

FILED

FEB 09 1999

DEPARTMENT OF REAL ESTATE

By Juan R. Rios

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
RAYMOND LEE,)
Respondent.)

No. H-6283 SF

ORDER GRANTING REINSTATEMENT OF LICENSE

On February 19, 1991, a Decision was rendered herein revoking the real estate salesperson license of Respondent. On May 4, 1998, Respondent petitioned for reinstatement of said real estate salesperson 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 demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an unrestricted real estate salesperson license and that it would not be against the public interest to issue said license to him.

///

1 NOW, THEREFORE, IT IS ORDERED that Respondent's petition
2 for reinstatement is granted and that a real estate salesperson
3 license be issued to him subject to the following understanding
4 and conditions:

5 1. Respondent shall take and pass the real estate
6 salesperson license examination.

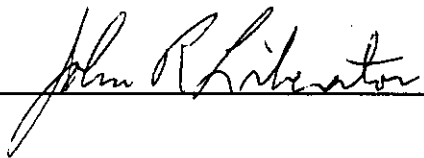
7 2. Submittal of a completed application and payment of
8 the fee for a real estate salesperson license.

9 3. Prior to, and, as a condition of issuance of the
10 real estate salesperson license, Respondent shall submit evidence
11 satisfactory to the Commissioner of successful completion at an
12 accredited institution of two of the courses listed in Section
13 10153.2 of the Code, other than real estate principles, advanced
14 legal aspects of real estate, advanced real estate finance or
15 advanced real estate appraisal.

16 This Order shall become effective immediately.

17 DATED: January 15, 1999.

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19 JOHN R. LIBERATOR
20 Acting Real Estate Commissioner

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FILED
DEC 30 1994

DEPARTMENT OF REAL ESTATE

By *Lynda Montiel*
Lynda Montiel

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
RAYMOND LEE,) No. H-6283 SF
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On February 19, 1991, a Decision was rendered herein
revoking the real estate salesperson license of Respondent. On
April 26, 1994, Respondent petitioned for reinstatement of said
real estate salesperson 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
demonstrated to my satisfaction that Respondent meets the
requirements of law for the issuance to Respondent of an
unrestricted real estate salesperson license and that it would
not be against the public interest to issue said license to him.

1 NOW, THEREFORE, IT IS ORDERED that Respondent's
2 petition for reinstatement is granted and that a real estate
3 salesperson license be issued to him subject to the following
4 understanding and conditions:

5 1. The license issued pursuant to this order shall be
6 deemed to be the first renewal of respondent's real estate
7 salesperson license for the purpose of applying the provisions of
8 Section 10153.4.

9 2. Within six (6) months from the date of this order
10 respondent shall:

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

13 (a) Submit evidence of having taken and successfully
14 completed the courses specified in subdivisions (a) and (b) of
15 Section 10170.5 of the Real Estate Law for renewal of a real
16 estate license.

17 3. Upon renewal of the license issued pursuant to this
18 order, respondent shall submit evidence of having taken and
19 successfully completed the continuing education requirements of
20 Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a
21 real estate license.

22 4. Prior to, and, as a condition of issuance of the
23 real estate salesperson license, Respondent shall submit evidence
24 satisfactory to the Commissioner of successful completion at an
25 accredited institution of two of the courses listed in Section
26 10153.2 of the Code, other than real estate principles, advanced

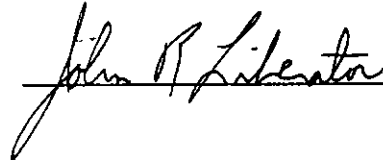
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1 legal aspects of real estate, advanced real estate finance or
2 advanced real estate appraisal.

3 This Order shall become effective immediately.

4 DATED: December 21, 1994

5 JOHN R. LIBERATOR
6 Interim Commissioner

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FILED

MAR 30 1993

DEPARTMENT OF REAL ESTATE

By Maria J. [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
RAYMOND LEE,)
Respondent.)

No. H-6283 SF

ORDER GRANTING REINSTATEMENT OF LICENSE

On February 19, 1991, a Decision was rendered herein revoking the real estate salesperson license of Respondent. On April 1, 1992, Respondent petitioned for reinstatement of said real estate salesperson 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 demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an

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

3 NOW, THEREFORE, IT IS ORDERED that Respondent's
4 petition for reinstatement is granted and that a real estate
5 salesperson license be issued to him subject to the following
6 understanding and conditions:

7 1. The license issued pursuant to this order shall be
8 deemed to be the first renewal of respondent's real estate
9 salesperson license for the purpose of applying the provisions of
10 Section 10153.4.

11 2. Within six (6) months from the date of this order
12 respondent shall:

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

15 (b) Submit evidence of having taken and successfully
16 completed the courses specified in subdivisions (a) and (b) of
17 Section 10170.5 of the Real Estate Law for renewal of a real
18 estate license.

19 3. Upon renewal of the license issued pursuant to this
20 order, respondent shall submit evidence of having taken and
21 successfully completed the continuing education requirements of
22 Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a
23 real estate license.

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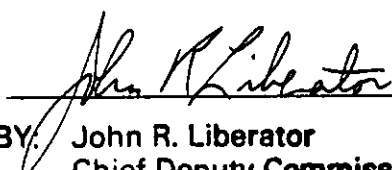
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1 4. Prior to, and, as a condition of issuance of the
2 real estate salesperson license, Respondent shall submit evidence
3 satisfactory to the Commissioner of successful completion at an
4 accredited institution of two of the courses listed in Section
5 10153.2 of the Code, other than real estate principles, advanced
6 legal aspects of real estate, advanced real estate finance or
7 advanced real estate appraisal.

8 This Order shall become effective immediately.

9 DATED: March 19, 1993

10 CLARK WALLACE
11 Real Estate Commissioner

12 
13 BY: John R. Liberator
14 Chief Deputy Commissioner

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FILED
MAR 05 1991

DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

By Lynda Montiel
Lynda Montiel

In the Matter of the Accusation of) No. H- 6283 SF
)
)
RAYMOND LEE,) OAH-N- 36762
)
)
Respondent.)

DECISION

The Proposed Decision dated February 1, 1991, 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.

This Decision shall become effective at 12 o'clock noon on March 25th, 1991.

IT IS SO ORDERED February 19, 1991.

JOHN R. LIBERATOR
Chief Deputy Real Estate Commissioner

John R. Liberator

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation	)	
of:	)	Case No. H-6283 SF
	)	
RAYMOND LEE,	)	OAH No. N 36762
	)	
	)	
Respondent.	)	

PROPOSED DECISION

Jonathan Lew, Administrative Law Judge, Office of Administrative Hearings, heard this matter on January 24, 1991 at San Francisco, California.

Deidre L. Johnson, Counsel, represented Complainant.

There was no appearance by or on behalf of Respondent Raymond Lee.

FINDINGS OF FACT

I

Complainant Edward V. Chiolo, a Deputy Real Estate Commissioner of the State of California, made the accusation in his official capacity and not otherwise.

II

Compliance with Government Code section 11505 and 11509 was established. The matter proceeded in default under Government Code section 11520.

III

Respondent was issued a conditional real estate salesperson license on July 21, 1989. The conditional license expired January 21, 1991. Respondent was required to complete and to file proof of completion of educational requirements under the Business and Professions Code within eighteen months of issuance of the conditional license. His real estate salesperson license otherwise expires on July 20, 1993.

IV

In response to Question 25 of Respondent's application for a real estate salesperson license, which states, "Have you

ever been convicted of any violation of Law? (You may omit any traffic violation where the disposition was a fine and the amount was \$100.00 or less.)," Respondent answered, "NO."

Respondent's answer to Question 25 was false and was known by Respondent to be false, in that on January 12, 1989, in the Municipal Court for the City and County of San Francisco, Respondent was convicted, on a plea of Nolo Contendere, of violation of sections 484(a) and 490.5 of the California Penal Code (Petty Theft). This is a crime involving moral turpitude and one that is substantially related to the qualifications, functions or duties of a real estate licensee.

V

It was determined during the criminal investigation of Respondent that on November 15, 1988, while shopping at Nordstroms, Respondent took a leather jacket and walked off the premises without paying for it.

DETERMINATION OF ISSUES

I

Cause for suspension or revocation of all licenses and license rights of Respondent under sections 490 and 10177(b) of the Business and Professions Code is established by reason of Findings IV and V.

II

Cause for suspension or revocation of all licenses and license rights of Respondent under section 480(c) and 10177(a) of the California Business and Professions Code is established by reason of Finding IV.

ORDER

All licenses and licensing rights of Raymond Lee under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code, are revoked.

DATED: February 1, 1991


JONATHAN LEW
Administrative Law Judge

JL:wc

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

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DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

RAYMOND LEE,

By

Victoria Dillon
Victoria Dillon

Case No. H-6283 SF

OAH No. N36762

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at
OFFICE OF ADMINISTRATIVE HEARINGS, State Building
455 Golden Gate Avenue, Rm 2248, San Francisco, CA 94102

on the 24th day of January, 19 91, at the hour of 9:00 a.m., or as soon thereafter
as the matter can be heard, upon the Accusation served upon you. (2 hr. hearing)

You may be present at the hearing, and you may be represented by counsel, but you are neither required to be present at the hearing nor to be represented by 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.

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. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

DEPARTMENT OF REAL ESTATE

Dated: November 7, 1990

By

Deidre L. Johnson
DEIDRE L. JOHNSON,

Counsel

Jul

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DEIDRE L. JOHNSON, Counsel
Department of Real Estate
185 Berry Street, Room 5816
San Francisco, California 94107-1770
(415) 557-3220

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DEPARTMENT OF REAL ESTATE

By Victoria Dillon

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
RAYMOND LEE,)
Respondent.)

NO. H-6283 SF
ACCUSATION

The Complainant, EDWARD V. CHILOLO, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against RAYMOND LEE (hereinafter Respondent), is informed and alleges as follows:

I

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 (hereinafter Code) as a real estate salesperson subject to Section 10153.4 of the Code, and said license will expire on July 20, 1993.

II

The Complainant, EDWARD V. CHILOLO, a Deputy Real Estate Commissioner of the State of California, makes this

1 Accusation against Respondent in his official capacity.

2 III

3 On or about January 12, 1989, in the Municipal Court
4 for the City and County of San Francisco, State of California,
5 Respondent was convicted of violation of Section 484(a) - 490.5
6 of the California Penal Code (PETTY THEFT), a crime involving
7 moral turpitude which is substantially related under Section
8 2910, Title 10, California Code of Regulations to the
9 qualifications, functions or duties of a real estate licensee.

10 IV

11 The facts alleged above constitute cause under
12 Sections 490 and 10177(b) of the Code for suspension or
13 revocation of all licenses and license rights of Respondent
14 under the Real Estate Law.

15 V

16 In response to Question 25 of said application, to
17 wit: "Have you ever been convicted of any violation of Law?,"
18 Respondent answered "No."

19 VI

20 Respondent's failure to reveal the conviction set
21 forth in Paragraph V above in said application constitutes the
22 attempt to procure a real estate license by fraud,
23 misrepresentation, or deceit, or making a material misstatement
24 of fact in said application, which failure is cause for denial
25 of Respondent's application for a real estate license under
26 Section 480(c) and 10177(a) of the California Business and
27 Professions Code.

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

8
9 *Edward V. Chio*

10 EDWARD V. CHIOLO
11 Deputy Real Estate Commissioner

12 Dated at San Francisco, California

13 this 16th day of FEBRUARY, 1990.
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