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FILED

JUN 21 2008

DEPARTMENT OF REAL ESTATE

By K. May

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of

No. H-7550 SF

LOUIS SARONI III,

Respondent.

ORDER GRANTING REINSTATEMENT OF LICENSE

On July 20, 1998, a Decision was rendered herein revoking the real estate salesperson license of Respondent, 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 November 16, 1998.

On March 14, 2008, 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 said petition.

I have considered the petition of Respondent and the evidence and arguments in support thereof including Respondent's

1 record as a restricted licensee. Respondent has demonstrated to  
2 my satisfaction that Respondent meets the requirements of law for  
3 the issuance to Respondent of an unrestricted real estate  
4 salesperson license and that it would not be against the public  
5 interest to issue said license to Respondent.

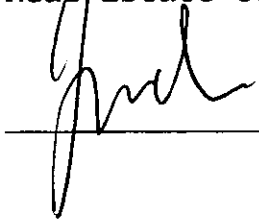
6 NOW, THEREFORE, IT IS ORDERED that Respondent's  
7 petition for reinstatement is granted and that a real estate  
8 salesperson license be issued to Respondent if Respondent  
9 satisfies the following conditions within nine months from the  
10 date of this Order:

11 1. Submits a completed application and payment of the  
12 fee for a real estate salesperson license.

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

18 This Order shall become effective immediately.

19 DATED: 6/18/80.

20 JEFF DAVI  
21 Real Estate Commissioner  
22   
23 \_\_\_\_\_  
24  
25  
26  
27

1 Department of Real Estate  
P. O. Box 187000  
2 Sacramento, CA 95818-7000  
3 Telephone: (916) 227-0789  
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7

FILED  
JUL 24 1998  
DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-7550 SF  
12 LOUIS SARONI III, )  
13 Respondent. )  
14 )  
15 )

STIPULATION AND AGREEMENT

15 It is hereby stipulated by and between LOUIS SARONI  
16 III (Respondent), represented by Bill Fazio, Attorney at Law,  
17 and the Complainant, acting by and through Deidre L. Johnson,  
18 Counsel for the Department of Real Estate, as follows for the  
19 purpose of settling and disposing the Accusation filed on  
20 February 23, 1998, in this matter:

21 1. All issues which were to be contested and all  
22 evidence which was to be presented by Complainant and Respondent  
23 at a formal hearing on the Accusation, which hearing was to be  
24 held in accordance with the provisions of the Administrative  
25 Procedures Act (APA), shall instead and in place thereof be  
26 submitted solely on the basis of the provisions of this  
27 Stipulation and Agreement.



1           2. Respondent has received, read and understands the  
2 Statement to Respondent, and the Discovery Provisions of the APA  
3 filed by the Department of Real Estate in this proceeding.

4           3. On March 4, 1998, Respondent filed his Notice of  
5 Defense pursuant to Section 11505 of the Government Code for the  
6 purpose of requesting a hearing on the allegations in the  
7 Accusation. Respondent hereby freely and voluntarily withdraws  
8 said Notice of Defense. Respondent acknowledges that he  
9 understands that by withdrawing said Notice of Defense he will  
10 thereby waive his right to require the Commissioner to prove the  
11 allegations in the Accusation at a contested hearing held in  
12 accordance with the provisions of the APA, and that he will waive  
13 other rights afforded to him in connection with the hearing such  
14 as the right to present evidence in defense of the allegations in  
15 the Accusation and the right to cross-examine witnesses.

16           4. Respondent, pursuant to the limitations set forth  
17 below, hereby admits that the factual allegations in Paragraphs I  
18 through III of the Accusation filed in this proceeding are true  
19 and correct and the Real Estate Commissioner shall not be required  
20 to provide further evidence of such allegations. A true copy of  
21 the Accusation is attached hereto as Annex A and incorporated  
22 herein by reference.

23           5. It is understood by the parties that the Real Estate  
24 Commissioner may adopt the Stipulation and Agreement as his  
25 decision in this matter thereby imposing the penalty and sanctions  
26 on Respondent's real estate license and license rights as set  
27 forth in the below "Order". In the event that the Commissioner in



1 his discretion does not adopt the Stipulation and Agreement, it  
2 shall be void and of no effect, and Respondent shall retain the  
3 right to a hearing and proceeding on the Accusation under all the  
4 provisions of the APA and shall not be bound by any admission or  
5 waiver made herein.

6 6. The Order or any subsequent Order of the Real Estate  
7 Commissioner made pursuant to this Stipulation and Agreement shall  
8 not constitute an estoppel, merger or bar to any further  
9 administrative or civil proceedings by the Department of Real  
10 Estate with respect to any matters which were not specifically  
11 alleged to be causes for accusation in this proceeding.

12 DETERMINATION OF ISSUES

13 By reason of the foregoing stipulations, admissions and  
14 waivers and for the purpose of settlement of the pending  
15 Accusation as to Respondent without a hearing, it is stipulated  
16 and agreed that the following determination of issues shall be  
17 made:

18 The acts and/or omissions of Respondent LOUIS SARONI III  
19 as stipulated above constitute grounds for the suspension or  
20 revocation of the real estate salesperson license(s) and license  
21 rights of Respondent under the provisions of Sections 490 and  
22 10177(b) of the Business and Professions Code (Code).

23 ORDER

24 A. All real estate license(s) and license rights of  
25 Respondent LOUIS SARONI III are hereby revoked.

26 B. A restricted real estate salesperson license shall  
27 be issued to Respondent pursuant to Section 10156.6 of the Code if



1 he makes application therefor and pays to the Department the  
2 appropriate fee for the restricted license within ninety (90) days  
3 of the effective date of the decision.

4 C. The restricted license issued to Respondent shall be  
5 subject to all of the provisions of Section 10156.7 of the  
6 Business and Professions Code and to the following limitations,  
7 conditions and restrictions imposed under authority of Section  
8 10156.6 of said Code:

9 (1) The restricted license may be suspended prior to hearing by  
10 Order of the Real Estate Commissioner in the event of  
11 Respondent's conviction or plea of nolo contendere to a  
12 crime which bears a substantial relationship to  
13 Respondent's fitness or capacity as a real estate licensee.

14 (2) The restricted license issued to Respondent may be  
15 suspended prior to hearing by Order of the Real estate  
16 Commissioner on evidence satisfactory to the Commissioner  
17 that Respondent has violated provisions of the California  
18 Real Estate Law, the Subdivided Lands Law, Regulations of  
19 the Real Estate Commissioner or conditions attaching to the  
20 restricted license.

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

26 (4) Respondent shall submit with any application for license  
27 under an employing broker, or any application for transfer



1 to an new employing broker, a statement signed by the  
2 prospective employing real estate broker on a form approved  
3 by the Department of Real Estate which shall certify:

4 (a) That the employing broker has read the  
5 Decision of the Commissioner which granted the  
6 right to a restricted license; and

7 (b) That the employing broker will exercise close  
8 supervision over the performance by the  
9 restricted licensee relating to activities for  
10 which a real estate license is required.

11 (5) Respondent shall, within nine (9) months from the effective  
12 date of this Decision, present evidence satisfactory to the  
13 Real Estate Commissioner that Respondent has, since the  
14 most recent issuance of an original or renewal real estate  
15 license, taken and successfully completed the continuing  
16 education requirements of Article 2.5 of Chapter 3 of the  
17 Real Estate Law for renewal of a real estate license. If  
18 Respondent fails to satisfy this condition, the  
19 Commissioner may order the suspension of the restricted  
20 license until the Respondent presents such evidence. The  
21 Commissioner shall afford Respondent the opportunity for  
22 hearing pursuant to the Administrative Procedure Act to  
23 present such evidence.

24 (6) Respondent shall, within six (6) months from the effective  
25 date of this Decision, take and pass the Professional  
26 Responsibility Examination administered by the Department  
27 including the payment of the appropriate examination fee.



1 If Respondent fails to satisfy this condition, the  
2 Commissioner may order suspension of the restricted license  
3 until Respondent passes the examination.  
4

5 DATED: June 16, 1998

Deidre L. Johnson  
6 DEIDRE L. JOHNSON  
7 Counsel for the Complainant

8 \* \* \*

9 I have read the Stipulation and Agreement, understand  
10 that I have the right to consult with counsel, and its terms are  
11 understood by me and are agreeable and acceptable to me. I  
12 understand that I am waiving rights given to me by the California  
13 Administrative Procedure Act, and I willingly, intelligently and  
14 voluntarily waive those rights, including the right of requiring  
15 the Commissioner to prove the allegations in the Accusation at a  
16 hearing at which I would have the right to cross-examine witnesses  
17 against me and to present evidence in defense and mitigation of  
18 the charges.

19 DATED: 6/11/98

Louis Saroni III  
20 LOUIS SARONI III  
21 Respondent

22 APPROVED AS TO FORM:

6/11/98  
23 DATED

Bill Fazio  
24 BILL FAZIO  
25 Attorney for Respondent  
26  
27



\* \* \*

DECISION AND ORDER

The foregoing Stipulation and Agreement is hereby  
adopted as my Decision and Order and shall become effective at 12  
o'clock noon on August 13, 1998.

DATED: 7/20, 1998.

JIM ANTT, JR.  
Real Estate Commissioner



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FILED  
APR 28 1998

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

*Shelly Ely*

In the Matter of the Application of

LOUIS SARONI III

Case No. H-7550 SF

OAH No. \_\_\_\_\_

Respondent

CONTINUED  
NOTICE OF HEARING ON APPLICATION

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, World Savings Tower,  
1970 Broadway, Second Floor, Oakland, California 94612

on Friday -- June 12, 1998, at the hour of 9:30 AM  
or as soon thereafter as the matter can be heard, upon the Statement of Issues 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.

The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

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 for 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: April 28, 1998

By

*Deidre L. Johnson*  
DEIDRE L. JOHNSON

Counsel

FILED  
MAR 19 1998

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

By Laurie A. Zain

In the Matter of the Accusation of

LOUIS SARONI III,

Case No. H-7550 SF

OAH No. \_\_\_\_\_

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 the \_\_\_\_\_

Office of Administrative Hearings, World Savings Tower, 1970 \_\_\_\_\_

Broadway, Second Floor, Oakland, CA 94612 \_\_\_\_\_

on Wednesday, May 13th, 1998, at the hour of 10:30 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: March 19, 1998

By

Deidre L. Johnson  
DEIDRE L. JOHNSON

Counsel

1 DAVID A. PETERS, Counsel (SBN 99528)  
2 Department of Real Estate  
3 P. O. Box 187000  
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789  
6 -or- (916) 227-0781 (Direct)

FILED  
FEB 23 1998  
DEPARTMENT OF REAL ESTATE

*Laurie A. Zain*

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

10 \* \* \*

11 In the Matter of the Accusation of )  
12 LOUIS SARONI III, )  
13 Respondent. )  
14 \_\_\_\_\_ )

No. H-7550 SF  
ACCUSATION

15 The Complainant, Charles W. Koenig, a Deputy Real Estate  
16 Commissioner of the State of California, for cause of Accusation  
17 against LOUIS SARONI III (hereinafter "Respondent"), is informed  
18 and alleges as follows:

19 I

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

24 II

25 The Complainant, Charles W. Koenig, a Deputy Real Estate  
26 Commissioner of the State of California, makes this Accusation  
27 against Respondent in his official capacity.



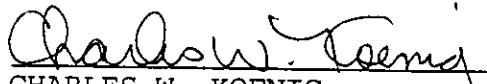
III

On or about March 3, 1995, in the Superior Court of the State of California, City and County of San Francisco, Respondent was convicted of violation of Section 182(a)(1) of the California Penal Code (Criminal Conspiracy), 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.

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 for such other and further relief as may be proper under other provisions of law.

  
CHARLES W. KOENIG  
Deputy Real Estate Commissioner

Dated at San Francisco, California,  
this 23rd day of February, 1998.

