

FILED
JUN - 2 2011

DEPARTMENT OF REAL ESTATE
By R. Max

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
)
 HUBERT PETER ROTTEVEEL,) H-5556 SAC
)
 Respondent.)
)
 _____)

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 16, 2011, 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 crimes.

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

1

On February 24, 2011, Tricia D. Sommers made the Accusation in her 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, return receipt requested, to Respondent's last known mailing address on file with the Department on March 1, 2011.

On May 16, 2011, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2

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 (the Code) as a real estate salesperson.

3

On or about October 29, 2010, in the Superior Court of the State of California, County of Yolo, Case No. 10-3241, Respondent was convicted of three counts of violating Section 211/212.5(c) of the California Penal Code (Second Degree Burglary) and Section 21a/211/212.5(c)/213(b) of the California Penal Code (Attempted Burglary), all felonies and crimes 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

1

Cause for disciplinary action against Respondent exists with reference to the convictions set out in Paragraph 3, above, pursuant to Business and Professions Code Sections 490 and 10177(b).

2

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

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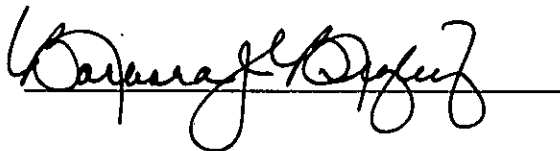
ORDER

All licenses and licensing rights of Respondent HUBERT PETER ROTTEVEEL,
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
JUN 23 2011

DATED: 5/26/11

BARBARA J. BIGBY
Acting Real Estate Commissioner



1 Department of Real Estate
2 P. O. Box 187007
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

FILED
MAY 16 2011

DEPARTMENT OF REAL ESTATE
By *R. Mai*

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

12 * * *

13 In the Matter of the Accusation of)

14 HUBERT PETER ROTTEVEEL,)

15 Respondent.)

No. H-5556 SAC

DEFAULT ORDER

16
17 Respondent, HUBERT PETER ROTTEVEEL, having failed to file a Notice of
18 Defense within the time required by Section 11506 of the Government Code, is now in default.
19 It is, therefore, ordered that a default be entered on the record in this matter.

20 IT IS SO ORDERED MAY 16, 2011.

21 BARBARA J. BIGBY
22 Acting Real Estate Commissioner

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24 By: *Phillip Ihde*

25 PHILLIP IHDE
26 Northern Regional Manager
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FILED
MAR - 1 2011
DEPARTMENT OF REAL ESTATE
By *H. Max*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
) No. H-5556 SAC
HUBERT PETER ROTTEVEEL,)
) ACCUSATION
Respondent.)
)

The Complainant, TRICIA D. SOMMERS, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against HUBERT PETER ROTTEVEEL, (Respondent), is informed and alleges as follows:

1

The Complainant makes this Accusation in her official capacity.

2

Respondent is presently licensed and/or has license rights under the Real Estate Law Part 1 of Division 4 of the Business and Professions Code (the Code) as a real estate salesperson.

3

On or about October 29, 2010, in the Superior Court of the State of California, County of Yolo, Case No. 10-3241, Respondent was convicted of three counts of violating

1 Sections 211/212.5(c) of the California Penal Code (Second Degree Burglary), and one count of
2 violating Sections 21a/211/212.5(c)/213(b) of the California Penal Code (Attempted Burglary),
3 all felonies and crimes which bear a substantial relationship under Section 2910, Title 10,
4 California Code of the Regulations to the qualifications, functions or duties of a real estate
5 licensee.

6 4

7 The facts alleged in Paragraph 3, above, constitute cause under Sections 490
8 (Conviction of Substantially Related Crime) and 10177(b) (Further Grounds for Disciplinary
9 Action- Conviction of Crime) of the Code for suspension or revocation of all licenses and
10 license rights of Respondent under the Real Estate Law.

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

16
17 
18 TRICIA D. SOMMERS
19 Deputy Real Estate Commissioner

20 Dated at Sacramento, California,
21 this 24th day of February, 2011.
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