

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

FILED

SEP 16 2013

BUREAU OF REAL ESTATE
By L. L. L. L.

In the Matter of the Accusation of

REBEKAH SPRING HOEKSTRA,

Respondent.

NO. H-6008 SAC

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 September 12, 2013, 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 August 21, 2013, 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 regular and certified mail, to Respondent's last known mailing address on file with the Bureau on August 21, 2013.

On September 12, 2013, 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.

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 ("Code") as a real estate broker.

On or about December 19, 2012, in the Superior Court of the State of California, County of Sacramento, Case No. 12F06181, Respondent was convicted of violating felony Vehicle Code Section 23152(a) (driving under the influence of alcohol or drugs) and misdemeanor Penal Code Section 148.9(a) (false information to a police officer), convictions which bear a substantial relationship under Section 2910, Title 10, California Code of Regulations ("the Regulations"), to the qualifications, functions, or duties of a real estate licensee.

On or about September 10, 2012, in the Superior Court of the State of California, County of Shasta, Case No. MC RD CRTR12002523, Respondent was convicted of violating Vehicle Code Sections 23152(b) (driving with a blood alcohol level at or above .08%) and 23247(e) (operating a vehicle w/out a functioning interlock device), misdemeanors which bear a substantial relationship under Section 2910, Title 10 of the Regulations, to the qualifications, functions, or duties of a real estate licensee.

On or about September 10, 2012, in the Superior Court of the State of California, County of Shasta, Case No. MC RD CRTR12002552, Respondent was convicted of violating Penal Code Section 148.9(a) (providing false information to a police officer) a misdemeanor which bears a substantial relationship under Section 2910, Title 10 of the Regulations, to the qualifications, functions, or duties of a real estate licensee.

MATTERS IN AGGRAVATION

On or about August 9, 2010, in the Superior Court of the State of California, County of Shasta, Case No. MC RD CRTR100004459, Respondent was convicted of violating Vehicle Code Sections 14601.5(a) (driving on a license suspended or revoked license due to a DUI) and 23247(e) (operating a vehicle w/out a functioning interlock device), misdemeanors which bear a substantial relationship under Section 2910 of the Regulations to the qualifications, functions or duties of a real estate licensee.

On or about May 3, 2010, in the Superior Court of the State of California, County of Shasta, Case No. MC RD CRTR100002362, Respondent was convicted of violating Vehicle Code

Section 23153(b) (driving with a blood alcohol level at or above .08%), a misdemeanor which bears a substantial relationship under Section 2910 of the Regulations to the qualifications, functions or duties of a real estate licensee.

8

On or about December 5, 2008, in the Superior Court of the State of California, County of Shasta, Case No. MC RD CRTR080008348, Respondent was convicted of violating Vehicle Code Sections 23153(b) (driving with a blood alcohol level at or above .08%), 14601.1(a) (driving on a suspended or revoked license) and 23247(e) (operating a vehicle w/out a functioning interlock device), misdemeanors which bear a substantial relationship under Section 2910 of the Regulations to the qualifications, functions or duties of a real estate licensee.

FAILURE TO NOTIFY DEPARTMENT OF CRIMINAL CHARGES

9

A diligent search was made of the records of the Bureau of Real Estate ("Bureau") relating to Respondent's Real Estate Salesperson License No. 01249409. As a result of said search, no record was discovered having been received from Respondent notifying the Bureau, in writing, of any arrest, conviction, indictment or license disciplinary action occurring on or after January 1, 2012.

DETERMINATION OF ISSUES

1

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

2

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Section 10186.2(a)(1)(A), 10186.2(a)(1)(B) and 10186.2(a)(2) (failure to report in writing to the Bureau of an indictment or information charging a felony and/or a conviction of any felony or misdemeanor against Respondent within 30 days) of the Code, which constitutes cause under Section 10177(d) (willful disregard or violation the Real Estate Law), for revocation of all licenses and license rights of Respondent under said Real Estate Law.

3

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

3

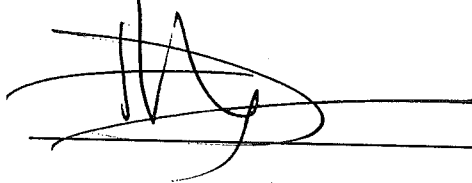
ORDER

All licenses and licensing rights of Respondent REBEKAH SPRING HOEKSTRA,
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 SEP 24 2013.

DATED: SEPTEMBER 13, 2013

REAL ESTATE COMMISSIONER

A handwritten signature in black ink, appearing to be 'JM', is written over a horizontal line.

By: JEFFREY MASON
Chief Deputy Commissioner