

FILED

NOV 05 2011

DEPARTMENT OF REAL ESTATE
By L. First

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of

ROSALINA PAZ ROSAS,

Respondent.

NO. H-11119 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 August 16, 2011, 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 on grounds of the conviction of a crime.

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 April 18, 2011, E. J. Haberer, II, made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, Notice of Defense, and Discovery Provisions were mailed, by regular and certified mail, to Respondent's last known mailing address on file with the Department on April 21, 2011.

2

On August 16, 2011, no Notice of Defense having been filed herein within the time prescribed by section 11506 of the Government Code, Respondent's default was entered herein.

3

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.

4

On or about May 26, 2009, in the Superior Court of the State of California, County of Santa Clara, Case No. CC939632, Respondent was convicted of violating section 484/488 of the Penal Code (petty theft), a misdemeanor which bears a substantial relationship under section 2910, Title 10, California Code Regulations to the qualifications, functions or duties of a real estate licensee.

DETERMINATION OF ISSUES

1

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

2

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

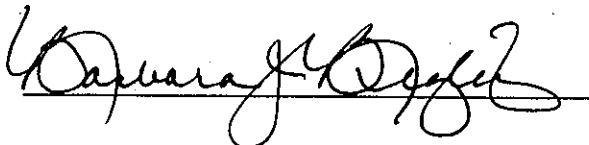
ORDER

All licenses and licensing rights of Respondent ROSALINA PAZ ROSAS, 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 NOV 25 2011

DATED: 9/8/11

BARBARA J. BIGBY
Acting Real Estate Commissioner



FILED
APR 21 2011

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6 Direct: (916) 227-0822

DEPARTMENT OF REAL ESTATE

By [Signature]

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	
)	No. H-11119 SF
)	
12 ROSALINA PAZ ROSAS,)	<u>ACCUSATION</u>
)	
13 Respondent.)	
)	

16 The Complainant, E. J. HABERER, II, acting in his official capacity as a Deputy
17 Real Estate Commissioner of the State of California, for cause of Accusation against
18 ROSALINA PAZ ROSAS (herein "Respondent"), is informed and alleges as follows:

19 1.

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

23 2.


24 On or about May 26, 2009, in the Superior Court of the State of California,
25 County of Santa Clara, Case No. CC939632, Respondent was convicted of violating section
26 484/488 of the Penal Code (petty theft); a misdemeanor which bears a substantial relationship
27 under section 2910, Title 10, California Code Regulations to the qualifications, functions or

1 duties of a real estate licensee.

2 3.

3 The facts alleged above in Paragraph 2 constitute grounds under sections 490
4 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of
5 Respondent under Part 1 of Division 4 of the Code (herein "the Real Estate Law").

6 WHEREFORE, Complainant prays that a hearing be conducted on the
7 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
8 disciplinary action against all licenses and license rights of Respondent under the Real Estate
9 Law, and for such other and further relief as may be proper under the provisions of law.

10
11
12 
13 _____
14 E. J. HABERER, II
15 Deputy Real Estate Commissioner

16 Dated at Oakland, California,
17 this 18th day of April, 2011.