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**FILED**

NOV 15 2011

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

KATHERINE LINETTE TODD,

No. H-5198 SAC

Respondent.

ORDER GRANTING UNRESTRICTED LICENSE

On May 12, 2009, a Decision was rendered herein denying 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 June 4, 2009, and Respondent has operated as a restricted licensee since that time.

On May 27, 2011, 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

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1 an unrestricted real estate salesperson license and that it would not be against the public interest  
2 to issue said license to Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal of  
4 restrictions is granted and that a real estate salesperson license be issued to Respondent if  
5 Respondent satisfies the following requirements:

6 1. Submits a completed application and pays the fee for a real estate  
7 salesperson license within the 12 month period following the date of this Order; and

8 2. Submits proof that Respondent has completed the continuing education  
9 requirements for renewal of the license sought. The continuing education courses must be  
10 completed either (i) within the 12 month period preceding the filing of the completed  
11 application, or (ii) within the 12 month period following the date of this Order.

12 This Order shall become effective immediately.

13 IT IS SO ORDERED

11/1/11

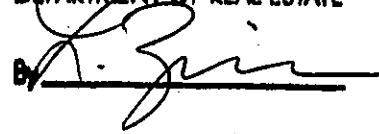
14 BARBARA J. BIGBY  
15 Acting Real Estate Commissioner

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MAY 13 2009

DEPARTMENT OF REAL ESTATE



Department of Real Estate  
P.O. Box 187007  
Sacramento, CA 95818-7007  
Telephone: (916) 227-0789

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

*In the Matter of the Application of*

KATHERINE LINETTE TODD,

Respondent

No. H- 5198 SAC

**STIPULATION AND  
WAIVER**

I, KATHERINE LINETTE TODD, Respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefor.

I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate on APRIL 22, 2009, in connection with my application for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the  
2 issuance to me of an unrestricted real estate salesperson license.

3 I hereby admit that the allegations of the Statement of Issues filed against me are true and correct and  
4 request that the Real Estate Commissioner in his discretion issue a restricted real estate salesperson license  
5 to me under the authority of Section 10156.5 of the Business and Professions Code.

6 I am aware that by signing this Stipulation and Waiver, I am waiving my right to a hearing and the  
7 opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an  
8 unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate  
9 Commissioner. However, I am not waiving my right to a hearing and to further proceedings to obtain a  
10 restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

11 I further understand that the following conditions, limitations, and restrictions will attach to a  
12 restricted license issued by the Department of Real Estate pursuant hereto:

- 13 1. The license shall not confer any property right in the privileges to be exercised including the  
14 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right  
15 to exercise any privileges granted under this restricted license in the event of:
  - 16 a. Respondent's conviction (including a plea of nolo contendere) of a crime which bears a  
17 substantial relationship to Respondent's fitness or capacity as a real estate licensee; or
  - 18 b. The receipt of evidence that Respondent has violated provisions of the California Real  
19 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or  
20 conditions attaching to this restricted license.
- 21 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the  
22 removal of any of the conditions, limitations, or restrictions attaching to the restricted license  
23 until two years have elapsed from the date of issuance of the restricted license to Respondent.
- 24 3. With the application for license, or with the application for transfer to a new employing broker, I  
25 shall submit a statement signed by the prospective employing broker on a form approved by the  
26 Department of Real Estate wherein the employing broker shall certify as follows:  
27

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

6 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and  
7 Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the Department at fax  
8 number (916) 227-9458. Respondent agrees, acknowledges and understands that by electronically sending  
9 to the Department a fax copy of her actual signature as it appears on the Stipulation and Waiver, that receipt  
10 of the faxed copy by the Department shall be as binding on Respondent as if the Department had received  
11 the original signed Stipulation and Waiver.

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13 4.27.09

14 Dated

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KATHERINE LINETTE TODD, Respondent

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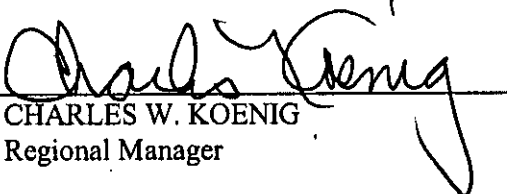
I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to the public 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 KATHERINE LINETTE TODD 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 May 12, 2009.

Jeff Davi  
Real Estate Commissioner

  
CHARLES W. KOENIG  
Regional Manager


1 JOHN VAN DRIEL, Counsel (SBN 84056)  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007

5 Telephone: (916) 227-0787

FILED

APR 22 2009

DEPARTMENT OF REAL ESTATE

By 

6  
7 BEFORE THE DEPARTMENT OF REAL ESTATE  
8 STATE OF CALIFORNIA

9 \* \* \*

10 In the Matter of the Application of  
11 KATHERINE LINETTE TODD,  
12 Respondent.

No. H-5198 SAC

STATEMENT OF ISSUES

13  
14 The Complainant, Charles W. Koenig, a Deputy Real Estate Commissioner of  
15 the State of California, for Statement of Issues against KATHERINE LINETTE TODD (herein  
16 "Respondent"), alleges as follows:

17 I

18 Complainant makes this Statement of Issues in his official capacity.

19 II

20 On or about August 19, 2008, Respondent made application to the Department of  
21 Real Estate of the State of California (herein "the Department") for a real estate salesperson  
22 license.

23 III

24 On or about January 18, 1996, in the Superior Court of San Joaquin, Case Number  
25 MM012618A, Respondent was convicted of a violation of Section 484(a) of the California Penal  
26 Code (Petty Theft), a crime which bears a substantial relationship under Section 2910, Title 10,  
27 California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

IV

Respondent's criminal conviction, as described in Paragraphs III, above, constitutes cause for denial of Respondent's application for a real estate license under Sections 480(a) and 10177(b) of the Code.

WHEREFORE, 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 in the premises.

  
CHARLES W. KOENIG  
Deputy Real Estate Commissioner

Dated at Sacramento, California,  
this 21<sup>st</sup> day of April, 2009.