

FILED
APR 25 2000

DEPARTMENT OF REAL ESTATE

By Shelly Ely

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)

WINDELLA IRENETTA WINDOM,)

NO. H-7744 SF

Respondent.)

ORDER DENYING APPLICATION FOR A REAL ESTATE LICENSE

The Real Estate Commissioner, in conformity with Section 10152, Division 4, Business and Professions Code of the State of California, required further proof of the honesty and truthfulness of WINDELLA IRENETTA WINDOM (hereinafter "Respondent"), in connection with Respondent's application for a real estate salesperson license filed on or about May 17, 1999, and in relation thereto, filed a Statement of Issues on September 8, 1999.

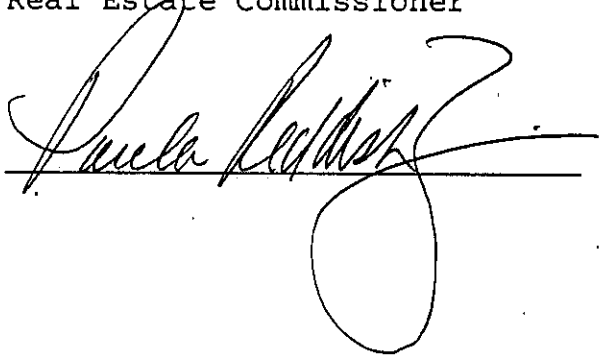
Said Statement of Issues was properly served on Respondent, and Respondent filed a Notice of Defense requesting a hearing. A hearing was set for March 8, 2000 at 1515 Clay Street, Suite 206, Oakland, California commencing at 1:30 PM and

1 Respondent was mailed notice of the time, place and date of said
2 hearing. Respondent failed to appear at said hearing or
3 otherwise establish that she is entitled to the license sought.

4 IT IS THEREFORE ORDERED, pursuant to the authority
5 granted under Section 11520 of the Government Code of the State
6 of California, that the application of WINDELLA IRENETTA WINDOM
7 for a real estate salesperson license is hereby denied.

8 This Order is effective immediately.

9 DATED: March 22, 2000.

10
11 PAULA REDDISH ZINNEBANN
12 Real Estate Commissioner
13
14 
15
16
17
18
19
20
21
22
23
24
25
26
27

FILED
JAN 11 2000

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

By Shelly Ely

In the Matter of the Application of

WINDELLA IRENETTA WINDOM,

Case No. H-7744 SF

OAH No. _____

Respondent

SECOND 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 _____

The Office of Administrative Hearings, the Elihu Harris State

Building, 1515 clay Street, Suite 206, Oakland, CA 94612

on WEDNESDAY--MARCH 8, 2000, at the hour of 1:30 PM,
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: January 11, 2000

By Larry Alamao
LARRY ALAMAO Counsel

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
DEC 29 1999
DEPARTMENT OF REAL ESTATE

By Shelly Ely

In the Matter of the Application of

WINDELLA IRENETTA WINDOM,

Case No. 7744 SF

OAH No. _____

Respondent

FIRST 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 _____

The Office of Administrative Hearings, the Elihu Harris State

Building, 1515 Clay Street, Suite 206, Oakland, CA 94612

on TUESDAY--FEBRUARY 15, 2000, at the hour of 10:30 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.

Dated: DECEMBER 29, 1999

DEPARTMENT OF REAL ESTATE

By David B. Seals

DAVID B. SEALS

Counsel

FILED

OCT - 4 1999

**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

In the Matter of the Application of

WINDELLA IRENETTA WINDOM,

Case No. H-7744 SF

OAH No. _____

Respondent

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 _____

The Office of Administrative Hearings, the Elihu Harris State

Building, 1515 Clay Street, Suite 206, Oakland, CA 94612

on December 28, 1999, at the hour of 1:30 PM,
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: September 30, 1999

By

DAVID B. SEALS

Counsel

1 DEIDRE L. JOHNSON, Counsel
2 State Bar No. 66322
3 Department of Real Estate
4 P. O. Box 187000
5 Sacramento, CA 95818-7000
6
7 Telephone: (916) 227-0789

FILED
SEP 08 1999

DEPARTMENT OF REAL ESTATE

By Jean R. Rums

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 WINDELLA IRENETTA WINDOM,)
13 Respondent.)

NO. H-7744 SF

STATEMENT OF ISSUES

14
15 The Complainant, Les R. Bettencourt, a Deputy Real
16 Estate Commissioner of the State of California, for cause of
17 Statement of Issues against WINDELLA IRENETTA WINDOM, alleges as
18 follows:

19 I

20 WINDELLA IRENETTA WINDOM (hereafter Respondent),
21 pursuant to the provisions of Section 10153.3 of the Business and
22 Professions Code, made application to the Department of Real
23 Estate of the State of California for a real estate salesperson
24 license on or about May 17, 1999, with the knowledge and
25 understanding that any license issued as a result of said
26 application would be subject to the conditions of Section 10153.4
27 of the Business and Professions Code.

1 II

2 The Complainant, Les R. Bettencourt, a Deputy
3 Real Estate Commissioner of the State of California, makes
4 this Statement of Issues in his official capacity and not
5 otherwise.

6 III

7 On or about June 18, 1998, in the Superior Court of
8 the State of California, Contra Costa County, Respondent was
9 convicted of a violation of Section 10980(c) of the California
10 Welfare and Institutions Code (WELFARE FRAUD), a crime involving
11 moral turpitude and a crime which bears a substantial
12 relationship under Section 2910, Title 10, California Code of
13 Regulations, to the qualifications, functions or duties of a real
14 estate licensee.

15 IV

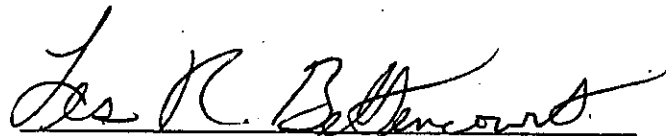
16 On or about June 18, 1998, in the Superior Court of
17 the State of California, Contra Costa County, Respondent was
18 convicted of a violation of Section 475a of the California Penal
19 Code (POSSESSION OF CHECK WITH INTENT TO DEFRAUD), a crime
20 involving moral turpitude and a crime which bears a substantial
21 relationship under Section 2910, Title 10, California Code of
22 Regulations, to the qualifications, functions or duties of a real
23 estate licensee.

24 V

25 The crimes of which Respondent was convicted as alleged
26 in Paragraphs III and IV above constitute cause, jointly and
27 severally, for denial of Respondent's application for a real

1 estate license under Sections 480(a) and 10177(b) of the
2 California Business and Professions Code.

3 WHEREFORE, the Complainant prays that the above-
4 entitled matter be set for hearing and, upon proof of the charges
5 contained herein, that the Commissioner refuse to authorize the
6 issuance of, and deny the issuance of, a real estate salesperson
7 license to Respondent, and for such other and further relief as
8 may be proper in the premises.

9
10
11
12 

13 LES R. BETTENCOURT
14 Deputy Real Estate Commissioner

15 Dated at Oakland, California
16 this 26th day of August, 1999.