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MAY 19 2011

DEPARTMENT OF REAL ESTATE

By L. Frost

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

STEPHANIE RENEE HIGHTREE aka
STEPHANIE RENEE WOODS-GONZALEZ,

No. H-8337 SF

Respondent.

ORDER GRANTING REINSTATEMENT OF LICENSE

On June 27, 2003, in Case No. H-8337 SF, a Decision was rendered revoking the real estate salesperson license of Respondent effective August 5, 2003, but granting Respondent the right to the issuance of a restricted salesperson license. No restricted salesperson license was ever issued to Respondent.

On February 20, 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 the petition.

I have considered Respondent's petition and the evidence and arguments in support thereof. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an unrestricted real estate salesperson

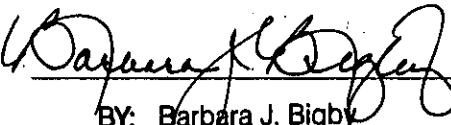
1 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
2 reinstatement is granted and that a real estate salesperson license be issued to Respondent if
3 Respondent satisfies the following conditions within twelve (12) months from the date of this
4 order:

- 5 1. Respondent shall qualify for, take and pass the real estate salesperson
6 license examination.
7 2. Submittal of a completed application and payment of the fee for a real
8 estate salesperson license.

9 This Order shall become effective immediately.

10 DATED: 5/2/11

11 BARBARA J. BIGBY
12 Acting Real Estate Commissioner

13 
14 BY: Barbara J. Bigby

1 Department of Real Estate
2 P. O. Box 187000
3 Sacramento, CA 95818-7000
4
5 Telephone: (916) 227-0789
6
7

FILED
JUL 15 2003

DEPARTMENT OF REAL ESTATE

By Murie B. [Signature]

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of	)	No. H-8337 SF
12 STEPHANIE RENEE HIGHTREE,	)	<u>STIPULATION AND AGREEMENT</u>
13 Respondent.	)	
14	)	

15 It is hereby stipulated by and between STEPHANIE RENEE
16 HIGHTREE (hereinafter "Respondent"), and his attorney of record
17 Ken Koenen and the Complainant, acting by and through David A.
18 Peters, Counsel for the Department of Real Estate, as follows
19 for purpose of settling and disposing of the Accusation filed
20 February 26, 2003, 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 Procedure Act (APA) (Government Code Section 11500 et seq.),
26 shall instead and in place thereof be submitted solely on the
27 basis of the provisions of this Stipulation and Agreement.

H-8337 SF

- 1 -

STIPULATION OF
STEPHANIE RENEE HIGHTREE

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

5 3. On March 27, 2003, Respondent filed his Notice of
6 Defense pursuant to Section 11505 of the Government Code for the
7 purpose of requesting a hearing on the allegations in the
8 Accusation. Respondent hereby freely and voluntarily withdraws
9 her Notice of Defense. Respondent acknowledges that by
10 withdrawing said Notice of Defense she will thereby waive her
11 right to require the Commissioner to prove the allegations in
12 the Accusation at a contested hearing held in accordance with
13 the provisions of the APA and that she will waive other rights
14 afforded to her in connection with the hearing such as the right
15 to present evidence in defense of the allegations in the
16 Accusation and the right to cross-examine witnesses.

17 4. Respondent, pursuant to the limitations set forth
18 below, hereby admits that the factual allegations in the
19 Accusation are true and correct and stipulates and agrees that
20 the Real Estate Commissioner shall not be required to provide
21 further evidence of such allegations.

22 5. It is understood by the parties that the Real
23 Estate Commissioner may adopt the Stipulation and Agreement as
24 her Decision in this matter, thereby imposing the penalty and
25 sanctions on Respondent's real estate license and license rights
26 as set forth in the below "Order". In the event that the
27 Commissioner in her discretion does not adopt the Stipulation

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

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

12 DETERMINATION OF ISSUES

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

17 I

18 The alleged conduct of Respondent, as described in the
19 Accusation, constitutes cause for the suspension or revocation
20 of the real estate license and license rights of Respondent
21 under the provisions of Sections 498 and 10177(a) of the
22 Business and Professions Code.

23 ORDER

24 I

25 The real estate salesperson license and all license
26 rights of Respondent under the Real Estate Law are revoked;
27 however, a restricted real estate salesperson license shall be

1 issued to Respondent pursuant to Section 10156.5 of the Business
2 and Professions Code if Respondent makes application therefor
3 and pays to the Department of Real Estate the appropriate fee
4 for the restricted license within ninety (90) days from the
5 effective date of this Decision. The restricted license issued
6 to Respondent shall be subject to all of the provisions of
7 Section 10156.7 of the Business and Professions Code and to the
8 following limitations, conditions and restrictions imposed under
9 authority of Section 10156.6 of that Code:

10 A. The restricted license issued to Respondent may
11 be suspended prior to hearing by Order of the Real Estate
12 Commissioner in the event of Respondent's conviction or plea of
13 nolo contendere to a crime which is substantially related to,
14 Respondent's fitness or capacity as a real estate licensee.

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

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

26 ///

27 ///

1 D. Respondent shall submit with any application for
2 license under an employing broker, or any application for
3 transfer to a new employing broker, a statement signed by the
4 prospective employing broker on a form approved by the
5 Department of Real Estate which shall certify:

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

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

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

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

1 including the payment of the appropriate examination fee. If
2 Respondent fails to satisfy this condition, the Commissioner may
3 order suspension of Respondent's license until Respondent passes
4 the examination.

5 G. Any restricted real estate salesperson license
6 issued to Respondent may be suspended or revoked for a violation
7 by Respondent of any of the conditions attaching to the
8 restricted license.

9
10 6/17/03

11 DATED

12 *Larry Alamaro*

13 for DAVID A. PETERS, Counsel
14 DEPARTMENT OF REAL ESTATE

15 * * *

16 I have read the Stipulation and Agreement, have
17 discussed it with my counsel, and its terms are understood by
18 me and are agreeable and acceptable to me. I understand that I
19 am waiving rights given to me by the California Administrative
20 Procedure Act (including but not limited to Sections 11506,
21 11508, 11509, and 11513 of the Government Code), and I
22 willingly, intelligently, and voluntarily waive those rights,
23 including the right of requiring the Commissioner to prove the
24 allegations in the Accusation at a hearing at which I would
25 have the right to cross-examine witnesses against me and to
26 present evidence in defense and mitigation of the charges.

27 6/12/03

DATED

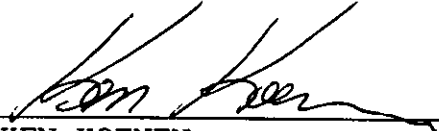
Stephanie Renee Hightree
STEPHANIE RENEE HIGHTREE
Respondent

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1 I have reviewed the Stipulation and Agreement in
2 Settlement as to form and content and have advised my client
3 accordingly.

4 6/12/03

5 DATED

6 

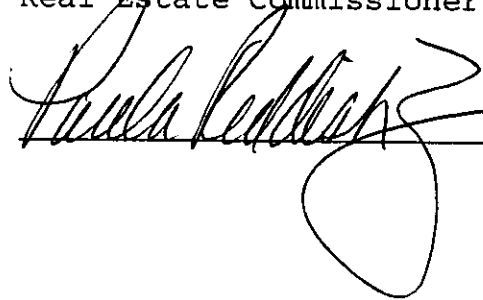
KEN KOENEN
Attorney for Respondent

7 * * *

8 The foregoing Stipulation and Agreement for
9 Settlement is hereby adopted by the Real Estate Commissioner as
10 her Decision and Order and shall become effective at 12 o'clock
11 noon on AUGUST 5, 2003.

12 IT IS SO ORDERED June 27, 2003.

13 PAULA REDDISH ZINNEMANN
14 Real Estate Commissioner

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

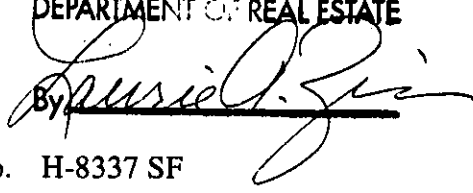
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DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

STEPHANIE RENEE HIGHTREE

By 
Case No. H-8337 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, 1515 CLAY STREET, SUITE 206, OAKLAND, CA 94612** on **WEDNESDAY, JUNE 18, 2003**, 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.

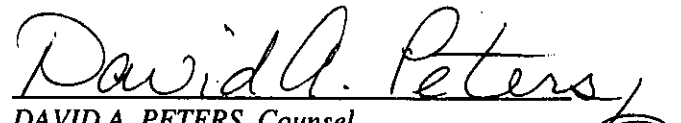
You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real 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: APRIL 9, 2003

DEPARTMENT OF REAL ESTATE

By


DAVID A. PETERS, Counsel (12)

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 26 2003

DEPARTMENT OF REAL ESTATE

By Laurie L. Zier

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-8337 SF
12 STEPHANIE RENEE HIGHTREE,) ACCUSATION
13 Respondent.)
14

15 The Complainant, Les R. Bettencourt, a Deputy Real
16 Estate Commissioner of the State of California, for cause of
17 Accusation against STEPHANIE RENEE HIGHTREE (hereinafter
18 "Respondent"), is informed 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 Respondent was issued a real estate salesperson
26 license on or about October 28, 2000, following Respondent's
27 application therefor filed on or about October 10, 2000.

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III

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

IV

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

V

On or about June 14, 1994, in the District Court, Clark County, Nevada, Respondent was convicted of violation of NRS 205.025 (Fourth Degree Arson), a crime 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.

VI

Respondent's failure to reveal the conviction set forth in Paragraph V above in said application constitutes the procurement of a real estate license by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in said application.

VII

The facts alleged above constitute cause under Sections 498 and 10177(a) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

///

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

8
9 

10 LES R. BETTENCOURT
11 Deputy Real Estate Commissioner

12 Dated at Oakland, California,
13 this 28th day of January, 2003.