioner

Dated at San Diego, California,
this 7 day of March, 2008