

On January 23, 2007, no appearance being made by Respondent at the time and place set for hearing and upon evidence of compliance with the provisions of Sections 11506 and 11509 of the Government Code, Respondent's default was entered herein.

II

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

III

On or about December 3, 2004, in the Superior Court, County of Santa Clara, State of California, case number CC352675, Respondent was convicted of a violation of Section 20001 California Vehicle Code (Leave scene of collision resulting in injury), a felony involving moral turpitude and/or a crime 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.

DETERMINATION OF ISSUES

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Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 490 and 10177(b).

II

The standard of proof applied was clear and convincing proof to a reasonable certainty.

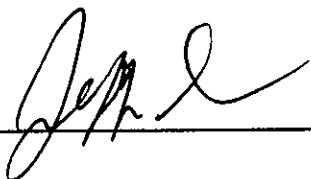
ORDER

All licenses and licensing rights of Respondent NICHOLAS ABEL RODRIGUEZ, under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on MAR 14, 2007.

DATED: 2-13, 2007.

JEFF DAVI
Real Estate Commissioner



FILED

JAN 26 2007

DEPARTMENT OF REAL ESTATE

1 Department of Real Estate
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
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5 Telephone: (916) 227-0789
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By *J. Davi*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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12 In the Matter of the Accusation of)
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NO. H-9450 SF

DEFAULT ORDER

Respondent, NICHOLAS ABEL RODRIGUEZ, having failed to appear at the duly noticed administrative hearing scheduled for January 23, 2007, in conformity with Section 11509 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED

January 26, 2007
JEFF DAVI
Real Estate Commissioner

By: *Steven J. Ellis*
STEVEN J. ELLIS
Regional Manager

FILED
NOV 23 2005

DEPARTMENT OF REAL ESTATE

By S. Ely

1 MICHAEL B. RICH, Counsel
State Bar No. 84257
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4 Telephone: (916) 227-0789

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BEFORE THE DEPARTMENT OF REAL ESTATE

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STATE OF CALIFORNIA

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* * *

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In the Matter of the Accusation of)

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NICHOLAS ABEL RODRIGUEZ,)

NO. H-9450 SF

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ACCUSATION

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The Complainant, E.J. HABERER II, a Deputy Real Estate
Commissioner of the State of California, for cause of Accusation
against NICHOLAS ABEL RODRIGUEZ (hereinafter referred to as
Respondent), is informed and alleges as follows:

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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) (Code) as a real estate
salesperson.

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The Complainant, E. J. HABERER II, a Deputy Real
Estate Commissioner of the State of California, makes this
Accusation in his official capacity.

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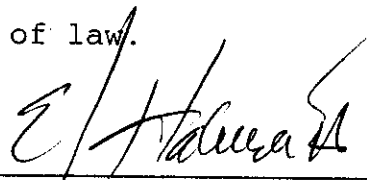
III

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IV

The facts alleged in Paragraph III, above, constitute cause under Sections 490 and/or 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 the provisions of law.



E. J. HABERER II
Deputy Real Estate Commissioner

Dated at Oakland, California,
this 18th day of November 2005.