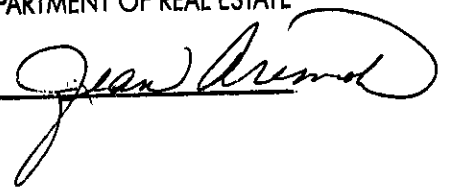


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FILED

JAN 11 2008

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	No. H-8028 SF
KATHLEEN THERESA RANA,)
Respondent.)

ORDER GRANTING UNRESTRICTED LICENSE

On October 7, 2002, a Decision was rendered herein denying the Respondent's application for real estate salesperson license, 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 27, 2002, and Respondent has operated as a restricted licensee since that time.

On November 14, 2006, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

I have considered Respondent's Petition and the evidence submitted 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 removal of restrictions is granted and that a real
8 estate salesperson license be issued to Respondent if, within
9 nine (9) months from the date of this order, Respondent shall:

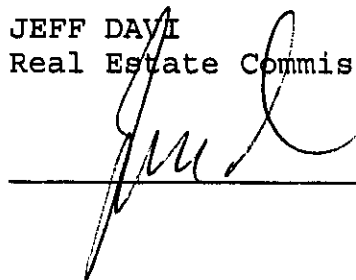
10 (a) Submit a completed application and pay the
11 appropriate fee for a real estate salesperson license, and

12 (b) Submit evidence of having taken and successfully
13 completed the continuing education requirements of Article 2.5 of
14 Chapter 3 of the Real Estate Law for renewal of a real estate
15 license.

16 This Order shall become effective immediately.

17 IT IS SO ORDERED 1-8-89

18 JEFF DAVIS
19 Real Estate Commissioner

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FILED
NOV - 4 2002

DEPARTMENT OF REAL ESTATE

By *Kathleen Contreras*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	CASE NO. H-8028 SF
)	
KATHLEEN THERESA RANA,)	OAH NO. N-2002020010
)	
Respondent.)	

STIPULATION AND AGREEMENT
AND
DECISION AFTER REJECTION

The California Department of Real Estate filed a Statement of Issues against KATHLEEN THERESA RANA (hereafter Respondent) on December 18, 2001. On April 10, 2002, a hearing was held and evidence was received, the record was closed, and the matter was submitted. Deidre Johnson, Counsel, represented Complainant Les R. Bettencourt, a Deputy Real Estate Commissioner of the State of California. Seth P. Chazin, Esq., represented Respondent.

On April 24, 2002, the Proposed Decision of the Administrative Law Judge was rendered, and determined, among other things, that Respondent's application for a real estate

1 salesperson license should be denied with the right to a
2 restricted salesperson license on specified terms, conditions,
3 and restrictions.

4 On June 20, 2002, the Commissioner rejected the
5 Proposed Decision of April 24, 2002.

6 The parties wish to settle this matter without further
7 proceedings.

8 IT IS HEREBY STIPULATED by and between Respondent
9 KATHLEEN THERESA RANA, represented by Seth P. Chazin, Attorney
10 at Law, and the Complainant, acting by and through Deidre L.
11 Johnson, Counsel for the Department of Real Estate, as follows
12 for the purpose of settling and disposing of the Statement of
13 Issues filed by Complainant.

14 1. It is understood by the parties that the Real
15 Estate Commissioner may adopt this Stipulation and Agreement as
16 her decision in this matter, thereby imposing the penalty and
17 sanctions on Respondent's application for a real estate license
18 as set forth in the below "Decision and Order". In the event
19 the Commissioner in her discretion does not adopt the
20 Stipulation and Settlement, the Stipulation shall be void and of
21 no effect; the Commissioner will review the transcript and the
22 evidence in the case, and will issue her Decision after
23 Rejection as her Decision in this matter.

24 2. By reason of the foregoing and solely for the
25 purpose of settlement of the Statement of Issues without further
26 administrative proceedings, it is stipulated and agreed that the
27 following shall be adopted as the Commissioner's Decision:

1 FACTUAL FINDINGS

2 1. Official Notice is taken that Les R. Bettencourt
3 made the Statement of Issues in his official capacity as a Deputy
4 Real Estate Commissioner of the State of California.

5 2. The Department of Real Estate (the Department) of
6 the State of California received an application from Kathleen
7 Theresa Rana (Respondent) on May 4, 2001, for issuance of a real
8 estate salesperson license. The evidence shows that Respondent
9 has not successfully completed all of the courses required under
10 Business and Professions Code 10153.4.¹

11 3. On February 1, 1999, in the Superior and Municipal
12 Court, County of Sacramento, State of California, Respondent was
13 convicted on her plea of guilty of violating Penal Code section
14 484(a) (Theft), a misdemeanor and a crime involving moral
15 turpitude.

16 4. Imposition of sentence was suspended, and
17 Respondent was admitted to three years court probation on
18 condition, among others, that she pay a \$100 assessment fee and
19 serve 10 days in jail. A work program was recommended.

20 5. Respondent's explanation for what occurred strains
21 credulity. She testified she took her eleven-year-old daughter
22 and her two friends to a shopping mall. On arrival, the girls
23 wanted to do their own shopping. She agreed to meet them in two
24 hours at a J.C. Penney store. On arrival there, her daughter was
25 not present but her two friends were. They told Respondent her
26

27 ¹ All statutory references are to said Code unless otherwise noted.

1 daughter was upstairs. They stated they would get her if
2 Respondent would exchange some sleepers they had for different
3 sizes. Respondent agreed to do so. When the girls left,
4 Respondent took the sleepers to a register and asked for the
5 exchange. Though she was unable to provide a receipt when
6 requested, the clerk allowed the exchange. Respondent then left
7 the store to look for her daughter and her friends. She was
8 apprehended by a loss prevention employee outside the store.
9 Respondent insists she was unaware her daughter's friends had
10 stolen the merchandise. When they admitted this to her, she
11 agreed not to tell their parents.

12 6. This explanation is slightly different from the
13 written one received by the Department on October 19, 2001. In
14 that document, Respondent indicated that the two girls had asked
15 Respondent to exchange the sleepers for different colors, not
16 sizes, and when Respondent was unable to provide a receipt at the
17 register, she gave the salesclerk the girls' names and signed the
18 names on the sales slip. She then located her daughter's two
19 friends, but not her daughter, so they walked out of the store to
20 find her.

21 7. Respondent has successfully completed her period
22 of probation. Her petition for relief under Penal Code section
23 1203.4 was granted on March 11, 2002. Respondent made restitution
24 to J.C. Penney in the amount of \$200 and performed community
25 service work two days per week for six weeks. She has been
26 licensed by the California Department of Social Services as a child
27 care provider since 1997. She donated blood at the Red Cross

1 after the September 11, 2001, World Trade Center incident in
2 Manhattan, and performs volunteer work regularly at her
3 children's school.

4 8. Respondent has been married for 27 years and has
5 four children ages 24, 15, 9, and 8. She describes her marriage
6 as stable. She completed a three-month real estate course at
7 Anthony Schools.

8 9. Respondent submitted several letters from friends
9 attesting to her good moral character. There was also evidence
10 to show that she has entered into psychotherapy and completed her
11 intake on March 28, 2002. She has been employed doing clerical
12 work on a part-time basis for the past year for a licensed real
13 estate broker, who has indicated a willingness to act as her
14 sponsoring broker.

15 10. Official Notice is taken of Title 10, California
16 Code of Regulations (CCR), sections 2910 and 2911.

17 LEGAL CONCLUSIONS

18 1. Respondent was convicted of a crime that is related
19 substantially to the duties, qualifications, or functions of a
20 licensed real estate salesperson (CCR, tit. 10, §2910). Cause
21 for denial exists under sections 480(a) and 10177(b).

22 2. In determining whether Respondent has established
23 sufficient rehabilitation to warrant the issuance of a restricted
24 license, the following factors have been considered:

25 a. Three years have elapsed since Respondent's
26 conviction.

27 b. Respondent made restitution to J.C. Penney.

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- c. The conviction has been expunged.
- d. Respondent successfully completed probation.
- e. Respondent paid all court ordered fines and assessments.
- f. Since her conviction, Respondent has maintained a stable family life and fulfillment of parental and familial responsibilities.
- g. Respondent completed her training for taking the real estate salesperson examination following her conviction.
- h. Respondent has shown significant volunteer involvement in her children's school.
- i. Respondent has shown sincere remorse for her conduct.

3. Respondent has shown sufficient rehabilitation under Title 10, CCR, section 2911 to warrant issuance of a restricted real estate salesperson license.

ORDER

The application of Respondent KATHLEEN THERESA RANA for a real estate salesperson license is denied; provided, however, a restricted real estate salesperson license shall be issued to Respondent under Section 10156.5. The restricted license issued to the 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 said Code:

1 1. The license shall not confer any property right in
2 the privileges to be exercised, and the Real Estate Commissioner
3 may by appropriate order suspend the right to exercise any
4 privileges granted under this restricted license in the event of:

5 (a) The conviction of Respondent (including a
6 plea of nolo contendere) of a crime which is
7 substantially related to Respondent's fitness
8 or capacity as a real estate licensee; or

9 (b) The receipt of evidence that Respondent has
10 violated provisions of the California Real
11 Estate Law, the Subdivided Lands Law,
12 Regulations of the Real Estate Commissioner,
13 or conditions attaching to this restricted
14 license.

15 2. Respondent shall not be eligible to apply for the
16 issuance of an unrestricted real estate license or the removal
17 of any of the conditions, limitations, or restrictions attaching
18 to the restricted license until two (2) years have elapsed from
19 the date of issuance of the restricted license to Respondent.

20 3. With the application for license, or with the
21 application for transfer to a new employing broker, Respondent
22 shall submit a statement signed by the prospective employing
23 real estate broker on a form RE 552 approved by the Department
24 of Real Estate which shall certify as follows:

25 (a) That the employing broker has read the
26 Decision which is the basis for the issuance
27 of the restricted license; and

1 (b) That the employing broker will carefully
2 review all transaction documents prepared
3 by the restricted licensee and otherwise
4 exercise close supervision over the
5 licensee's performance of acts for which a
6 license is required.

7 4. Respondent's restricted real estate salesperson
8 license is issued subject to the requirements of Section 10153.4,
9 to wit: Respondent shall, within eighteen (18) months of the
10 issuance of the restricted license, submit evidence satisfactory
11 to the Commissioner of successful completion, at an accredited
12 institution, of two of the courses listed in section 10153.2
13 other than real estate principles, advanced legal aspects of real
14 estate, advanced real estate finance, or advanced real estate
15 appraisal. If Respondent fails to timely present to the
16 Department satisfactory evidence of successful completion of the
17 two required courses, the restricted license shall be suspended
18 automatically effective eighteen (18) months after the date of
19 its issuance. Said suspension shall not be lifted unless, prior
20 to the expiration of the restricted license, Respondent has
21 submitted the required evidence of course completion and the
22 Commissioner has given written notice to Respondent of lifting of
23 the suspension.

24 5. Pursuant to Section 10154, if Respondent has not
25 satisfied the requirements for an unqualified license under
26 Section 10153.4, Respondent shall not be entitled to renew the
27 restricted license, and shall not be entitled to the issuance of

1 another license which is subject to Section 10153.4 until
2 four (4) years after the date of the issuance of the preceding
3 restricted license.

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September 17, 2002
DATED

Deidre L. Johnson
DEIDRE L. JOHNSON, Counsel
DEPARTMENT OF REAL ESTATE

* * *

I have read the foregoing Stipulation and Agreement,
and its terms are understood by me and are agreeable and
acceptable to me. I willingly and voluntarily agree to enter
into this Stipulation.

September 10/02
DATED

Kathleen Rana
KATHLEEN THERESA RANA
Respondent

APPROVED AS TO FORM:

9/8/02
DATED

Seth P. Chazin
SETH P. CHAZIN
Counsel for Respondent

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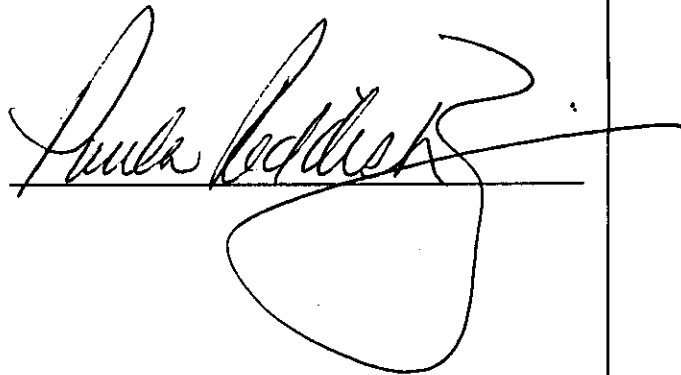
DECISION AND ORDER

The foregoing Stipulation and Agreement is hereby adopted by the Real Estate Commissioner as her Decision After Rejection and Order.

This Decision shall become effective at 12 o'clock noon on November 25, 2002.

IT IS SO ORDERED October 7, 2002.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



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FILED
JUN 20 2002

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	
KATHLEEN THERESA RANA,)	No. H-8028 SF
)	
)	N-2002020010
Respondent.)	
)	

NOTICE

TO: KATHLEEN THERESA RANA, Respondent, and SETH P. CHAZIN, her Counsel.

YOU ARE HEREBY NOTIFIED that the Proposed Decision herein dated April 24, 2002, of the Administrative Law Judge is not adopted as the Decision of the Real Estate Commissioner. A copy of the Proposed Decision dated April 24, 2002, is attached for your information.

In accordance with Section 11517(c) of the Government Code of the State of California, the disposition of this case will be determined by me after consideration of the record herein including the transcript of the proceedings held on April 10,

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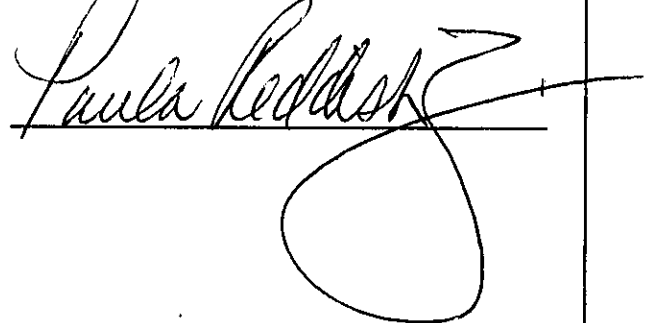
1 2002, and any written argument hereafter submitted on behalf of
2 Respondent and Complainant.

3 Written argument of Respondent to be considered by me
4 must be submitted within 15 days after receipt of the transcript
5 of the proceedings of April 10, 2002, at the Sacramento office of
6 the Department of Real Estate unless an extension of the time is
7 granted for good cause shown.

8 Written argument of Complainant to be considered by me
9 must be submitted within 15 days after receipt of the argument of
10 Respondent at the Sacramento office of the Department of Real
11 Estate unless an extension of the time is granted for good cause
12 shown.

13 DATED: June 5, 2002

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15 PAULA REDDISH ZINNEMANN
16 Real Estate Commissioner

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BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
JUN - 4 2002
DEPARTMENT OF REAL ESTATE
By *Kathleen Contreras*

In the Matter of the Application of
KATHLEEN THERESA RANA,
Respondent.

Case No. H-8028 SF

OAH No. N 2002020010

PROPOSED DECISION

Administrative Law Judge Stewart A. Judson, State of California, Office of Administrative Hearings, heard this matter in Oakland, California, on April 10, 2002.

Deidre Johnson, Counsel, represented complainant Les R. Bettencourt, a Deputy Real Estate Commissioner of the State of California.

Seth P. Chazon, Esq., represented respondent Kathleen Theresa Rana.

The matter was submitted on April 10, 2002.

FACTUAL FINDINGS

1. Official Notice is taken that Les R. Bettencourt made the statement of issues in his official capacity as a Deputy Real Estate Commissioner of the State of California.

2. The Department of Real Estate (the Department) of the State of California received an application from Kathleen Theresa Rana (respondent) on May 4, 2001, for issuance of a real estate salesperson license. The evidence shows that respondent has not successfully completed all of the courses required under Business and Professions Code 10153.4.¹

3. On February 1, 1999, in the Superior and Municipal Court, County of Sacramento, State of California, respondent was convicted on her plea of guilty of

¹ All statutory references are to said Code unless otherwise noted.

violating Penal Code section 484(a) (Theft), a misdemeanor and a crime involving moral turpitude.

4. Imposition of sentence was suspended, and respondent was admitted to three years court probation on conditions, among others, that she pay a \$100 assessment fee and serve 10 days in jail. A work program was recommended.

5. Respondent's explanation for what occurred strains credulity. She testified she took her eleven-year-old daughter and her two friends to a shopping mall. On arrival, the girls wanted to do their own shopping. She agreed to meet them in two hours at a J.C. Penney store. On arrival there, her daughter was not present but her two friends were. They told respondent her daughter was upstairs. They stated they would get her if respondent would exchange some sleepers they had for different sizes. Respondent agreed to do so. When the girls left, respondent took the sleepers to a register and asked for the exchange. Though she was unable to provide a receipt when requested, the clerk allowed the exchange. Respondent then left the store to look for her daughter and her friends. She was apprehended by a loss prevention employee outside the store. Respondent insists she was unaware her daughter's friends had stolen the merchandise. When they admitted this to her, she agreed not to tell their parents.

6. This explanation is slightly different from the written one received by the Department on October 19, 2001. In that document, respondent indicated that the two girls had asked respondent to exchange the sleepers for different colors, not sizes, and when respondent was unable to provide a receipt at the register, she gave the salesclerk the girls' names and signed the names on the sales slip. She then located her daughter's two friends, but not her daughter, so they walked out of the store to find her.

7. Respondent has successfully completed her period of probation. Her petition for relief under Penal Code section 1203.4 was granted on March 11, 2002. Respondent made restitution to J.C. Penney in the amount of \$200 and performed community service work two days per week for six weeks. She has been licensed by the California Department of Social Services as a child care provider since 1997. She donated blood at the Red Cross after the September 11, 2001, World Trade Center incident in Manhattan and performs volunteer work regularly at her children's school.

8. Respondent has been married for 27 years and has four children ages 24, 15, 9 and 8. She describes her marriage as stable. She completed a three-month real estate course at Anthony Schools.

9. Respondent submitted several letters from friends attesting to her good moral character. There was also evidence to show that she has entered into psychotherapy and completed her intake on March 28, 2002. She has been employed doing clerical work on a part-time basis for the past year for a licensed real estate broker, who has indicated a willingness to act as her sponsoring broker.

10. Official Notice is taken of Title 10, California Code of Regulations (CCR), sections 2910 and 2911.

LEGAL CONCLUSIONS

1. Respondent was convicted of a crime that is related substantially to the duties, qualifications or functions of a licensed real estate salesperson (CCR, tit. 10, § 2910). Cause for denial exists under sections 480(a) and 10177(b).

2. In determining whether respondent has established sufficient rehabilitation to warrant the issuance of a restricted license, the following factors have been considered:

- a. Three years have elapsed since respondent's conviction.
- b. Respondent made restitution to J.C. Penney.
- c. The conviction has been expunged.
- d. Respondent successfully completed probation.
- e. Respondent paid all court ordered fines and assessments.
- f. Since her conviction, respondent has maintained a stable family life and fulfillment of parental and familial responsibilities.
- g. Respondent completed her training for taking the real estate salesperson examination following her conviction.
- h. Respondent has shown significant volunteer involvement in her children's school.
- i. Respondent has shown sincere remorse for her conduct.

3. Respondent has shown sufficient rehabilitation under Title 10, CCR, section 2911 to warrant issuance of a restricted real estate salesperson license.

ORDER

Not adopted { Kathleen Theresa Rana's application for a real estate salesperson license is denied; provided, however, a restricted real estate salesperson license shall be issued to respondent under section 10156.5. The restricted license issued to respondent shall be

subject to all of the provisions of section 10156.7 and to the following conditions imposed under section 10156.6:

1. The license shall not confer any property right in the privileges to be executed, and the Real Estate Commissioner may, by appropriate order, suspend the right to exercise any privileges granted under this restricted license in the event of:
 - a) The conviction of respondent (including a plea of nolo contendere) of a crime that is related substantially to respondent's fitness or capacity as a real estate licensee; or
 - b) The receipt of evidence that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner or conditions attaching to this restricted license.
2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license or the removal of any of the conditions attaching to the restricted license until one (1) year has elapsed from the date of issuance of the restricted license to respondent.
3. With the application for license, or with the application for transfer to a new employing broker, respondent shall submit a statement signed by the prospective employing broker on a form approved by the Department that shall certify as follows:
 - a) That the employing broker has read the Decision that is the basis for the issuance of the restricted license; and
 - b) That the employing broker will **carefully** review all transaction documents prepared by the restricted licensee and otherwise exercise **close** supervision over the licensee's performance of acts for which a license is required.
4. Respondent's restricted real estate salesperson license is issued subject to the requirements of section 10153.4, to wit: respondent shall, within eighteen (18) months of the issuance of the restricted license, submit evidence satisfactory to the Commissioner of successful completion, at an accredited institution, of two of the courses listed in section 10153.2 other than real estate principles, advanced legal aspects of real estate, advanced real estate finance or advanced real estate appraisal. If respondent fails to timely present to the Department satisfactory evidence of successful completion of the two required courses, the restricted license shall be suspended automatically effective eighteen (18) months after the date of its

Not adopted

*not
adopted*

issuance. Said suspension shall not be lifted unless, prior to the expiration of the restricted license, respondent has submitted the required evidence of course completion and the Commissioner has given written notice to respondent of lifting of the suspension.

5. Pursuant to section 10154, if respondent has not satisfied the requirements for an unqualified license under section 10153.4, respondent shall not be entitled to renew the restricted license and shall not be entitled to the issuance of another license that is subject to section 10153.4 until four (4) years after the date of issuance of the preceding restricted license.

DATED: April 24, 2002



STEWART A. JUDSON
Administrative Law Judge
Office of Administrative Hearings

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

FILED
JAN 29 2002

DEPARTMENT OF REAL ESTATE

In the Matter of the Application of

KATHLEEN THERESA RANA

By Shelley Ely

Case No. H-8028 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, ELIHU M. HARRIS BUILDING, 1515 CLAY STREET, SUITE 206, OAKLAND, CALIFORNIA 94612 on WEDNESDAY--APRIL 10, 2002, at the hour of 10:30 A.M., 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 Hearing 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 29, 2002

By Deidre L. Johnson
DEIDRE L. JOHNSON, Counsel

1 MICHAEL B. RICH, Counsel
2 State Bar No. 84257
3 Department of Real Estate
4 P. O. Box 187000
5 Sacramento, CA 95818-7000
6
7 Telephone: (916) 227-0789

FILED
DEC 18 2001

DEPARTMENT OF REAL ESTATE

By Shelly Oly

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 KATHLEEN THERESA RANA,)
13 Respondent.)

No. H-8028 SF

STATEMENT OF ISSUES

14
15 The Complainant, LES R. BETTENCOURT, a Deputy Real
16 Estate Commissioner of the State of California, for Statement of
17 Issues against KATHLEEN THERESA RANA (hereinafter "Respondent"),
18 is informed and alleges as follows:

19 I

20 Respondent made application to the Department of Real
21 Estate of the State of California for a real estate salesperson
22 license on or about May 4, 2001, with the knowledge and
23 understanding that any license issued as a result of said
24 application would be subject to the conditions of Section 10153.4
25 of the Business and Professions Code.

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II

Complainant, LES R. BETTENCOURT, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues in his official capacity and not otherwise.

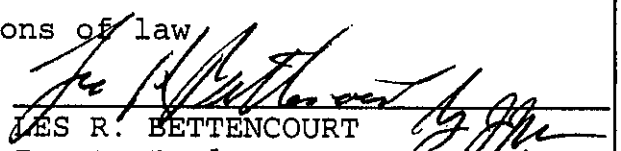
III

On or about February 1, 1999, in the Superior and Municipal Court, County of Sacramento, Respondent was convicted of a violation of Section 484(a) of the California Penal Code (Theft), a misdemeanor involving moral turpitude which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

IV

The crime of which Respondent was convicted, as alleged in Paragraphs III, constitutes cause for denial of Respondent's application for a real estate license under Sections 480(a) and 10177(b) of the California Business and Professions Code.

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to Respondent, and for such other and further relief as may be proper under other provisions of law


LES R. BETTENCOURT
Deputy Real Estate Commissioner

Dated at Oakland, California,
this 7 day of November, 2001.