

FILED

JUL 15 2010

DEPARTMENT OF REAL ESTATE

By K. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of

LIZBETH MORALES FICARRA,

Respondent.

H-10875 SF

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on July 1, 2010, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits and (3) other evidence.

This Decision revokes a real estate license and/or license rights on grounds of the conviction of crimes.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1

On March 11, 2010, Tricia D. Sommers made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on March 17, 2010.

On July 1, 2010, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2

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

3

On or about July 2, 2009, in the Superior Court of the State of California, County of Sacramento, Case No. 09T00822, Respondent was convicted of violating Section 23152(b) (Driving Under the Influence) and Section 20002(a) (Hit and Run) of the California Vehicle Code, misdemeanors and crimes which bear 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

1

Cause of disciplinary action against Respondent exists with reference to the convictions set out in Paragraph 3, above, pursuant to Business and Professions Code Sections 490 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially Related to Qualifications, Functions or Duties of Real Estate Licensee).

2

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

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ORDER

All licenses and licensing rights of Respondent LIZBETH MORALES FICARRA
under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

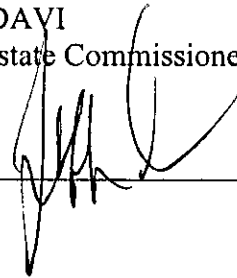
This Decision shall become effective at 12 o'clock noon on

AUG - 5 2010

DATED: _____

7-14-2010

JEFF DAVI
Real Estate Commissioner



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

4 Telephone: (916) 227-0789

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DEPARTMENT OF REAL ESTATE

By H. Mar

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 ***

11 In the Matter of the Accusation of)

12 LIZBETH MORALES FICARRA,)

13 Respondent.)

H-10875 SF

DEFAULT ORDER

14
15 Respondent, LIZBETH MORALES FICARRA, having failed to file a Notice of
16 Defense within the time required by Section 11506 of the Government Code, is now in default.

17 It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED July 7, 2010.

19 JEFF DAVI
20 Real Estate Commissioner

21
22 By:

Charles W. Koenig
23 CHARLES W. KOENIG
24 Northern Regional Manager
25
26
27

1 JOHN W. BARRON, Counsel (SBN 171246)
2 Department of Real Estate
3 P. O. Box 187007
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5 Telephone: (916) 227-0792

FILED

MAR 17 2010

DEPARTMENT OF REAL ESTATE

By K. Mar

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 ***

11 In the Matter of the Accusation of)
12) No. H-10875 SF
13 LIZBETH MORALES FICARRA,)
14 Respondent.) ACCUSATION

15
16 The Complainant, TRICIA D. SOMMERS, a Deputy Real Estate Commissioner
17 of the State of California, for cause of Accusation against LIZBETH MORALES FICARRA,
18 (hereinafter "Respondent"), is informed and alleges as follows:

19 1

20 The Complainant makes this Accusation in her official capacity.

21 2

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

25 3

26 On or about July 2, 2009, in the Superior Court of the State of California, County
27 of Sacramento, Case No. 09T00822, Respondent was convicted of violating Section 23152(b)

1 (Driving Under the Influence) and Section 20002(a) (Hit and Run) of the California Vehicle
2 Code, misdemeanors and crimes which bear a substantial relationship under Section 2910, Title
3 10, California Code of Regulations, to the qualifications, functions or duties of a real estate
4 licensee.

5 4

6 The facts alleged in Paragraph 3, above, constitute a cause under Sections 490
7 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially Related to
8 Qualifications, Functions or Duties of Real Estate Licensee) of the Code for suspension or
9 revocation of all licenses and license rights of Respondent under the Real Estate Law.

10 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
11 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
12 action against all licenses and license rights of Respondent under the Code, and for such other
13 and further relief as may be proper under the provisions of law.

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17 TRICIA D. SOMMERS
Deputy Real Estate Commissioner

18 Dated at Sacramento, California,
19 this 11th day of March, 2010.