

FLAG

**FILED**

OCT 03 2011

DEPARTMENT OF REAL ESTATE

By *L. J. [Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of

ANTHONY K. FORD,

No. H-9965 SF

Respondent.

ORDER GRANTING REINSTATEMENT OF LICENSE

On June 27, 2007, in Case No. H-9965 SF, a Decision was rendered revoking the real estate salesperson license of Respondent effective August 6, 2007, 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 August 6, 2007, and Respondent has operated as a restricted licensee since that time.

On March 8, 2010, Respondent petitioned for the removal of restrictions attaching to Respondent's 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

///

1 requirements of law for the issuance to Respondent of an unrestricted real estate salesperson  
2 license and that it would not be against the public interest to issue said license to Respondent.

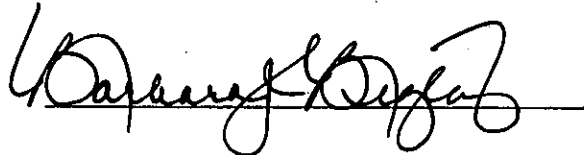
3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for  
4 reinstatement is granted and that a real estate salesperson license be issued to Respondent if  
5 Respondent satisfies the following requirements:

- 6 1. Submits a completed application and pays the fee for a real estate  
7 salesperson license within the 12 month period following the date of this Order; and  
8 2. Submits proof that Respondent has completed the continuing education  
9 requirements for renewal of the license sought. The continuing education courses must be  
10 completed either (i) within the 12 month period preceding the filing of the completed  
11 application, or (ii) within the 12 month period following the date of this Order.

12 This Order shall become effective immediately.

13 DATED: 9/8/11

14 BARBARA J. BIGBY  
15 Acting Real Estate Commissioner

16   
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

1 Department of Real Estate  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007

4 Telephone: (916)227-0789

**FILED**

JUL 17 2007

DEPARTMENT OF REAL ESTATE

By *[Signature]*

7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) NO. H-9965 SF  
12 ANTHONY K. FORD, )  
13 Respondent. ) STIPULATION AND AGREEMENT  
14 ) IN SETTLEMENT AND ORDER

15 It is hereby stipulated by and between ANTHONY K. FORD  
16 (Respondent), and the Complainant, acting by and through John  
17 Van Driel, Counsel for the Department of Real Estate, as follows  
18 for the purpose of settling and disposing of the Accusation  
19 filed on April 12, 2007 (hereinafter "the Accusation").

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

27 H-9965 SF

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

5           3. On April 26, 2007, Respondent filed a 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 said Notice of Defense. Respondent acknowledges that he  
10 understands that by withdrawing said Notice of Defense he will  
11 thereby waive his right to require the Commissioner to prove the  
12 allegations in the Accusation at a contested hearing held in  
13 accordance with the provisions of the Administrative Procedure  
14 Act (hereinafter "the APA") and that Respondent will waive other  
15 rights afforded to Respondent in connection with the hearing such  
16 as the right to present evidence in defense of the allegations in  
17 the Accusation and the right to cross-examine witnesses.

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

23           5. It is understood by the parties that the Real  
24 Estate Commissioner may adopt the Stipulation and Agreement in  
25 Settlement as his decision in this matter, thereby imposing the  
26 penalty and sanctions on Respondent's real estate licenses and  
27 H-9965 SF

1 license rights as set forth in the "Order" below. In the event  
2 that the Commissioner, in his discretion, does not adopt the  
3 Stipulation and Agreement in Settlement, it shall be void and of  
4 no effect, and Respondent shall retain the right to a hearing and  
5 proceeding on the Accusation under all the provisions of the APA  
6 and shall not be bound by any admission or waiver made herein.

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

14 DETERMINATION OF ISSUES

15 By reason of the foregoing stipulations, admissions and  
16 waivers and for the purpose of settlement of the pending  
17 Accusation without a hearing, it is stipulated and agreed that  
18 the acts and/or omissions of Respondent, as described in the  
19 Accusation, constitute grounds for the suspension or revocation  
20 of the licenses and license rights of Respondent under the  
21 provision of Sections 490 and 10177(b) of the Business and  
22 Professions Code (hereinafter "the Code").

23 ORDER

24 All licenses and licensing rights of Respondent ANTHONY K.  
25 FORD under the Real Estate Law are revoked; provided, however, a  
26 restricted real estate salesperson license shall be issued to  
27 H-9965 SF

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

9 1. The restricted license issued to Respondent may be  
10 suspended prior to hearing by Order of the Real Estate  
11 Commissioner in the event of Respondent's conviction or plea of  
12 nolo contendere to a crime which is substantially related 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 that  
17 Respondent has violated provisions of the California Real Estate  
18 Law, the Subdivided Lands Law, Regulations of the Real Estate  
19 Commissioner or conditions attaching to the restricted license.

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

25 4. Respondent shall, within nine (9) months from the  
26 effective date of this Decision, present evidence satisfactory to  
27 H-9965 SF

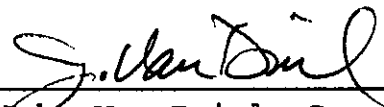
1 the Real Estate Commissioner that Respondent has, since the most  
2 recent issuance of an original or renewal real estate license,  
3 taken and successfully completed the continuing education  
4 requirements of Article 2.5 of Chapter 3 of the Real Estate Law  
5 for renewal of a real estate license. If Respondent fails to  
6 satisfy this condition, the Commissioner may order the suspension  
7 of the restricted license until the Respondent presents such  
8 evidence. The Commissioner shall afford Respondent the  
9 opportunity for a hearing pursuant to the Administrative  
10 Procedure Act to present such evidence.

11 5. Respondent shall submit with any application for  
12 license under an employing broker, or any application for  
13 transfer to a new employing broker, a statement signed by the  
14 prospective employing real estate broker on a form approved by  
15 the Department of Real Estate which shall certify:

16 (a) That the employing broker has read the Decision  
17 of the Commissioner which granted the right to a  
18 restricted license; and

19 (b) That the employing broker will exercise close  
20 supervision over the performance by the  
21 restricted licensee relating to activities for  
22 which a real estate license is required.

23  
24 DATED: 5-30-07

  
25 John Van Driel, Counsel  
26 DEPARTMENT OF REAL ESTATE

27 H-9965 SF

1 \* \* \*

2 I have read the Stipulation and Agreement, have  
3 discussed its terms with my attorney, and its terms are  
4 understood by me and are agreeable and acceptable to me. I  
5 understand that I am waiving rights given to me by the  
6 California Administrative Procedure Act (including but not  
7 limited to Sections 11506, 11508, 11509, and 11513 of the  
8 Government Code), and I willingly, intelligently, and  
9 voluntarily waive those rights, including the right of requiring  
10 the Commissioner to prove the allegations in the Accusation at a  
11 hearing at which I would have the right to cross-examine  
12 witnesses against me and to present evidence in defense and  
13 mitigation of the charges.


14  
15 DATED: 5-25-07

  
16 ANTHONY K. FORD  
Respondent

17 \* \* \*

18 The foregoing Stipulation and Agreement in Settlement  
19 is hereby adopted by the Real Estate Commissioner as his Decision  
20 and Order and shall become effective at 12 o'clock noon on  
21 August 6, 2007.

22 IT IS SO ORDERED 6-27, 2007.

23  
24   
25 JEFF DAVILA  
26 Real Estate Commissioner

27 H-9965 SF



File

**FILED**  
APR 12 2007

DEPARTMENT OF REAL ESTATE  
By *[Signature]*

JOHN VAN DRIEL, Counsel (SBN 84056)  
Department of Real Estate  
P. O. Box 187007  
Sacramento, CA 95818-7007  
  
Telephone: (916) 227-0789  
          -or- (916) 227-0787 (Direct)

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	NO. H-9965 SF
	)	
ANTHONY K. FORD,	)	<u>ACCUSATION</u>
	)	
Respondent.	)	

The Complainant, Ed Haberer, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against ANTHONY K. FORD (hereinafter "Respondent"), is informed and alleges as follows:

I

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 (hereinafter "Code") as a real estate salesperson.

II

The Complainant makes this Accusation against Respondent in his official capacity.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

III

On or about September 2, 2005, in the Lake County Superior Court, Respondent was convicted of a violation of California Penal Code Section 246.3 (unlawful discharge of firearm) and Health & Safety Code Section 11357(c) (possession of marijuana), crimes involving moral turpitude and which are 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/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 other provisions of law.

  
ED HABERER  
Deputy Real Estate Commissioner

Dated at Oakland, California,  
this 2nd day of April 2007.