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FILED
MAY - 8 2002

DEPARTMENT OF REAL ESTATE

By *Kathleen Conteras*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	
ALBERT JOHN ISOLA,)	NO. H-7530 SF
)	
Respondent.)	
)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On May 12, 1998, 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 20, 1998.

On October 30, 2001, 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 evidence and arguments in support thereof including Respondent's record as a restricted licensee. Respondent has demonstrated to

1 my satisfaction that Respondent meets the requirements of law for
2 the issuance to Respondent of an unrestricted real estate broker
3 license and that it would not be against the public interest to
4 issue said license to Respondent.

5 NOW, THEREFORE, IT IS ORDERED that Respondent's
6 petition for reinstatement is granted and that a real estate
7 broker license be issued to Respondent, if Respondent satisfies
8 the following conditions within nine months from the date of this
9 Order:

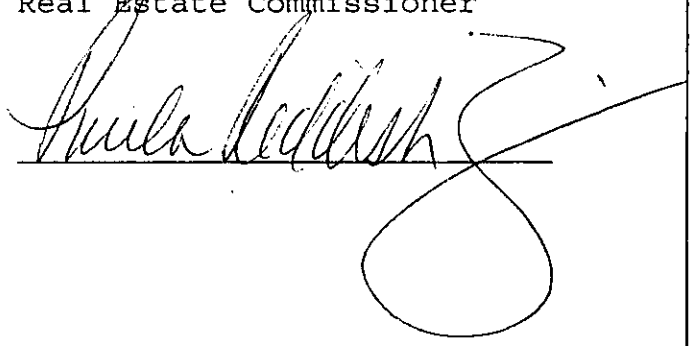
10 1. Submittal of a completed application and payment of
11 the fee for a real estate broker license.

12 2. Submittal of evidence of having, since the most
13 recent issuance of an original or renewal real estate license,
14 taken and successfully completed the continuing education
15 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
16 for renewal of a real estate license.

17 This Order shall be effective immediately.

18 DATED: April 30, 2002.

21 PAULA REDDISH ZINNEMANN
22 Real Estate Commissioner

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FILED
JUL 10 1998
DEPARTMENT OF REAL ESTATE

By Laurie A. Ziss

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-7530 SF
ALBERT JOHN ISOLA,)	OAH No. N-1998020353
Respondent.)	

ORDER DENYING RECONSIDERATION

On May 12, 1998, a Decision was rendered in the above-entitled matter. The Decision is to become effective July 10, 1998.

On June 2, 1998, Respondent petitioned for reconsideration of the Decision of May 12, 1998.

I have given due consideration to the petition of Respondent. I find no good cause to reconsider the Decision of May 12, 1998 and reconsideration is hereby denied.

IT IS HEREBY ORDERED 7/8, 1998.

JIM ANTT, JR.
Real Estate Commissioner

Jm Antt Jr

FILED
JUNE 8 1998
DEPARTMENT OF REAL ESTATE

By Laurie A. Zos

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	NO. H-7530 SF
ALBERT JOHN ISOLA,)	
)	OAH NO. N-1998020353
Respondent.)	

ORDER STAYING EFFECTIVE DATE

On May 12, 1998, a Decision was rendered in the above-entitled matter to become effective June 10, 1998.

IT IS HEREBY ORDERED that the effective date of the Decision of the Real Estate Commissioner of May 12, 1998, is stayed for a period of thirty (30) days.

The Decision of the Real Estate Commissioner of May 12, 1998, shall become effective at 12 o'clock noon on July 10, 1998.

DATED: May 8, 1998

JIM ANTT, JR.
Real Estate Commissioner

John R. Liberton

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
ALBERT JOHN ISOLA,) Case No. H-7530 SF
)
Respondent.) OAH No. N 1998020353
_____)

PROPOSED DECISION

This matter was heard before Cheryl R. Tompkin, Administrative Law Judge, Office of Administrative Hearings, State of California, on March 19, 1998 in Oakland, California.

Complainant was represented by James L. Beaver, Counsel.

Respondent Albert John Isola appeared and was represented by David M. Sternberg and Heidi Coad-Hermelin, Attorneys at Law, 111 Pine Street, Suite 1300, San Francisco, California 94111.

FINDINGS OF FACT

1. Complainant Les R. Bettencourt made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California.
2. Albert John Isola (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) as a real estate broker. Respondent's license was in full force and effect at all times pertinent to this matter.

3. On August 20, 1997, in the Municipal Court of the State of California for the County of Alameda, respondent was convicted, upon a plea of no contest, of violation of Penal Code section 538d (fraudulent personation of a peace officer),¹ a misdemeanor which, under the facts and the circumstances of the crime, involved moral turpitude and is substantially related to the qualifications, functions or duties of a real estate licensee under Title 10, California Code of Regulations section 2910.

Respondent was placed on 3 years probation on condition he serve 90 days in county jail and pay a \$100 fine. He was also ordered not to own, use or possess any dangerous weapon and to destroy his weapon and badge. Respondent has no prior convictions.

4. The facts and circumstances of the conviction are as follows: In or around October or November 1996 respondent hired Bradley Hendershott, a man he had met approximately a week earlier, to perform general repairs on his rental property. In December 1996 respondent fired Hendershott. Hendershott subsequently began making annoying and threatening telephone calls to respondent. On December 16, 1996, respondent filed a police report with the San Leandro Police Department in which he stated he had received "two threatening phone calls from an ex-business associate Brad Hendershott" on December 14, 1996. Respondent told police Hendershott felt he was entitled to payment of \$1,000 from a past job and that he had threatened to ruin respondent's world if he did not get the money. Respondent denied owing any money. Respondent filed the annoying telephone calls/extortion report for informational purposes only.

On December 29, 1996, Hendershott filed a police report with the Alameda County Sheriff's Department (Sheriff's Department). Hendershott alleged respondent was searching for him and had identified himself as a detective with the Sheriff's Department to the managers of two trailer parks where Hendershott had previously lived. Hendershott stated respondent had threatened to kill him or to have respondent's friends from the Sheriff's Department kill him if Hendershott told anyone they had been involved in a homosexual relationship. Hendershott also indicated he had worked for respondent

¹ Respondent pled no contest to the third count of the criminal complaint which alleged that on or about February 7, 1997, respondent violated Penal Code section 538d in that he "did unlawfully and wilfully wear, exhibit and use a badge which so resembled the authorized badge of a peace officer as would deceive an ordinary reasonable person into believing that it was authorized for the use of one who by law is given the authority of a peace officer." Respondent also pled no contest to a violation of Penal Code section 12031, subdivision (a) (carrying a loaded firearm in a public place). However, this violation was not pled as a basis for discipline in the accusation.

for a while, but when he ended his homosexual relationship with respondent, respondent fired him and refused to pay him \$1,000 owed in back pay. Hendershott claimed he feared retaliation from respondent and seemed to believe respondent could influence the Sheriff's Department to harm him.

Respondent was employed as a volunteer reserve sheriff with the Sheriff's Department from 1975 to 1990, when he retired. Upon retiring respondent filed an incident report stating the large sheriff's badge and identification card he used while on active duty had been lost or misplaced, but that he would return them if they were found. Respondent received a small retirement badge and a retirement identification card from the Sheriff's Department when he retired.

On December 31, 1996, respondent admitted to the San Leandro Police that on three separate occasions he used his badge to enter businesses in San Leandro in an attempt to locate Hendershott. The manager of a mobile home park located in San Leandro told sheriff deputies a Hispanic male, who identified himself as a deputy sheriff and showed a badge, and two white males had come by looking for Hendershott.

On February 7, 1997, the Alameda County Sheriff's Department executed a search warrant against respondent at his place of business. A search of respondent's office yielded a pair of brass knuckles, a pair of handcuffs, a black sap, a black wallet containing a small "retired" lieutenant reserve badge and retired reserve Alameda County Sheriff's Department Identification card, and [stolen] credit cards, a social security card and a driver license all in the name of Yolanda Barbosa. A search of respondent's car yielded, inter alia, syringes, a canister of chemical mace, a 9 mm Smith and Wesson handgun loaded with a clip containing 12 bullets, the large sheriff's badge and identification card respondent had reported missing upon his retirement and [stolen] credit cards and a driver license in the name of Derek Nereu.

5. When interviewed by deputy sheriffs following his arrest respondent claimed he was searching for Hendershott to recover tools Hendershott had taken when their business relationship ended. Respondent indicated he had gone to three locations during his search. Respondent maintained he always identified himself as a "retired Reserve Lieutenant" and that he believed he had only shown his small badge at two locations. However, he admitted it was possible he had shown the larger (active duty) badge during his search for Hendershott. Respondent admitted finding the larger badge and identification about a year after he retired. Respondent stated he used his reserve status and badge to obtain cooperation in locating Hendershott but denied he told anyone he was conducting an investigation. Respondent also denied having a homosexual relationship with Hendershott, but admitted writing a letter to Hendershott in which he

admitted being "an alcoholic, a drug user and a faggot." Respondent indicated he had the brass knuckles, black sap and loaded gun as protection against Hendershott. Respondent claimed he found the stolen credit cards and identification. He denied stealing them.

6. At the hearing on this matter respondent explained he had fired Hendershott because Hendershott was abusing drugs and alcohol, lied to respondent, and was not doing the work he was hired to do. Hendershott then began threatening respondent, his family and employees. Respondent claims he contacted the police numerous times but they were unable to do anything because they did not know Hendershott's whereabouts. Respondent also claims he sought but was unable to obtain a restraining order against Hendershott, and that he was advised by police to get a gun for his office. According to respondent, it was at this point he decided to try to locate Hendershott so that the police could arrest him. Respondent felt his family was being terrorized by Hendershott and he wanted to end Hendershott's threats. Respondent admits, however, that he never filed a formal complaint against Hendershott.

Respondent denies he was looking for Hendershott to recover his tools. He also denies knowing he had the large (active duty) sheriff's badge and identification in his car, denies ever showing the large badge to any third party, or that he ever threatened Hendershott. Respondent claims he only showed his small "retired" lieutenant reserve badge to one manager of a mobile home park and that he only had one of his real estate employees accompany him as a "witness." Respondent also claims he took the stolen credit cards and identifications from Hendershott so Hendershott could not continue to misuse them. Respondent acknowledges there are inconsistencies between his testimony and his statements to the sheriff deputies, but he explains that during the course of the "eight hour interrogation" he sometimes "just said anything" because he wanted the interrogation to end.

7. With respect to his no contest plea, respondent explains he decided to enter the plea as a means of ending his interaction with Hendershott. He claims he called the Department of Real Estate (Department) twice before entering the plea and was advised each time that a misdemeanor conviction would not impact his broker license. Respondent states he would have gone to trial if he had known his license would be affected.

8. Evelyn Hall is a licensed real estate salesperson. She is currently employed by respondent as a loan officer and was so employed when Hendershott worked for respondent. Hall testified that after Hendershott was fired he would frequently pass in front of the office and shout profanity and threats. On one occasion he burst into the office shouting profanity and acting very "jumpy." The office also began receiving frequent telephone calls where there would only be heavy breathing on the line.

One morning Hall heard a message from Hendershott on the office answering machine in which he threatened to kill respondent's family, rape his daughter and get his employees. Hall felt she was at risk because of Hendershott's threat against respondent's employees. On another morning Hall found an unsigned threatening note on the door. In May 1997 Hall unexpectedly encountered Hendershott in a bank. He started to follow her but got into his van and left when she walked toward a police vehicle. Hall quit her job at Direct Home Loans after this encounter. In February 1998 Hall returned to work at Direct Home Loans.

Hall was present on several occasions in or about December 1996 and early 1997 when respondent called the police and the police responded to the office. She corroborates respondent's claim that the police said they could not do anything unless Hendershott was caught in the office and that the police told respondent it was permissible for him to get a gun for the office.

9. Respondent is married and has two children, ages 16 and 19. He has been licensed as a real estate broker for approximately ten years. Respondent was initially licensed as a real estate salesperson license in 1981 and has earned his living as a real estate licensee since that time. He currently owns and operates Direct Home Loans which employs two people. Prior to obtaining his real estate license respondent was an accountant.

10. Respondent's real estate broker's license has been previously disciplined by the Department. Effective January 14, 1991, respondent's license was suspended for five (5) days pursuant to a stipulation in which respondent admitted cause for disciplinary action existed pursuant to Business and Professions Code section 10177, subdivision (g) (demonstrated negligence or incompetence in performing an act for which a license is required).

DETERMINATION OF ISSUES

1. Respondent contends his crime did not involve moral turpitude because his conviction for "possessing a badge" does not require intent to deceive or defraud. He also contends his conviction is not substantially related to the qualifications, functions or duties of his license because no misrepresentations were made during his search for Hendershott, his statements regarding his status or authority as a peace officer were not

intended to deceive and the crime for which he was convicted does not require fraudulent intent.

Penal Code section 538d bears the heading "Fraudulent personation of peace officer." It provides in pertinent part:

" . . . Any person who wilfully wears, exhibits, or uses . . . any badge, . . . which so resembles the authorized badge . . . of a peace officer as would deceive an ordinary reasonable person into believing that is authorized for the use of . . . a peace officer, is guilty of a misdemeanor."

The clear intent of section 538d is to prevent use of a "look alike" badge to deceive ordinary citizens into believing it is a peace officer badge. If a person *uses* a badge which is likely to deceive another, an intent to deceive can reasonably be inferred. In any event, even if an intent to deceive or defraud is not an essential element of a conviction under section 538d, the circumstances of respondent's conviction establish an intent to deceive or defraud by respondent. An intent to defraud exists where there is an intent to deceive another person for the purpose of gaining some material advantage and the accomplishment of that purpose by a false statement or representation or any other deceptive act. (*Harrington v. Dept. of Real Estate* (1989) 214 Cal.App.3d 394, 401.) In this case respondent repeatedly used his badge to gain access to and information from third parties which would not have otherwise been available to him. Although respondent now maintains he always identified himself as a retired reserve lieutenant, he admitted to sheriff deputies he may have used his active duty badge and identification. Respondent was also always accompanied by a second male when he sought information from ordinary citizens. It is clear from all of the evidence that respondent sought to create the [false] impression he was affiliated with the Sheriff's Department in order to obtain information. This was a deceptive act for his personal benefit. It is therefore determined respondent's crime involved moral turpitude and that it is substantially related to the qualifications, functions or duties of his license.

2. Cause for license discipline exists pursuant to Business and Professions Code sections 490, subdivision (a) and 10177, subdivision (b) by reason of the conviction set forth in Findings 3 and 4.

3. Respondent's conviction appears to have resulted from his efforts to protect himself, his family and his employees during a personal and highly stressful dispute with a former business associate. Although respondent's attempt to downplay his role in using and displaying a badge to obtain information is somewhat troubling, it does not warrant revocation of his license. The events surrounding his conviction

were personal in nature and seem unlikely to recur. His conduct did not injure his clients in any way and respondent has no prior criminal convictions. Nor is there any evidence respondent has been untruthful in any of his previous real estate business transactions. Although respondent was previously disciplined by the Department, it was on the totally unrelated ground of negligence or incompetence and over seven years have passed since imposition of the discipline. After considering all of the evidence, it is determined that it would not be against the public interest to permit respondent to continue to hold a broker license upon an appropriately restricted basis.

ORDER

All licenses and licensing rights of Respondent Albert John Isola under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to Respondent pursuant to section 10156.5 of the Business and Professions Code if Respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of section 10156.6 of that Code:

1. Any restricted real estate license issued to Respondent pursuant to this Decision shall be suspended for thirty (30) days from the date of issuance of said restricted license.
2. Respondent shall, prior to the issuance of the restricted license and as a condition of the issuance of said restricted license, submit proof satisfactory to the Commissioner that he is in compliance with all the terms and conditions of his court probation, including destruction of respondent's weapon and badge and timely payment of the fine imposed by the court.

If Respondent violates the terms or conditions of his court probation, the Commissioner, after giving Respondent notice and an opportunity to be heard, may suspend or revoke Respondent's restricted license for said violation.

3. The restricted license issued to Respondent 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 is substantially related to Respondent's fitness or capacity as a real estate licensee.


4. The restricted license issued to Respondent 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 the restricted license.
5. Respondent shall, within six months from the effective date of this Decision, take and pass the Professional Responsibility Examination administered by the Department including the payment of the appropriate examination fee. If Respondent fails to satisfy this condition, the Commissioner may order suspension of Respondent's license until Respondent passes the examination.
6. Respondent shall, within nine months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.
7. 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 Commissioner shall deem to be appropriate to protect the public interest.

Such reports may include, but shall not be limited to, periodic independent accounting of trust funds in the custody and control of Respondent and periodic summaries of salient information concerning

each real estate transaction in which the Respondent engaged during the period covered by the report.

8. Respondent shall not be eligible to apply for the issuance of unrestricted real estate licenses nor for the removal of any of the conditions, limitations or restrictions of a restricted license until two (2) years have elapsed from the effective date of this Decision.

DATED: 4/17/98



CHERYL R. TOMPKIN
Administrative Law Judge
Office of Administrative Hearings

FILED
MAR - 9 1998

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

By Laurie A. Zinn

In the Matter of the Accusation of

ALBERT JOHN ISOLA,

}

Case No. H-7530 SF

OAH No. _____

Respondent

FIRST AMENDED
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 the
Office of Administrative Hearings, World Savings Tower,
1970 Broadway, Second Floor, Oakland, CA 94612

on Monday, March 16th, 1998, at the hour of 1:30 PM,
or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of
hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten
(10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days
will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You
are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent
yourself without legal 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 and pay his or her costs. The
interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: March 9, 1998

DEPARTMENT OF REAL ESTATE
By James L. Beaver
JAMES L. BEAVER Counsel

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
FEB 4 1998
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of
ALBERT JOHN ISOLA,
Respondent

By Kathleen Contreras

Case No. H-7530 SF

OAH No. _____

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 _____
The Office of Administrative Hearings, World Savings Tower,
1970 Broadway, Second Floor, Oakland, California 94612

on Wednesday -- March 11, 1998, at the hour of 10:00 AM,
or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal 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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: February 3, 1998

By James L. Beaver
JAMES L. BEAVER
Counsel

1 DAVID B. SEALS, Counsel
2 Department of Real Estate
3 P. O. Box 187000
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789

FILED
DEC 29 1997
DEPARTMENT OF REAL ESTATE

By *Juan Luna*

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

12 * * *

13 In the Matter of the Accusation of)
14 ALBERT JOHN ISOLA,) NO. H- 7530 SF
15 Respondent.) ACCUSATION
16)
17)

18 The Complainant, Les R. Bettencourt, a Deputy Real
19 Estate Commissioner of the State of California, for cause of
20 Accusation against ALBERT JOHN ISOLA (hereinafter "Respondent"),
21 is informed and alleges as follows:

22 I

23 Respondent is presently licensed and/or has license
24 rights under the Real Estate Law, Part 1 of Division 4 of the
25 Business and Professions Code (hereinafter "Code") as a real
26 estate broker.

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II

The Complainant, Les R. Bettencourt, a Deputy Real Estate Commissioner of the State of California, makes this Accusation against Respondent in his official capacity.

III

On or about August 20, 1997, in the Municipal Court for the San Leandro - Hayward Judicial District, County of Alameda, State of California, Respondent was convicted of violation of Section 538d of the California Penal Code (Misrepresenting Oneself as Peace Officer), a crime involving moral turpitude which is substantially related under Section 2910, Title 10, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

IV

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

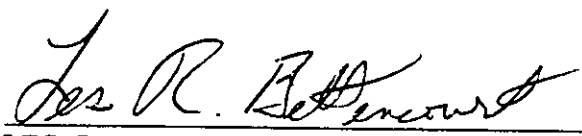
PRIOR DISCIPLINARY ACTION

On December 20, 1990, effective January 14, 1991, in Case No. H-6236 SF, the Real Estate Commissioner suspended the real estate broker license of Respondent ALBERT JOHN ISOLA on specified terms and conditions for violation of Section 10177(g) of the Code.

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



LES R. BETTENCOURT
Deputy Real Estate Commissioner

Dated at San Francisco, California,
this 15th day of December, 1997