

FILED

JAN 16 2008

DEPARTMENT OF REAL ESTATE

By *Jean Aronow*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

|                                      |                |
|--------------------------------------|----------------|
| In the Matter of the Application of) | No. H-3823 SAC |
| )                                    | )              |
| LORI A. McDOUGLE, formerly )         | )              |
| LORI A. MATHEWS, )                   | )              |
| )                                    | )              |
| Respondent. )                        | )              |
| )                                    | )              |

ORDER GRANTING UNRESTRICTED LICENSE

On September 24, 2003, a Decision was rendered herein denying the Respondent's application for 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 December 6, 2003, and Respondent has operated as a restricted licensee since that time.

On May 14, 2007, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

///

1 I have considered Respondent's Petition and the  
2 evidence submitted in support thereof including Respondent's  
3 record as a restricted licensee. Respondent has demonstrated to  
4 my satisfaction that Respondent meets the requirements of law for  
5 the issuance to Respondent of an unrestricted real estate  
6 salesperson license and that it would not be against the public  
7 interest to issue said license to Respondent.

8 NOW, THEREFORE, IT IS ORDERED that Respondent's  
9 Petition for removal of restrictions is granted and that a real  
10 estate salesperson license be issued to Respondent if, within  
11 nine (9) months from the date of this order, Respondent shall:

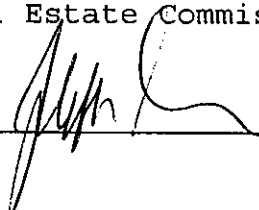
12 (a) Submit a completed application and pay the  
13 appropriate fee for a real estate salesperson license, and

14 (b) Submit evidence of having taken and successfully  
15 completed the continuing education requirements of Article 2.5 of  
16 Chapter 3 of the Real Estate Law for renewal of a real estate  
17 license.

18 This Order shall become effective immediately.

19 IT IS SO ORDERED 1-8-08

20 JEFF DAVI  
21 Real Estate Commissioner

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BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Statement of  
Issues Against:

LORI MATHEWS,

Respondent.

Case No. H-3823 SAC

OAH No. N-2003060591

**PROPOSED DECISION**

Administrative Law Judge Catherine B. Frink, State of California, Office of Administrative Hearings, heard this matter in Sacramento, California on August 25, 2003.

Larry A. Alamao, Assistant Chief Counsel, represented the complainant.

Respondent was present and was represented by Edgardo Gonzalez, Attorney at Law, 1300 Clay Street, Suite 600, Oakland, CA 94612.

Evidence was received, the hearing was closed, and the matter was submitted on August 25, 2003.

**FACTUAL FINDINGS**

1. The complainant, Charles W. Koenig, a Deputy Real Estate Commissioner of the State of California, filed the Statement of Issues in his official capacity.

2. Lori Mathews ("respondent") filed an application with the Department of Real Estate of the State of California ("the Department") for a real estate salesperson license on or about June 18, 2001, with the knowledge and understanding that any license issued as a result of said application would be subject to the conditions of Business and Professions Code section 10153.4.

3. On June 12, 1989, in Superior Court of California, County of Alameda, respondent was convicted of a violation of Welfare and Institutions Code section 10980(c), Fraud in Obtaining Aid, a misdemeanor. The facts and circumstances underlying the conviction are as follows: respondent did not report her full income to the welfare

department, stating that she was working part-time when in fact she was working full-time. Respondent's then-husband had abandoned respondent and her son, taking most of their possessions when he moved out. Respondent used the extra welfare money to replace items she needed for herself and her son.

4. The crime of which respondent was convicted, as set forth in Finding 3 above, involved moral turpitude and was substantially related to the qualifications, functions and duties of a real estate licensee as defined in Title 10, California Code of Regulations ("10 CCR") section 2910(a)(1), the fraudulent taking, obtaining, appropriating or retaining of funds or property belonging to another person; (a)(4), the employment of falsehood or misrepresentation to achieve an end; and (a)(8), doing of any unlawful act with the intent of conferring a financial or economic benefit upon the perpetrator or with the intent or threat of doing substantial injury to the person or property of another.

5. As a consequence of the conviction set forth in Finding 3 above, imposition of sentence was suspended, and respondent was placed on summary probation for 36 months, subject to various terms and conditions of probation. Respondent was ordered to perform 200 hours of community service and to pay restitution in excess of \$4,800.00. Respondent completed all of the terms of her probation, including the full payment of restitution, and was granted early termination of probation after approximately two years.

Respondent obtained dismissal of her criminal conviction pursuant to Penal Code section 1203.4 by Order dated April 27, 2001.

6. On March 24, 1998, in the Superior Court of California, County of Alameda, respondent was convicted of a violation of Welfare and Institutions Code section 10980(c)(2), Fraud in Obtaining Aid, a misdemeanor. The facts and circumstances underlying the conviction are that, between June 1996 and February 1997, respondent listed her son as a dependent at a time when her son was not residing with her. Respondent's son went to reside with his father for the summer in June of 1996. Respondent contacted the welfare department and was told she could continue to list her son as a dependent since he still had clothes at her home and was planning to return. At the end of the summer, her son chose to remain living with his father. According to respondent, she stopped declaring her son as a dependent; however, she was held responsible for the summer months when her son resided with his father and she received welfare payments for him as a dependent.

7. The crime of which respondent was convicted, as set forth in Finding 6 above, involved moral turpitude and was substantially related to the qualifications, functions and duties of a real estate licensee as defined in 10 CCR section 2910(a)(1), the fraudulent taking, obtaining, appropriating or retaining of funds or property belonging to another person; (a)(4), the employment of falsehood or misrepresentation to achieve an end; and (a)(8), doing of any unlawful act with the intent of conferring a financial or economic benefit upon the perpetrator or with the intent or threat of doing substantial injury to the person or property of another.

8. As a consequence of the conviction set forth in Finding 6 above, imposition of sentence was suspended, and respondent was placed on probation for three years, subject to various terms and conditions of probation. Respondent was ordered to serve two days in jail, with credit for time served of two days; complete 10 days of a work program; pay restitution in the amount of \$2,706.00 in restitution, including \$571.00 in food stamps and \$2,135.00 in AFDC; and comply with other standard terms and conditions.

Respondent was permitted to perform 40 hours of community service in lieu of the work program. Respondent worked in a homeless shelter cooking breakfast and lunch for the shelter patrons. Respondent completed payment of restitution in October of 1999 and was granted early termination of probation.

Respondent obtained dismissal of her criminal conviction pursuant to Penal Code section 1203.4 by Order dated July 18, 2001.

9. Respondent is a recovering drug addict and alcoholic. She abused alcohol and crack cocaine from December 20, 1986 until January 1, 1996. Respondent attended drug rehabilitation "off and on" through West Oakland Mental Health Center from 1993 through 1995. Respondent met her current boyfriend, Luke McDougle, in 1995, who has helped her to leave the environment of drug and alcohol abuse and gave her a "new beginning." Respondent has been clean and sober since January 1, 1996. She has not undergone any additional formal drug treatment and does not attend Alcoholics Anonymous or Narcotics Anonymous.

10. Respondent has three children, ages 19, 14 and 12. Respondent resides with Mr. McDougle and his 14-year-old son. Respondent has worked as a bookkeeper since the age of 18. She is registered and bonded as a tax preparer with the California Tax Education Council ("CTEC"). Respondent has taken continuing education of 20 hours per year to maintain her CTEC registration. Respondent has worked part-time for Virginia Mainer in Castro Valley in Ms. Mainer's bookkeeping and tax preparation business. Ms. Mainer wrote a letter on behalf of respondent in which she noted that respondent has been relied upon to maintain confidentiality and perform at a high level of accuracy and efficiency.

Respondent is currently employed full-time as a loan processor and personal assistant to Chasity Mitchell, Vice President of Operations for Premier Home Equity in San Leandro, California. Ms. Mitchell testified on respondent's behalf at hearing. She verified that respondent serves in a position of trust and has access to confidential client information. Respondent has demonstrated that she is conscientious and responsible. Stephen Johnson is the broker of record for Premier Home Equity as well as for Realty World-World Class Properties. Both Ms. Mitchell and respondent believe that Mr. Johnson would be willing to hire respondent as a loan officer with Premier Home Equity or as a real estate salesperson for Realty World-World Class Properties if respondent were to be granted a license by the Department. Letters from two of respondent's co-workers at Premier Home Equity attested to respondent's organizational skills and diligence in the performance of her duties as a loan processor.

11. Mr. McDougle testified on respondent's behalf at hearing, and confirmed that respondent has been clean and sober since January of 1996. He observed that respondent is devoted to her family and has worked hard to support her children. Respondent's cousin, Debra L. Palmer, submitted a letter on respondent's behalf, attesting to respondent's change in attitude over the past five years.

12. Respondent accepted full responsibility for the actions that led to her criminal convictions. She felt that her judgment was impaired by alcohol and drug abuse in the late 1980s, which contributed to the circumstances leading to her first conviction. She expressed remorse for her prior misconduct and has taken steps necessary to insure that such conduct will not reoccur.

### LEGAL CONCLUSIONS

1. Business and Professions Code section 480(a) states as follows:

“(a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:

“(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

“(2) Done any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; or

“(3) Done any act which if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license.

The board may deny a license pursuant to this subdivision only if the crime or act is substantially related to the qualifications, functions or duties of the business or profession for which application is made.”

2. Business and Professions Code section 10177(b) states as follows:

“The commissioner may suspend or revoke the license of a real estate licensee, or may deny the issuance of a license to an applicant, who has done any of the following, or may suspend or revoke the license of a corporation, or deny the issuance of a license to a corporation, if an officer, director, or person owning

or controlling 10 percent or more of the corporation's stock has done any of the following:

“...”

“(b) Entered a plea of guilty or nolo contendere to, or been found guilty of, or been convicted of, a felony or a crime involving moral turpitude, and the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal, irrespective of an order granting probation following that conviction, suspending the imposition of sentence, or of a subsequent order under Section 1203.4 of the Penal Code allowing that licensee to withdraw his or her plea of guilty and to enter a plea of not guilty, or dismissing the accusation or information.”

3. 10 CCR section 2910 states as follows:

“(a) When considering whether a license should be denied, suspended or revoked on the basis of the conviction of a crime, or on the basis of an act described in Section 480(a)(2) or 480(a)(3) of the Code, the crime or act shall be deemed to be substantially related to the qualifications, functions or duties of a licensee of the Department within the meaning of Sections 480 and 490 of the Code if it involves:

“(1) The fraudulent taking, obtaining, appropriating or retaining of funds or property belonging to another person.

“(2) Counterfeiting, forging or altering on an instrument or the uttering of a false statement.

“(3) Willfully attempting to derive a personal financial benefit through the nonpayment or underpayment of taxes, assessments or levies duly imposed upon the licensee or applicant by federal, state, or local government.

“(4) The employment of bribery, fraud, deceit, falsehood or misrepresentation to achieve an end.

“(5) Sexually related conduct causing physical harm or emotional distress to a person who is an observer or non-consenting participant in the conduct.

“(6) Willfully violating or failing to comply with a provision of Division 4 of the Business and Professions Code of the State of California.



“(7) Willfully violating or failing to comply with a statutory requirement that a license, permit or other entitlement be obtained from a duly constituted public authority before engaging in a business or course of conduct.

“(8) Doing of any unlawful act with the intent of conferring a financial or economic benefit upon the perpetrator or with the intent or threat of doing substantial injury to the person or property of another.

“(9) Contempt of court or willful failure to comply with a court order.

“(10) Conduct which demonstrates a pattern of repeated and willful disregard of law.

“(b) The conviction of a crime constituting an attempt, solicitation or conspiracy to commit any of the above enumerated acts or omissions is also deemed to be substantially related to the qualifications, functions or duties of a licensee of the department.

“(c) If the crime or act is substantially related to the qualifications, functions or duties of a licensee of the department, the context in which the crime or acts were committed shall go only to the question of the weight to be accorded to the crime or acts in considering the action to be taken with respect to the applicant or licensee.”

4. 10 CCR section 2911 states as follows:

“The following criteria have been developed by the department pursuant to Section 482(a) of the Business and Professions Code for the purpose of evaluating the rehabilitation of an applicant for issuance or for reinstatement of a license in considering whether or not to deny the issuance or reinstatement on account of a crime or act committed by the applicant:

“(a) The passage of not less than two years since the most recent criminal conviction or act of the applicant that is a basis to deny the departmental action sought. (A longer period will be required if there is a history of acts or conduct substantially related to the qualifications, functions or duties of a licensee of the department.)

“(b) Restitution to any person who has suffered monetary losses through “substantially related” acts or omissions of the applicant.

- “(c) Expungement of criminal convictions resulting from immoral or antisocial acts.
- “(d) Expungement or discontinuance of a requirement of registration pursuant to the provisions of Section 290 of the Penal Code.
- “(e) Successful completion or early discharge from probation or parole.
- “(f) Abstinence from the use of controlled substances or alcohol for not less than two years if the conduct which is the basis to deny the departmental action sought is attributable in part to the use of controlled substances or alcohol.
- “(g) Payment of the fine or other monetary penalty imposed in connection with a criminal conviction or quasi-criminal judgment.
- “(h) Stability of family life and fulfillment of parental and familial responsibilities subsequent to the conviction or conduct that is the basis for denial of the agency action sought.
- “(i) Completion of, or sustained enrollment in, formal education or vocational training courses for economic self-improvement.
- “(j) Discharge of, or bona fide efforts toward discharging, adjudicated debts or monetary obligations to others.
- “(k) Correction of business practices resulting in injury to others or with the potential to cause such injury.
- “(l) Significant or conscientious involvement in community, church or privately-sponsored programs designed to provide social benefits or to ameliorate social problems.
- “(m) New and different social and business relationships from those which existed at the time of the conduct that is the basis for denial of the departmental action sought.
- “(n) Change in attitude from that which existed at the time of the conduct in question as evidenced by any or all of the following:
  - “(1) Testimony of applicant.
  - “(2) Evidence from family members, friends or other persons familiar with applicant's previous conduct and with his subsequent attitudes and behavioral patterns.

“(3) Evidence from probation or parole officers or law enforcement officials competent to testify as to applicant's social adjustments.

“(4) Evidence from psychiatrists or other persons competent to testify with regard to neuropsychiatric or emotional disturbances.”

5. Cause for denial of respondent's application for a real estate salesperson license was established pursuant to Business and Professions Code sections 480(a) and 10177(b) by reason of Findings 3, 4, 6 and 7, in that respondent has been convicted of crimes of moral turpitude that are substantially related to the qualifications, functions and duties of a real estate licensee.

6. Pursuant to Business and Professions Code section 482(a), the Department has developed criteria to evaluate the rehabilitation of a license applicant after a criminal conviction, which are set forth in 10 CCR section 2911. In this case, more than five years have passed since respondent's most recent conviction. In both cases, respondent made complete restitution and obtained early termination of probation. Both criminal convictions have been expunged. Respondent has abstained from the use of controlled substances for more than seven years. Her family life is stable, and she is fulfilling her parental and familial financial obligations. She has undertaken continuing education for professional improvement. She has changed her social relationships from those that existed at the time respondent engaged in the conduct leading to her criminal convictions. She has undergone a change in attitude as well as conduct, as evidenced by her own testimony and the testimony of family members, friends and co-workers (Findings 5, 8, 9, 10, 11 and 12).

7. Respondent has twice been convicted of a crime of dishonesty, which is a matter of serious concern to the Department. Honesty and trustworthiness are qualities of utmost importance in a real estate licensee, who must frequently act in a fiduciary capacity. "Honesty and truthfulness are two qualities deemed by the Legislature to bear on one's fitness and qualification to be a real estate licensee." *Harrington v. Department of Real Estate* (1989) 214 C.A.3d 394, 402. "If appellant's offenses reflect unfavorably on his honesty, it may be said he lacks the necessary qualifications to become a real estate salesperson." *Harrington, supra*, 214 C.A.3d at 402; *Golde v. Fox*, (1979) 98 Cal.App.3d 167, 176. "The Legislature intended to insure that real estate brokers and salespersons will be honest, truthful and worthy of the fiduciary responsibilities which they will bear." *Harrington, supra*, 214 C.A.3d at 402; *Ring v. Smith* (1970) 5 C.A.3d 197, 205.

As set forth in Legal Conclusion 6, respondent has provided substantial and convincing evidence of rehabilitation. Given the changes respondent has made in her life, it appears unlikely that respondent will engage in similar misconduct in the future. Respondent has sustained her burden to prove that she can be licensed at this time with a restricted license without harm to the public.

8. For the reasons set forth above, it would be not be contrary to the public interest to grant a conditional real estate salesperson license to respondent, with appropriate restrictions.

### ORDER

The application of Lori Mathews for a real estate salesperson license is denied by reason of Legal Conclusion 5; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code. The restricted license issued to the Respondent shall be subject to all of 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. 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 shall, within eighteen (18) months of the issuance of the restricted license, 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 lifting of the suspension.
2. 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.
3. 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) of a crime which is substantially related 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.

4. 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.

5. 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 real estate broker on a form RE 552 (Rev. 4/88) approved by the Department of Real Estate which shall certify as follows:

(a) That the employing broker has read the Decision which is the basis for the issuance of the restricted license; and

(b) That the employing 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.

Dated: 9-10-03

Catherine B. Frink

CATHERINE B. FRINK  
Administrative Law Judge  
Office of Administrative Hearings

FILED  
JUL - 2 2003

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

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

*In the Matter of the Application of*

LORI MATHEWS,

}

Case No. H-3823 SAC

OAH No. N-2003060591

*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  
560 J STREET, SUITES 340/360  
SACRAMENTO, CALIFORNIA 95814**

on **AUGUST 25, 2003**, at the hour of **1:30 PM**, 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 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:* JUNE 27, 2003

By Larry A. Amaro  
LARRY A. AMARO, Counsel

flag

1 LARRY A. ALAMAO, Counsel  
State Bar No. 47379  
2 Department of Real Estate  
P. O. Box 187000  
3 Sacramento, CA 95818-7000  
4 Telephone: (916) 227-0789  
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FILED  
MAY 22 2003

DEPARTMENT OF REAL ESTATE

By Kathleen Conners

8 BEFORE THE  
9 DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Application of )  
13 LORI MATHEWS, ) NO. H-3823 SAC  
14 Respondent. ) STATEMENT OF ISSUES  
15 )

16 The Complainant, CHARLES W. KOENIG, a Deputy Real  
17 Estate Commissioner of the State of California, for Statement of  
18 Issues against LORI MATHEWS (hereinafter "Respondent") is  
19 informed and alleges as follows:

20 I

21 Respondent made application to the Department of Real  
22 Estate of the State of California for a real estate salesperson  
23 license on or about June 18, 2001, with the knowledge and  
24 understanding that any license issued as a result of said  
25 application would be subject to the conditions of Section 10153.4  
26 of the Business and Professions Code.

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II

Complainant, CHARLES W. KOENIG, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues in his official capacity and not otherwise.

III

On or about June 12, 1989, in the Superior Court, Alameda County, State of California, Respondent was convicted of a violation of Section 10980(c) of the California Welfare and Institutions Code (Fraud in Obtaining Aid), 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.

IV

On or about March 24, 1998, in the Superior Court, Alameda County, State of California, Respondent was convicted of a violation of Section 10980(c)(2) of the California Welfare and Institutions Code (Fraud in Obtaining Aid), 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.

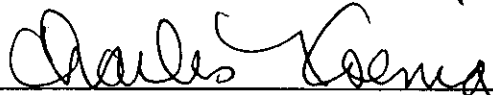
V

The crimes of which Respondent was convicted, as alleged above, constitute 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.



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

  
\_\_\_\_\_  
CHARLES W. KOENIG  
Deputy Real Estate Commissioner

Dated at Sacramento, California,  
this 5<sup>th</sup> day of May, 2003.