

FILED
MAR 21 1980

DEPARTMENT OF REAL ESTATE

By Roshni R. Kalidin
Roshni R. Kalidin

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

- - -

In the Matter of the Accusation of) No. H-3972 SF
MARTIN JOEL BLOOM,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On June 11, 1976, a Decision was rendered herein
revoking the real estate broker license of respondent but granting
respondent the right to the issuance of a restricted real estate
broker license. A restricted real estate broker license was
issued to respondent on September 27, 1976, and respondent has
operated as a restricted licensee without cause for disciplinary
action against him since that time.

On December 10, 1979, respondent petitioned for reinstatement of said real estate broker license and the Attorney General of the State of California has been given notice of the filing of said petition.

I have considered the petition of respondent and the

1 evidence and arguments in support thereof including his record
2 as a restricted licensee. Respondent has demonstrated to my
3 satisfaction that he meets the requirements of law for the issuance
4 to him of an unrestricted real estate broker license and that
5 it would not be against the public interest to issue said
6 license to him.

7 NOW, THEREFORE, IT IS ORDERED that respondent's
8 petition for reinstatement is granted and that an unrestricted
9 real estate broker license be issued to respondent on receipt
10 of the application and fee therefor within 90 days from the
11 date hereof.

12 This order shall be effective immediately.

13 DATED: MARCH 19, 1980.

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David H. Fox
DAVID H. FOX
Real Estate Commissioner

Julius A. O. Batt
Dist. Comm.

COPY

FILED
AUG 30 1978

DEPARTMENT OF REAL ESTATE

By Victoria M. Dillon
Victoria M. Dillon

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of) NO. H-3972 SF
MARTIN JOEL BLOOM,)
Respondent.)

ORDER DENYING REINSTATEMENT OF LICENSE

On June 11, 1976, a Decision was rendered herein re-
voking the real estate broker license of respondent but granting
the right to a restricted real estate broker license.

On November 21, 1977, respondent petitioned for rein-
statement of said license and the Attorney General of the State
of California has been given notice of the filing of the
petition.

I have considered respondent's petition and the
evidence and arguments in support thereof. Respondent has
failed to demonstrate to my satisfaction that he has undergone
sufficient rehabilitation to warrant the reinstatement of his
restricted real estate broker license.

1 NOW, THEREFORE, IT IS ORDERED that respondent's
2 petition for reinstatement of his ^{*} ~~restricted~~ real estate broker
3 license is denied.

4 This Order shall be effective at 12 o'clock noon on

5 Sept. 19, 1978.

6 DATED: 9/25/78

7 David H. Fox
8 DAVID H. FOX
9 Real Estate Commissioner

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12 * PER TELECON TODAY'S DATE w/ ROSE, S.F. LEGAL,
13 ORDER SHOULD READ "REAL ESTATE BROKER LICENSE
14 IS DENIED." LEGAL SECTION WILL SEND RESPONDENT
15 LETTER INFORMING HIM OF THE CORRECTION & FLAG
16 SECTION A COPY OF THIS LETTER. 9-19-78 KE
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FILED
JUN 16 1976

DEPARTMENT OF REAL ESTATE

By Victoria M. Dillon
Victoria M. Dillon

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

- - -

In the Matter of the Accusation of	}	NO. H-3972 SF
MARTIN JOEL BLOOM,		N 6991
Respondent.		

DECISION

The Proposed Decision dated June 3, 1976, 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.

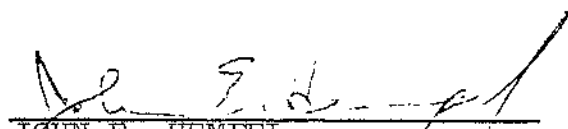
The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

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This Decision shall become effective at 12 o'clock
noon on July 6, 1976.

IT IS SO ORDERED June 11, 1976.


JOHN E. HEMPEL
Chief Deputy Director

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation)
of)
MARTIN JOEL BLOOM,)
Respondent.)

No. H-3972 SF
N 6991

PROPOSED DECISION

This matter was heard before Stewart A. Judson, Administrative Law Judge, State of California, Office of Administrative Hearings, on May 27, 1976 in San Francisco, California.

The Department of Real Estate of the State of California was represented by Richard H. Chasen, Counsel.

Martin Joel Bloom was present and represented himself.

Accordingly, the following decision is herewith proposed, certified and recommended for adoption:

FINDINGS OF FACT

I

At all times mentioned herein, Martin Joel Bloom (hereinafter respondent) was, and now is, licensed by the Department of Real Estate of the State of California as a real estate broker.

II

The complainant, R. L. Royce, a Deputy Real Estate Commissioner of the State of California, acting in his official capacity as such and not otherwise, made the Accusation.

III

On April 10, 1975, in Case No. 17994, in the Superior Court in and for the County of Contra Costa, State of California, respondent entered a plea of Guilty to Section 653f of the California Penal Code (SOLICITATION TO COMMIT BRIBERY). Said Court thereafter ordered that respondent be admitted to probation and that imposition of sentence be suspended for a period of two (2) years from the date of said order. Said Court further ordered that respondent comply with the following condition, among others, of probation: that he contribute 800 hours of volunteer service in a manner and at a rate to be determined by his probation officer.

IV

The crime to which respondent entered his plea of Guilty and was convicted, as found in Finding III hereinabove, is a crime involving moral turpitude and is a crime which is substantially related to the qualifications, functions and duties of a real estate licensee.

V

The following additional facts were established:

1. During the events which led to his aforementioned conviction, respondent was employed as Deputy County Counsel of Contra Costa County, State of California. In said capacity, respondent was required to advise said County's Planning Commission in the matter of the Quimby Island Reclamation District's efforts to obtain a certain land use permit for the operation of a fish farm and recreation area.

2. During the course of his contacts with said District's attorney, respondent indicated to said attorney that respondent's opinion and action would be influenced in return for \$150,000. Said attorney immediately reported said conduct to the county District Attorney's office. Approximately two months thereafter, respondent verbally rescinded said offer. The evidence failed to demonstrate that respondent did, in fact, either receive money or other consideration or permit his opinions or actions to be influenced.

3. Respondent is presently thirty-four years of age, married and the father of two children, ages six and three. Following his graduation from UCLA in 1965, with an AB in business administration, respondent attended UCLA and obtained an MA in business education in 1966. Respondent was married in September, 1966, and he and his wife joined the Peace Corps and served two years in Bolivia. Respondent returned to the United States in 1969 and entered Loyola Law School, in Los Angeles. Respondent attended evening sessions, working during the day as a Spanish speaking social worker, and graduated in June, 1972. Respondent joined the staff of the Contra Costa County Counsel's office in February, 1973.

4. Respondent concedes that he was aware, at the time, that his aforementioned conduct was wrong. Respondent undertook said course of conduct out of a desire to achieve personal financial and economic independence and feels he acted out of desperation. The evidence failed to establish that, at the time, respondent

was facing a financial crisis. Respondent was, at the time, earning approximately \$15,000.00 per year.

5. Respondent completed over 800 hours of voluntary work performing carpentry at a center for multi-handicapped children in Concord, California. On May 12, 1976, the Superior Court in and for the County of Contra Costa, State of California, issued an order terminating respondent's probation early, dismissing the information pursuant to Section 1203.4 of the California Penal Code and deeming the offense a misdemeanor pursuant to Section 17 of said Code.

6. Respondent's wife is temporarily employed as a substitute teacher but intends to return to school as a full time student next fall. Respondent and his family have subsisted primarily on savings and a loan from respondent's parents. In addition, respondent's interest in certain property in Humboldt County, California was purchased by his brother-in-law. Respondent is currently employed as a carpenter in an apprentice program by a local contractor.

7. Respondent was suspended from the practice of law in June, 1975 and has appeared before a local disciplinary committee of the State Bar Association. Said committee has recommended that respondent be suspended from the practice of law for a period of three years with an additional two years probation. Said recommendation is not binding. Respondent has utilized his real estate broker license in only two transactions since his conviction and has moved his office to his residence.

8. Respondent has expressed sincere remorse for his aforementioned conduct. He was a model probationer and has been open and forthright in his dealings with law enforcement agencies and officers involved in investigating his conduct. Respondent was licensed by the Department of Real Estate effective July 19, 1974 and has suffered no known prior disciplinary action.

DETERMINATION OF ISSUES

I

Cause for disciplinary action was established pursuant to Sections 490, 10177(b) and 10177(f) of the California Business and Professions Code.

II

The matters set forth in Finding V hereinabove have been considered in the order hereinbelow set forth.

ORDER

1. The real estate broker license of Martin Joel Bloom, respondent above-named, be and the same is hereby revoked.

2. A restricted real estate broker license shall be issued to respondent pursuant to Section 10156.5 of the California Business and Professions Code if respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for said license not less than sixty (60) days from, but not more than one (1) year following, the effective date of the Decision herein.

3. The restricted license issued to respondent shall be

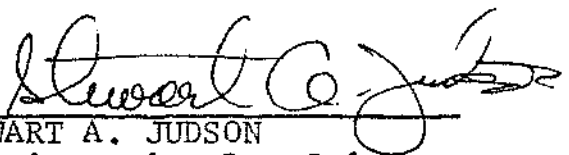
subject to all of the provisions of Section 10156.7 of the California Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of said Code:

- A. Said restricted license may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which bears a significant relation to respondent's fitness or capacity as a real estate licensee;
- B. 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 conditions attaching to this restricted license;
- C. 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 one (1) year has elapsed from the date of issuance of the restricted license to respondent;

D. Respondent shall report in writing to the
Department of Real Estate as the Real
Estate Commissioner shall direct by his
Decision herein or by separate written
order issued while the restricted license
is in effect such information concerning
respondent's activities for which a real
estate license is required as the Commis-
sioner shall deem appropriate to protect
the public interest.

Such reports may include, but shall not be
limited to, periodic independent accountings
of trust funds in the custody and control of
respondent and periodic summaries of salient
information concerning each real estate trans-
action in which the respondent engaged during
the period covered by the report.

DATED: June 3, 1976


STEWART A. JUDSON
Administrative Law Judge

Office of Administrative Hearings
100 Van Ness Avenue, 11th floor
San Francisco, CA 94102
Telephone (415) 557-1636

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of
MARTIN JOEL BLOOM,
Respondent.

FILED
APR 1 - 1976

DEPARTMENT OF REAL ESTATE

By Roshni R. Murthi

NO. H-3972 SF

OA# N 6991

NOTICE OF CONTINUED HEARING

TO THE PARTIES IN THE ABOVE-ENTITLED PROCEEDING:

You are hereby notified that the hearing in the above-entitled matter which was set to be heard by an Administrative Law Judge of the Office of Administrative Hearings at San Francisco, California, on April 1, 1976, has been continued to May 27, 1976, at the hour 1:30 p.m., on the 11th Floor, 100 Van Ness Avenue, San Francisco, California.

DATED: March 31, 1976

PJD:LHJ

/s/ P. J. DOYLE

P. J. DOYLE, Administrative Law Judge

cc: Richard H. Chasen, Counsel, Department of Real Estate, One Hallidie Plaza, Suite 200, San Francisco, CA 94102 (3)
Martin Joel Bloom, 240 Keats Circle, Pleasant Hill, CA 94523
Jo Meroney, OAH Sacramento

bc: George Durin

RECEIVED
APR 1 1976
DEPT. OF REAL ESTATE
San Francisco

FILED
DEC 19 1975

DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of)

MARTIN JOEL BLOOM)

Respondent)

No. 3972 ~~H-4972~~ SF

N 6991

By Roshni R. Murthi
Roshni R. MurthiNOTICE OF HEARING ON ACCUSATION

(Pursuant to Section 11509 of the Government Code)

TO THE RESPONDENT ABOVE NAMED:

YOU ARE HEREBY NOTIFIED that a hearing will be held before the Department
of Real Estate at 11th Floor
100 Van Ness Avenue, San Francisco, California
on the 1st day of April, 1976, at the hour of 9:00 A.M.,
or as soon thereafter as the matter can be heard, upon the charges made in the
Accusation served upon you.

As in all adversary proceedings, you may be present at the hearing, and
may be represented by counsel but you are neither required to be present at the
hearing, nor are you required to be represented by counsel. However, if you are
not present at the hearing in person, nor represented at the hearing by counsel,
the agency may take disciplinary action against you upon any express admissions,
or upon other evidence, and in the event that a notice of defense has not been
filed by you, upon affidavits, without further 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.

Dated: December 19, 1975By Richard H. Chase

1 RICHARD H. CHASEN, Counsel
2 One Hallidie Plaza
3 Suite 200
4 San Francisco, California 94102

5 Phone: (415) 557-3220

FILED
AUG 20 1975

DEPARTMENT OF REAL ESTATE

By Roshni R. Murthi
Roshni R. Murthi

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

11 In the Matter of the Accusation of)
12 MARTIN JOEL BLOOM,)
13 Respondent.)

No. H-3972 SF

ACCUSATION

15 The complainant, R. L. ROYCE, a Deputy Real
16 Estate Commissioner of the State of California, for
17 cause of accusation against MARTIN JOEL BLOOM, alleges
18 as follows:

19 I

20 That at all times herein mentioned, MARTIN
21 JOEL BLOOM (hereinafter referred to as respondent) was,
22 and now is, licensed by the Department of Real Estate
23 of the State of California as a real estate broker.

24 II

25 That the complainant, R. L. ROYCE, a Deputy
26 Real Estate Commissioner of the State of California,
27 acting in his official capacity as such and not otherwise,

1 makes this accusation against the respondent.

2 III

3 That on or about April 10, 1975, in Case No.
4 17994, in the Superior Court, in and for the County of
5 Contra Costa, State of California, respondent entered
6 a plea of guilty to Section 653F of the Penal Code,
7 State of California (SOLICITATION TO COMMIT BRIBERY)
8 and was thereafter convicted; that the Court ordered
9 that respondent be admitted to probation and that the
10 imposition of sentence be suspended for a period of two
11 (2) years from the date of the order; that the Court
12 further ordered that respondent comply with the following
13 conditions of probation, among others: That he contribute
14 800 hours of volunteer service in a manner and at a
15 rate to be determined by his probation officer.

16 IV

17 That the crime to which respondent entered
18 his plea of guilty and was convicted, as alleged in
19 Paragraph III above, is a crime involving moral turpitude,
20 and is a crime which is substantially related to the
21 qualifications, functions, and duties of a real estate
22 licensee.

23 V

24 That by reason of the facts as hereinabove
25 alleged, respondent has been guilty of acts constituting
26 grounds for disciplinary action under the provisions of
27 Section 490 and Sections 10177(b) and 10177(f) of the

1 Business and Professions Code of the State of California.

2 WHEREFORE, the complainant prays that the
3 above-entitled Accusation be set for hearing and, upon
4 proof of the charges contained herein, that the Real
5 Estate Commissioner suspend or revoke all licenses and
6 any license rights held by the respondent, and for such
7 other and further relief as may be proper in the premises.

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R. L. ROYCE
Deputy Real Estate Commissioner

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Dated at San Francisco, California

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this 20th day of August, 1975.

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